

7th November 2018 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment
17	Kings House, Grand Avenue, Hove	BH2018/00868 (Full Planning)	<p>Amended Report Wording p58: The third paragraph of the 'Affordable Housing and Viability' on p.58 of the report, as set out below;</p> <p>That said, it is Government policy that the provision of affordable housing should threaten the overall viability and delivery of a development scheme'</p> <p>Should be substituted with the following wording;</p> <p>That said, it is Government policy that the provision of affordable housing should not threaten the overall viability and delivery of a development scheme;</p> <p>Additional Representations: Councillor Moonan has submitted an additional objection to the proposed development. A copy of the comment is attached.</p> <p>Councillor Wealls has submitted an additional objection to the proposed development. A copy of the comment is attached.</p> <p>Following a re-consultation to neighbouring occupiers, a further 20 letters of objection have been received raising similar concerns to those already raised within the original consultation. A number of the objections raise concerns that the original concerns have not been addressed within the amended proposal and that the level of affordable housing is insufficient.</p> <p>Officer Response: All objections raised are addressed in the committee report.</p>

Alterations to conditions:

Condition 9

Unless otherwise agreed by the Local Planning Authority, all hard landscaping and means of enclosure shall be completed in accordance with the approved scheme prior to first occupation of the development. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton and Hove Local Plan and CP12 of the City Plan Part One.

This condition has been amended to include 'Unless otherwise agreed by the Local Planning Authority' in order to allow more flexibility to account for construction phasing.

Condition 11

No development to Kings House involving the use of the following materials shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including:

- a. Bricks and mortar;
- b. Coping and pier caps;
- c. Airbricks;
- d. Cladding for mansards, dormers and flat roof;
- e. Rooflights;
- f. Materials for the northern boundary walls;
- g. Aluminium balcony balustrade panels;

			<p>h. Glass and framing for outrigger roof balustrades. Development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton and Hove Local Plan and CP12 and CP15 of the Brighton and Hove City Plan Part One.</p> <p>This condition has been amended to alter the trigger of when the samples / details are required to be submitted, to allow works to begin on site prior to agreement of the required details. Condition 16 has also been merged with condition 12.</p> <p><u>Condition 12</u> No development involving the use of the following materials to the new buildings on Grand Avenue and Second Avenue shall take place until samples of materials to be used in the construction of the external surfaces of the development of those new build elements have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):</p> <ul style="list-style-type: none"> a. Samples of all brick and roofing materials; b. Samples of all cladding to be used, including details of their treatment to protect against weathering; c. Samples of bricks, coping and pier caps of the boundary walls; d. Details of all hard surfacing materials; e. Details of the proposed window, door and balcony treatments; f. Details of all other materials to be used externally. <p>Development shall be carried out in accordance with the approved details. Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton and Hove Local Plan and CP12 and CP15 of the Brighton and Hove City Plan Part One.</p> <p>This condition has been amended to alter the trigger of when the samples / details are required to be submitted, to allow works to begin on site prior to agreement of the required details.</p>
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			<p><u>Condition 13</u> No development involving the following: a: works to remove the concrete infill from the former ground floor entrances; or b: the reinstatement of steps</p> <p>shall take place until a method statement for each aspect of the work has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The method statement shall include provision for initial investigations of the infill sections, to gather evidence of any surviving original stair construction or materials, the findings of which to be provided to the Local Planning Authority along with detailed proposals for their reinstatement. Any original structure and materials found are to be re-used unless otherwise agreed by the Local Planning Authority.</p> <p>The repair/reconstruction of the steps shall not take place until details for the step structures, dividing wall and railings have be submitted to and agreed by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.</p> <p>This condition has been amended to alter the trigger of when the details are required to be submitted, to allow works to begin on site prior to agreement of the required details.</p> <p><u>Condition 14</u> No development in relation to the Second Avenue fire escape entrance shall take place until large scale elevations, masonry and joinery details for the Second Avenue fire escape entrance have been submitted to and approved in writing by</p>
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			<p>the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.</p> <p>This condition has been amended to alter the trigger of when the details are required to be submitted, to allow works to begin on site prior to agreement of the required details.</p> <p><u>Condition 15</u></p> <p>No development to the new buildings on Grand Avenue and Second Avenue above ground floor slab level hereby permitted shall take place until profiles and material samples of the proposed brickwork, coping and pier caps for the proposed boundary wall in Second Avenue have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 and HE6 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.</p> <p>This condition has been amended to alter the trigger of when the details are required to be submitted, to allow works to begin on site prior to agreement of the required details.</p> <p><u>Condition 16</u></p> <p>The requirements of condition 16 have now been merged with condition 11. Condition 16 is therefore no longer required.</p> <p><u>Condition 19</u></p> <p>Other than demolition, the development hereby permitted shall not be commenced until full details of the proposed Combined Heat and Power (CHP)</p>
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			<p>system in addition to details the plant installation and flue route through the building, including floorplans of each level the route crosses through and all relevant section drawings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the satisfactory preservation of this listed building and to ensure that the development is sustainable, makes efficient use of energy, to minimise any harmful emissions which may result and to comply with policies HE1 and SU9 of the Brighton and Hove Local Plan and CP8 and CP15 of the Brighton and Hove City Plan Part One.</p> <p>This has been merged with condition 28 in order to secure all matters relating to the Combined Heat and Power system under one condition.</p> <p><u>Condition 24</u></p> <p>Unless otherwise agreed in writing, the development hereby approved shall not be occupied until a highway scheme setting out full details of the following works:</p> <ul style="list-style-type: none"> (a) extinguish the redundant vehicle crossover on Second Avenue to the existing surface car park and reinstate this as footway; (b) provide further new dropped kerbs on Second Avenue, Grand Avenue and Queen's Garden in the vicinity of pedestrian accesses into the development for ease of loading and unloading containers and receptacles from service and delivery vehicles (c) remove the existing access ramp and steps on Grand Avenue and reinstate the footway; and (d) amend existing or introduce new Traffic Regulation Orders and/or carry out all highway works necessary to facilitate the above; <p>have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the approved scheme shall be implemented prior to first occupation of the development.</p>
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			<p>Reason: To ensure that suitable footway provision is provided to and from the development and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.</p> <p>This has been amended to alter the trigger to pre-occupation, rather than pre-commencement. 'Unless otherwise agreed in writing' has been added to condition to allow more flexibility to account for construction phasing. The previous section (b) relating to the removal of the vehicle crossover has also been removed from the condition as the crossover falls outside of the development boundary.</p> <p><u>Condition 27</u></p> <p>No development relating to the proposed photovoltaic panel arrays shall take place until full details of the proposed solar photovoltaic panel arrays have been submitted to and approved in writing by the Local Planning Authority. The approved solar photovoltaic panel arrays shall be installed in their entirety and shall be operational prior to the first occupation of the new build blocks hereby approved. The approved solar photovoltaic panel arrays shall remain operational thereafter.</p> <p>Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with policy CP8 of the Brighton and Hove City Plan Part One.</p> <p>This condition has been amended to alter the trigger of when the details are required to be submitted, to allow works to begin on site prior to agreement of the required details.</p> <p><u>Condition 28</u></p> <p>The requirements of condition 28 have now been merged with condition 19. Condition 28 is therefore no longer required.</p> <p><u>Condition 29</u></p> <p>Notwithstanding the layouts shown on the approved drawings, other than demolition, no development shall take place until a scheme has been submitted</p>
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			<p>to and approved in writing by the Local Planning Authority providing full details of eight units which form part of the approved scheme, which are in compliance with Building Regulations Optional Requirement M4(3)(2b) (wheelchair user dwellings). These eight units shall be completed in compliance with Building Regulations Optional Requirement M4(3)(2b) (wheelchair user dwellings) prior to first occupation and shall be retained as such thereafter. All other dwelling(s) hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.</p> <p>Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton and Hove Local Plan.</p> <p>This condition has been amended to include 'Notwithstanding the layouts shown on the approved drawings' in order to avoid the requirement for subsequent Planning Applications to address the internal alterations required for the accessible dwellings.</p> <p><u>Condition 31</u></p> <p>No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:</p> <p>(a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study ref. GE17010 – DSRv2VB180302 V.2 submitted on the 19th of March 2018, in accordance with BS 10175:2011+A1:2013;</p> <p>And if notified in writing by the local planning authority that the results of the site investigation are such that site remediation is required then,</p> <p>(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include</p>
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			<p>nomination of a competent person to oversee the implementation of the works. Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.</p> <p>This condition has been amended to include the reason and relevant policies which were omitted from the original committee report.</p> <p><u>Condition 32</u> The development hereby permitted shall not be occupied or brought into use until there has been submitted to, and approved in writing by, the local planning authority a written verification report by a competent person approved under the provisions of condition 29 (b) that any remediation scheme required and approved under the provisions of condition 29 (b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority the verification report shall comprise:</p> <ul style="list-style-type: none"> a) built drawings of the implemented scheme; b) photographs of the remediation works in progress; c) certificates demonstrating that imported and/or material left in situ is free from contamination. <p>Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.</p> <p>This condition has been amended to include the reason and relevant policies which were omitted from the original committee report.</p> <p><u>Condition 33</u> Unless otherwise agreed by the Local Planning Authority, the development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made</p>
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			<p>available for use. These facilities shall thereafter be retained for use at all times. Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton and Hove Local Plan, policy CP8 of the Brighton and Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan Waste and Minerals Plan.</p> <p>This condition has been amended to include 'Unless otherwise agreed by the Local Planning Authority' in order to allow more flexibility to account for construction phasing.</p>
87	Kings House, Grand Avenue, Hove	BH2018/00869 (Listed Building Consent)	<p>Additional Representations: Councillor Sykes has submitted a comment on the proposed development. A copy of the comment is attached.</p> <p>Following a re-consultation to neighbouring occupiers, a further one letter of objection has been received raising similar concerns to those already raised within the original consultation. A number of the objections raise concerns that the original concerns have not been addressed within the amended proposal.</p> <p>Officer Response: All objections raised are addressed in the committee report.</p> <p>Alterations to conditions:</p> <p><u>Condition 3</u> No development to Kings House involving the use of the following materials shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including:</p> <p>a. Bricks and mortar</p>

			<ul style="list-style-type: none"> b. Coping and pier caps c. Airbricks d. Cladding for mansards, dormers and flat roof e. Rooflights f. Materials for the northern boundary walls g. Aluminium balcony balustrade panels h. Glass and framing for outrigger roof balustrades <p>Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.</p> <p>This condition has been amended to alter the trigger of when the samples / details are required to be submitted, to allow works to begin on site prior to agreement of the required details. Condition 7 has also been merged with condition 3.</p> <p><u>Condition 4</u></p> <p>No development involving the following:</p> <ul style="list-style-type: none"> a: works to remove the concrete infill from the former ground floor entrances; or b: the reinstatement of steps; <p>shall take place until a method statement for each aspect of the work has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The method statement shall include provision for initial investigations of the infill sections, to gather evidence of any surviving original stair construction or materials, the findings of which to be provided to the Local Planning Authority along with detailed proposals for their reinstatement. Any original structure and materials found are to be re-used unless otherwise agreed by the Local Planning Authority.</p> <p>The repair/reconstruction of the steps shall not take place until details for the step structures, dividing wall and railings have be submitted to and agreed by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure the satisfactory preservation of this listed building and to</p>
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comply with policy HE1 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

This condition has been amended to alter the trigger of when the samples / details are required to be submitted, to allow works to begin on site prior to agreement of the required details

Condition 5

No development in relation to the Second Avenue fire escape entrance shall take place until large scale elevations, masonry and joinery details for the Second Avenue fire escape entrance have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

This condition has been amended to alter the trigger of when the details are required to be submitted, to allow works to begin on site prior to agreement of the required details.

Condition 6

No development to the new buildings on Grand Avenue and Second Avenue above ground floor slab level hereby permitted shall take place until profiles and material samples of the proposed brickwork, coping and pier caps for the proposed boundary wall in Second Avenue have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 and HE6 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

This condition has been amended to alter the trigger of when the details are required to be submitted, to allow works to begin on site prior to agreement of the required details.

Condition 7

The requirements of condition 7 have now been merged with condition 3. Condition 7 is therefore no longer required.

Additional Condition 12

Other than demolition, the development hereby permitted shall not be commenced until full details of the proposed CHP plant installation and flue route through the building, including floorplans of each level the route crosses through and all relevant section drawings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

The condition above has been added to secure the CHP plant details in order to be consistent with the Full Planning Application.

Additional Condition 13

Notwithstanding the layouts shown in the approved drawings, should any wheelchair units be proposed in the main Kings House Building, no works shall take place until full details of the layouts and works associated with these units have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

			This condition has been added in order to avoid the requirement for subsequent Listed Building consent Applications to address any internal alterations required for any accessible dwellings proposed in the main Kings House building.
109	Varndean College, Surrenden Road, Brighton	BH2018/02404	<p>1 no. further objection on the following grounds: Temporary buildings are unauthorised and have not been removed; Loss of open space; No detail on Masterplan; Traffic implications.</p> <p>Officer Response: 7 temporary buildings have permission until Dec 2019. The buildings were first approved in 2009, however there have been temporary buildings on the site for many years; this is detailed in planning history in the committee report. Loss of open space and traffic implications are covered in the committee report. The Masterplan horseshoe shaped building is not part of this application and would be assessed if and when it is submitted.</p>
175	4, The Park, Rottingdean, Brighton	BH2018/02683	<p>1 no. further letter of support was received from a respondent on Freshfield Road on the following grounds: No extra height so doesn't block view to sea, remodelling would help improve environmental standards of home energy performance.</p> <p>Officer Response: The design and appearance issues have been addressed in the report.</p>
215	Blocks E and F Kingsmere, London Road, Brighton	BH2018/00659	<p>Drawing number A1211/06C, A1211/10 and the cycle storage specification have been removed from the approved plans.</p> <p>Alterations to the Conditions: <u>Condition 7</u> The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times. Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply</p>

			<p>with policy TR14 of the Brighton & Hove Local Plan.</p> <p>Condition 7 has been removed and the following informative has been added:</p> <p><u>Informative 2</u> For the purpose of clarification, the cycle storage has been considered under planning application BH2016/02486 and considered acceptable to provide the storage required for the additional flats to blocks E and F.</p>
227	Block B, The Priory, London Road, Brighton	BH2018/00149	<p>Additional Comments from Environmental Health: Further comments sought from the Environmental Health team were omitted from the original report. The comments recommended including 6 and 12 relating to potential noise impact and mitigation which are include within the committee report.</p>

NB. Representations received after midday the Friday before the date of the Committee meeting will not be reported (Sub-Committee resolution of 23 February 2005).

