

6<sup>th</sup> November 2019 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment																																																
19	1 Moulsecomb Way, Brighton	BH2019/01272	<p><b>Amend s106 Heads of Terms to read:</b> Sustainable Transport Contribution – Amount to be agreed by Planning Manager in consultation with the Chair, Vice Chair and Opposition Spokespersons.</p> <p><b>Amended conditions:</b> 1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below:</p> <table border="1"> <thead> <tr> <th>Plan Name</th> <th>Reference</th> <th>Version</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Existing Location Plan</td> <td>1746-P-001</td> <td>A</td> <td>29.10.2019</td> </tr> <tr> <td>Existing Site Plan</td> <td>1746-P-002</td> <td>A</td> <td>23.04.2019</td> </tr> <tr> <td>Proposed Block Plan</td> <td>1746-P-003</td> <td>A</td> <td>23.04.2019</td> </tr> <tr> <td>Proposed Site Plan</td> <td>1746-P-004</td> <td>F</td> <td>29.10.2019</td> </tr> <tr> <td>Proposed Drawings</td> <td>1746-P-005</td> <td>H</td> <td>29.10.2019</td> </tr> <tr> <td>Proposed Drawings</td> <td>1746-P-006</td> <td>F</td> <td>29.10.2019</td> </tr> <tr> <td>Proposed Drawings</td> <td>1746-P-007</td> <td>F</td> <td>29.10.2019</td> </tr> <tr> <td>Proposed Drawings</td> <td>1746-P-008</td> <td>F</td> <td>29.10.2019</td> </tr> <tr> <td>Proposed Drawings</td> <td>1746-P-009</td> <td>F</td> <td>29.10.2019</td> </tr> <tr> <td>Proposed Drawings</td> <td>1746-P-010</td> <td>F</td> <td>29.10.2019</td> </tr> <tr> <td>Proposed</td> <td>1746-P-011</td> <td>C</td> <td>29.10.2019</td> </tr> </tbody> </table>	Plan Name	Reference	Version	Date Received	Existing Location Plan	1746-P-001	A	29.10.2019	Existing Site Plan	1746-P-002	A	23.04.2019	Proposed Block Plan	1746-P-003	A	23.04.2019	Proposed Site Plan	1746-P-004	F	29.10.2019	Proposed Drawings	1746-P-005	H	29.10.2019	Proposed Drawings	1746-P-006	F	29.10.2019	Proposed Drawings	1746-P-007	F	29.10.2019	Proposed Drawings	1746-P-008	F	29.10.2019	Proposed Drawings	1746-P-009	F	29.10.2019	Proposed Drawings	1746-P-010	F	29.10.2019	Proposed	1746-P-011	C	29.10.2019
Plan Name	Reference	Version	Date Received																																																
Existing Location Plan	1746-P-001	A	29.10.2019																																																
Existing Site Plan	1746-P-002	A	23.04.2019																																																
Proposed Block Plan	1746-P-003	A	23.04.2019																																																
Proposed Site Plan	1746-P-004	F	29.10.2019																																																
Proposed Drawings	1746-P-005	H	29.10.2019																																																
Proposed Drawings	1746-P-006	F	29.10.2019																																																
Proposed Drawings	1746-P-007	F	29.10.2019																																																
Proposed Drawings	1746-P-008	F	29.10.2019																																																
Proposed Drawings	1746-P-009	F	29.10.2019																																																
Proposed Drawings	1746-P-010	F	29.10.2019																																																
Proposed	1746-P-011	C	29.10.2019																																																

			Drawings			
			Proposed Drawings	1746-P-012	G	29.10.2019
			Proposed Drawings	1746-P-013	F	29.10.2019
			Proposed Drawings	1746-P-014	E	29.10.2019
			Proposed Drawings	1746-P-015	E	29.10.2019
			Proposed Drawings	1746-P-016	E	29.10.2019
			Proposed Drawings	1746-P-017	E	29.10.2019
			Proposed Drawings	1746-P-018	D	29.10.2019
			Proposed Drawings	1746-P-019	E	29.10.2019
			Proposed Drawings	1746-P-030	D	29.10.2019
			Proposed Drawings	1746-P-031	I	29.10.2019
			Proposed Drawings	1746-P-032	H	29.10.2019
			Proposed Drawings	1746-P-033	C	29.10.2019
			Proposed Drawings	1746-P-034	C	29.10.2019
			Proposed Drawings	1746-P-035	G	29.10.2019
			Proposed Drawings	1746-P-040	D	29.10.2019

			Proposed Drawings	1746-P-041	C	29.10.2019
			Proposed Drawings	1746-P-042	D	29.10.2019
			Proposed Drawings	1746-P-043	D	29.10.2019
			Proposed Drawings	1746-P-044	D	29.10.2019
			Proposed Drawings	1746-P-045	D	29.10.2019
			Proposed Drawings	1746-P-046	C	29.10.2019
			Proposed Drawings	1746-P-047	C	29.10.2019
			Proposed Drawings	1746-P-048	E	29.10.2019
			Proposed Drawings	1746-P-049	B	29.10.2019
			Proposed Drawings	1746-P-050	A	29.10.2019
			Proposed Drawings	1746-P-051	B	29.10.2019
			Existing Drawings	G 9327/1		23.04.2019
			Existing Drawings	G 9327/2		23.04.2019
			Existing Drawings	Layout		23.04.2019
			Existing Drawings	001		23.04.2019
			Existing Drawings	002		23.04.2019
			Existing Drawings	003		23.04.2019
			Existing Drawings	004		23.04.2019
			Existing Drawings	005		23.04.2019
			Existing Drawings	006		23.04.2019

			<p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Insert new sentence (below in italics) to condition 9 to allow for second drainage survey if required following demolition works.</p> <p>9. No development (with the exception of demolition works) shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods as per the recommendations of the 'Drainage Strategy &amp; Flood Risk Statement v3.0', dated April 2019, has been submitted to and approved in writing by the Local Planning Authority. <i>Should a further survey of the site be practical or necessary following demolition works, any alternative management and maintenance plan of surface water drainage proposed shall be submitted to and approved in writing by the Local Planning Authority.</i> The <i>finally</i> approved drainage system shall be implemented in accordance with the approved detailed design prior to construction commencing.</p> <p>To discharge the condition above by the LLFA, the applicant will need to provide the following:</p> <ul style="list-style-type: none"><li>a) Details of an appropriate soakaway test together with the results in accordance with Building Research Establishment Digest 365 (BRE365).</li><li>b) Appropriate calculations to demonstrate that the final proposed drainage system will be able to satisfactorily accommodate both winter and summer storms for a full range of events and storm durations.</li><li>c) The applicant should demonstrate to the satisfaction of the Local Planning Authority that the surface water drainage system has been designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event, and so that flooding does not occur during a 1 in 100 (+40% allowance for climate change) year event in any part of a building or in any utility plant susceptible to water.</li></ul> <p>Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with policy SU3 of the Brighton &amp; Hove Local Plan.</p>
--	--	--	--

			<p><b>Additional Representation from transport team:</b> The submitted Transport Assessment continues to lack a large amount of information which is fundamental to being able to assess the impacts of the proposed development and advise about potential harm (and mitigation). NPPF paragraph 111 requires that sufficient information must be available for assessment purposes. Without this the application cannot reasonably be determined, except for refusal. Key areas where information remains lacking include the following:</p> <ul style="list-style-type: none"><li>• Travel forecast</li><li>• Delivery and servicing vehicle forecast under-estimated for B1. PBSA should cover 24 hour period.</li><li>• Parking demand assessment carried out outside (university) term time.</li><li>• Road Safety Audit not in accordance with national standard.</li><li>• Public transport assessment and pedestrian and cycling infrastructure assessment not carried out.</li><li>• Insufficient disabled parking on site.</li><li>• Proposals for loading and access on the highway are unacceptable.</li><li>• Servicing arrangements in the courtyard need further assessment.</li></ul> <p><u>Officer comment:</u> NPPF paragraph 111 states that developments that will generate significant amounts of movement should be required to provide a travel plan and the application should be supported by a transport statement or transport assessment. These documents were submitted with the application. Considerable additional information has been submitted on two occasions at the request of the Transport team and majority of the requests above have been complied with and within the timescales requested. The objections of the Transport team relate to the data submitted using comparison PBSA developments both in the city and nationally or to methodology. There has been no in principle objection to the development by the Transport team nor the highway aspects. Some information requested and provided is subject of Highway legislation and can be developed post decision as part of S278 works and planning conditions which could be imposed as set out in the report. In the case of disabled parking bay provision, this is comparable to previous PBSA</p>
--	--	--	--

			<p>schemes determined in the city without attracting objections from the Transport team. NPPF paragraph 109 sets a high bar for refusal of a development on highway grounds being only if there would be an unacceptable impact on highway safety, ‘<i>or the residual cumulative impacts on the road network would be severe</i>’. It is considered therefore that, in line with the recommendation and the obligations and conditions therein, that on balance the overall merits of the scheme outweigh any potential harm on transport grounds.</p> <p><u>Paragraph 9.52</u> Last sentence of conclusion should be deleted. It is not considered necessary to refer the application to the Secretary of State if the Committee are Minded to Approve.</p>																																												
73	The Old Ship Hotel, 31 - 38 Kings Road, Brighton	BH2018/03943	<p><b>Amend s106 Heads of Terms to read:</b> Sustainable transport contribution - Amount to be agreed by Planning Manager on receipt of additional information in consultation with the Chair and Opposition and Group Spokespersons.</p> <p><b>Amend Conditions to read:</b></p> <ol style="list-style-type: none"> <li>The development hereby permitted shall be carried out in accordance with the approved drawings listed below.</li> </ol> <p><b>Reason:</b> For the avoidance of doubt and in the interests of proper planning.</p> <table border="1"> <thead> <tr> <th>Plan Type</th> <th>Reference</th> <th>Version</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Proposed Drawing</td> <td>A-110-003</td> <td>P4</td> <td>24 July 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-110-004</td> <td>P3</td> <td>24 July 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-110-005</td> <td>P4</td> <td>24 July 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-110-006</td> <td>P4</td> <td>24 July 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-120-001</td> <td>P4</td> <td>24 December 2018</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-120-002</td> <td>P3</td> <td>24 December 2018</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-100-000</td> <td>P5</td> <td>24 July 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-110-010</td> <td>P3</td> <td>25 March 2019</td> </tr> <tr> <td>Location Plan</td> <td>A-000-001</td> <td>P3</td> <td>21 January 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-100-001 AO</td> <td>P5</td> <td>24 July 2019</td> </tr> </tbody> </table>	Plan Type	Reference	Version	Date Received	Proposed Drawing	A-110-003	P4	24 July 2019	Proposed Drawing	A-110-004	P3	24 July 2019	Proposed Drawing	A-110-005	P4	24 July 2019	Proposed Drawing	A-110-006	P4	24 July 2019	Proposed Drawing	A-120-001	P4	24 December 2018	Proposed Drawing	A-120-002	P3	24 December 2018	Proposed Drawing	A-100-000	P5	24 July 2019	Proposed Drawing	A-110-010	P3	25 March 2019	Location Plan	A-000-001	P3	21 January 2019	Proposed Drawing	A-100-001 AO	P5	24 July 2019
Plan Type	Reference	Version	Date Received																																												
Proposed Drawing	A-110-003	P4	24 July 2019																																												
Proposed Drawing	A-110-004	P3	24 July 2019																																												
Proposed Drawing	A-110-005	P4	24 July 2019																																												
Proposed Drawing	A-110-006	P4	24 July 2019																																												
Proposed Drawing	A-120-001	P4	24 December 2018																																												
Proposed Drawing	A-120-002	P3	24 December 2018																																												
Proposed Drawing	A-100-000	P5	24 July 2019																																												
Proposed Drawing	A-110-010	P3	25 March 2019																																												
Location Plan	A-000-001	P3	21 January 2019																																												
Proposed Drawing	A-100-001 AO	P5	24 July 2019																																												

			<table border="1"> <tr> <td>Proposed Drawing</td> <td>A-100-002 AO</td> <td>P8</td> <td>24 July 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-100-003 AO</td> <td>P1</td> <td>24 December 2018</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-100-004 AO</td> <td>P1</td> <td>24 December 2018</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-100-005 AO</td> <td>P1</td> <td>24 December 2018</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-100-006 AO</td> <td>P1</td> <td>24 December 2018</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-100-007 AO</td> <td>P1</td> <td>24 December 2018</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-100-008 AO</td> <td>P1</td> <td>24 December 2018</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-110-001</td> <td>P4</td> <td>25 March 2019</td> </tr> <tr> <td>Proposed Drawing</td> <td>A-110-002</td> <td>P3</td> <td>24 December 2018</td> </tr> </table> <p>6. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall be equal to or lower than the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014. In addition, there should be no significant low frequency tones present. Reason: To safeguard the amenities of the future occupiers of the development and to comply with policies SU10 and QD27 of the Brighton &amp; Hove Local Plan.</p>	Proposed Drawing	A-100-002 AO	P8	24 July 2019	Proposed Drawing	A-100-003 AO	P1	24 December 2018	Proposed Drawing	A-100-004 AO	P1	24 December 2018	Proposed Drawing	A-100-005 AO	P1	24 December 2018	Proposed Drawing	A-100-006 AO	P1	24 December 2018	Proposed Drawing	A-100-007 AO	P1	24 December 2018	Proposed Drawing	A-100-008 AO	P1	24 December 2018	Proposed Drawing	A-110-001	P4	25 March 2019	Proposed Drawing	A-110-002	P3	24 December 2018
Proposed Drawing	A-100-002 AO	P8	24 July 2019																																				
Proposed Drawing	A-100-003 AO	P1	24 December 2018																																				
Proposed Drawing	A-100-004 AO	P1	24 December 2018																																				
Proposed Drawing	A-100-005 AO	P1	24 December 2018																																				
Proposed Drawing	A-100-006 AO	P1	24 December 2018																																				
Proposed Drawing	A-100-007 AO	P1	24 December 2018																																				
Proposed Drawing	A-100-008 AO	P1	24 December 2018																																				
Proposed Drawing	A-110-001	P4	25 March 2019																																				
Proposed Drawing	A-110-002	P3	24 December 2018																																				
121	25 York Villas, Brighton	BH2018/00732	<p><b>Amend Condition 19 to read:</b> The development hereby permitted shall not be occupied until the redundant vehicle crossovers on York Villas adjacent to the application site have been converted back to a footway by raising the existing kerb and footway, and the redundant loading bay on York Villas has been removed and replaced with appropriate markings. Reason: In the interests of highway safety and to comply with policies TR7 of the Brighton and Hove Local Plan and CP9 of the Brighton &amp; Hove City Plan Part One.</p> <p><b>Additional Representation from the Arboricultural Team:</b> Recommend a condition to secure tree protection measures.</p>																																				

			<p><u>Officer Response</u> The condition recommended by the Arboriculture Team is already included within the committee report, in addition to a further condition requiring trial excavations and surveys to be carried out within the root protection zone of the adjacent TPO.</p>
161	15 Caburn Road and 203 Dyke Road, Hove	BH2019/02158	<p><b>Additional policy omitted from officer report:</b> Brighton &amp; Hove City Plan Part One: CP21 Student housing and Housing in Multiple Occupation</p> <p><b>Addition to officer report under Principle of development:</b> In order to support mixed and balanced communities and to ensure that a range of housing needs continue to be accommodated throughout the city, applications for new build HMO, and applications for the change of use to a Class C4 (Houses in multiple occupation) use, a mixed C3/C4 use or to a sui generis House in Multiple Occupation use (more than six people sharing) will not be permitted where:</p> <p>-More than 10 per cent of dwellings within a radius of 50 metres of the application site are already in use as Class C4, mixed C3/C4 or other types of HMO in a sui generis use.</p> <p>A mapping exercise has been carried out and it is concluded that of the 30 residential dwellings within a 50 metre radius of the property, there were no recorded properties in HMO use. The only properties with evidence of an HMO were the application site and thus were not included within the percentage of properties recorded. The proposed use is therefore not contrary to the restriction set out in CP21.</p>
179	Flat 2, 33 Adelaide Crescent, Hove	BH2019/02411	<p><b>Amend drawings in Condition 1 to read:</b> 023.PL.001 rev b and 023.PL.002 rev b received 29/10/2019.</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).

