

2nd December 2020 Planning Committee – Additional Representations

Item	Site Address	Application No.	Comment
A	Coombe Farm, Westfield Avenue North	BH2020/00002	<p>1. S106 Heads of Terms – Updates:</p> <p>Additional Heads of Terms:</p> <p><i>‘Local Equipped Area for Play’ or ‘LEAP’ means an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently close to where they live.</i></p> <ul style="list-style-type: none"> ▪ to manage and maintain the relevant an open amenity or recreation area in perpetuity ▪ a management plan for the long-term future maintenance and management of the LEAP ▪ submission and written approval of the Council for a detailed scheme for the provision of the LEAP to include layout, provision of equipment and maintenance ▪ to permit the Council its agents and its surveyors access to inspect the relevant part of the LEAP ▪ the Owner shall be liable for the full maintenance cost of the LEAP and the Owner shall at its own expense and at no expense to the Council and to the reasonable satisfaction in all respect of the Council <p>2. Conditions</p> <p>There are a number of alterations, additions and omissions to conditions to ensure there are no duplications, change the trigger and insert necessary items. These recommended changes are considered appropriate, and are set out below:</p>

			<p>*changes are in <u>underlined</u>*</p> <p>Amended conditions:</p> <p>Condition 9 should read: Notwithstanding the plans submitted, no development above ground floor slab level shall commence until a scheme detailing the design of internal streets and spaces has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted scheme shall include full details of the following:</p> <ol style="list-style-type: none"> I. Geometry and layout, including dimensions and visibility splays II. Pavement constructions and surfacing, kerbs and edge restraints III. Levels and gradients IV. Lighting V. Drainage VI. Street furniture VII. Trees, other planting, growing media and planting aids VIII. Traffic signs and road markings. <p>The scheme shall include a completed Road Safety Audit up to stage 2 in accordance with the Highway Authority's standards at that time, with the Highway Authority acting as Overseeing Organisation. The Road Safety Audit Brief and Report, and all other road safety audit documents, shall be submitted with the scheme for approval.</p> <p>If the scheme proposes that any areas are shared between pedestrians and vehicles or where recommendations in Guidance On the Use of Tactile Paving Surfaces are not met then relevant disabled user groups (and/or national organisations representing them) shall be engaged as part of the design development process and the submitted scheme shall include both of the following.</p>
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			<p>a) A Participative Inclusive Design Statement. This shall: explain the engagement undertaken with disabled user groups during the design development process; record their views and suggestions on the different options; and explain how these have shaped the submitted design proposals and other management plans. Where it has not been considered possible to accommodate views and suggestions in the submitted proposals and plans then the reasons for this shall be detailed.</p> <p>b) An Equality Assessment. As a minimum this shall identify and explain: each adverse impact arising from the proposals for different protected character groups; how these are known (which may be from appropriate consultation/engagement, research or guidance relevant to the protected character groups impacted); the alternatives considered to avoid or minimise these impacts; and, where some residual adverse impact remain, the objective justifications for why complete avoidance is not considered possible and why the scheme should nonetheless be considered acceptable.</p> <p>The approved scheme shall be implemented prior to first occupation <u>of that phase</u> of the residential development and shall include the implementation of the recommendations of the stage 3 Road Safety Audit, with the Highway Authority acting as Overseeing Organisation. Thereafter the approved scheme shall be retained in use at all times, except that a further stage 4 Road Safety Audit shall be undertaken if any road traffic collisions are recorded within the 12 months of validated collision data available after scheme opening and the recommendations of that shall be implemented.</p> <p>Reason: In the interest of highway safety, inclusivity, sustainability, quality design, the historic environment and public amenity and to comply with policies TR7, TR11, TR12, TR14, TR15, TR18, SU3, SU5, QD1, QD2, QD3, QD14, QD20, QD25, QD26, QD27 and HE6 of the Brighton & Hove Local Plan and SA6, CP7, CP9, CP12 and CP13 of the Brighton & Hove City Plan Part One, and National Planning Policy Framework paragraphs 108-110.</p>
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			<p>Condition 13 should read: Prior to occupation of <u>any phase</u> of development a Scheme for Crime Prevention Measures for the development shall be submitted to and approved in writing by the Local Planning Authority. The agreed crime prevention measures shall be implemented and retained within the development thereafter. Reason: In the interests of crime prevention, to comply with policy CP12 of the Brighton and Hove City Plan Part One.</p> <p>Condition 14 should read: Prior to first occupation details of <u>any</u> photovoltaic array shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic array shall then be installed in accordance with the approved details and retained as such thereafter. Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance and to comply with policies CP8 and CP12 of the Brighton & Hove City Plan Part One.</p> <p>Condition 32 should read: Prior to <u>any phase</u> of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation <u>for that phase</u> shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. Reason: This development lies in a sensitive location in terms of controlled waters as it is within a source protection zone 3 and on a principal aquifer. This condition is required to ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.</p> <p>Condition 34 should read:</p>
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			<p><u>No above ground development</u> shall take place until a feasibility study has been submitted to and approved in writing by the LPA (Local Planning Authority) for communal or individual air source heat pumps system to be used as the heating technology across the site. The agreed system shall be implemented within the development unless it can be proven not technically feasible or financially viable. Reason: to comply with Policy CP8 (Sustainable buildings) of Brighton & Hove City Plan Part One.</p> <p>Deleted conditions:</p> <p>Delete condition 10, as this will now be secured by s106 agreement. Condition 10 to be deleted reads: No development above ground floor slab level of any part of the development hereby permitted shall take place until details of active play and learning equipment to be provided in the equipped area/s of play shall be submitted to and approved in writing by the local planning authority. The approved equipment shall be installed before the first occupation that phase of the development or its completion, whichever is sooner and thereafter retained. Reason: To ensure the provision of satisfactory equipped area/s of play and for the amenities of the development, in accordance with the provisions of policy HO5 the Brighton & Hove Local Plan and Policy CP10 of the Brighton & Hove City Plan Part One.</p> <p>Delete condition 21 which is secured by condition 19 which reads: Prior to any development above ground floor slab level details of secure, accessible and inclusive cycle parking facilities for the residents of the development and their visitors, and the management thereof, shall have been submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority. The cycle parking facilities shall be implemented in accordance with the approved scheme and made available for use prior to first occupation of the development. Thereafter</p>
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			<p>they shall be retained in use at all times for residents and their visitors only and managed in accordance with the approved scheme.</p> <p>Reason: To ensure that adequate cycle parking facilities are provided, to encourage travel by sustainable modes, and to comply with policy TR114 of Brighton & Hove Local Plan policy, policy CP9 of the Brighton and Hove City Council City Plan Part One, SPD14 Parking Standards, and National Planning Policy Framework Paragraphs 108 and 110.</p> <p>The first sentence in Condition 38 which reads ‘Compliance with existing detailed biodiversity method statement, strategies, plans and schemes’ should be deleted. The condition itself which seeks secure all ecological measures shall remain.</p> <p>Late Objections</p> <p>2 additional representations have been received, objecting on the following grounds:</p> <ul style="list-style-type: none"> • Lack of infrastructure • Overdevelopment • Narrow access road • Congested roads & buses • Construction Traffic • Insufficient parking • Light pollution • Flooding • Lack of community facilities • Affordability <p>Officer Comment: These issues have been fully considered in the committee report.</p> <p>Clarification within the report:</p> <p>Paragraph 9.133 of the report states “<i>All parking spaces will have Electric Vehicle Charging Points (EVCP),</i>” – this should read “<i>All <u>on plot</u> parking spaces will have Electric Vehicle Charging Points (EVCP),</i>”</p>
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B	The Meeting House, Park Close	BH2020/01742	<p>Additional condition: 28. Notwithstanding the approved plans, the development hereby permitted shall not be first occupied until 1 no. on-site disabled car parking space has been implemented and made available for use. The disabled parking facilities shall thereafter be retained for use at all times.</p> <p>Reason: To ensure the development provides for the needs of disabled occupants and visitors to the site and to comply with policy TR18 of the Brighton & Hove Local Plan and SPD14: Parking Standards.</p> <p>Additional Informatives: 9. In order to be in line with Policy TR14 Cycle Access and Parking of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, accessible, well lit, well signed, near the main entrance, by a footpath/hardstanding/driveway and wherever practical, sheltered. The Highway Authority approves of the use of covered, illuminated, secure 'Sheffield' type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22 or other proprietary forms of covered, illuminated, secure cycle storage including cycle stores and "bunkers".</p> <p>10. The applicant is advised that the disabled car parking spaces should be designed in accordance with Department for Transport produced Traffic Advisory Leaflet 5/95 Parking for Disabled People. This requires a 1.2m clear zone to both sides of the bay.</p>
G	22 Crescent Road	BH2020/01986	A further six letters of objection from neighbours have been. These raise issues already covered by previous comments from other respondents, that have been addressed and considered as part of the report.
I	11-12 Rock Place	BH2020/01505	This item has been deferred from the agenda.

