

5th April 2023 Planning Committee – Additional Representations

Item	Site Address	Application No.	Comment																																				
A	Moulsecoomb Place, Lewes Road	BH2022/03892	<p>Amend <u>Heads of Terms</u> as follows:</p> <p>5. Phasing requiring Listed Building works to be commenced pursuant to a building contract within 6 months of occupation of purpose Built Student Accommodation.</p> <p>(Required for logistical reasons for construction works).</p> <p>6. Equality Monitoring fees £8,500. (An appropriate sum to fund monitoring has been agreed with the applicant).</p> <p>New 7. Employment Training Strategy</p> <p><u>Conditions:</u> Condition 1 Add the following submitted drawings pertaining to both planning and listed building applications in relation to extensions to listed buildings.</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>0418-SEW-YD-00-DR-A-PL1130</td> <td>P01</td> <td>19.12.2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-YD-00-DR-A-PL1130</td> <td>P01</td> <td>19.12.2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1304</td> <td>PO1</td> <td>19.12.2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1304</td> <td>PO1</td> <td>19.12.2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1200</td> <td>P01</td> <td>19.12.2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1400</td> <td>P01</td> <td>19.12.2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-RF-DR-A-PL1105</td> <td>P01</td> <td>19.12.2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1300</td> <td>P01</td> <td>19.12.2022</td> </tr> </tbody> </table>	Plan Type	Reference	Version	Date Received	Proposed Drawing	0418-SEW-YD-00-DR-A-PL1130	P01	19.12.2022	Proposed Drawing	0418-SEW-YD-00-DR-A-PL1130	P01	19.12.2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1304	PO1	19.12.2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1304	PO1	19.12.2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1200	P01	19.12.2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1400	P01	19.12.2022	Proposed Drawing	0418-SEW-LB-RF-DR-A-PL1105	P01	19.12.2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1300	P01	19.12.2022
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Proposed Drawing	0418-SEW-TB-00-DR-A-PL1120	P01	19.12.2022
Proposed Drawing	0418-SEW-TB-01-DR-A-PL1121	P01	19.12.2022
Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1204	P01	19.12.2022

Insert additional **Condition no.2.** (Remaining conditions to follow sequentially):

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

Condition 14 (to become 15) To enable the condition to be discharged under each main phase of development. Insert:

Notwithstanding any details shown on the approved plans, of each of the following parcels of land (as set out on the Delivery Parcels Plan 0418-SEW-ZZ-ZZ-DR-A-000005 Rev PO1):

- a) Purpose Built Student Accommodation Site Parcel
- b) Listed Buildings Site Parcel

No development shall take place of the development hereby approved, until infiltration survey results confirming suitability of the ground for infiltration, a complete assessment of water contamination risk and mitigation potential of proposed Sustainable Urban Drainage measures, with reference to the CIRIA SuDS Manual (or better), including a maintenance schedule, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to the occupation of the development, and maintained throughout the use of the development, in accordance with the maintenance schedule.

		<p>Reason: As this matter is fundamental to the acceptable delivery of the permission to prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies DM42 and DM43 of City Plan Part and CP11 of the Brighton & Hove City Plan Part One.</p> <p>Condition 29 (to become 30) For clarity amend reference to existing access road as below:</p> <p>29. 30. No phase of the following parcels of land (as set out on the Delivery Parcels Plan 0418-SEW-ZZ-DR-A-000005 Rev PO1):</p> <ul style="list-style-type: none"> a) Purpose Built Student Accommodation b) Listed Buildings Site Parcel c) Highways Site Parcel d) Lift Site Parcel e) Access Ramp Site Parcel <p>shall be brought into use until an external lighting design strategy has been submitted to and approved in writing by the local planning authority.</p> <p>The strategy shall:</p> <ul style="list-style-type: none"> i) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and ii) show how and where external lighting will be installed and operated (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places. This will include the recommendations above with regards to lighting along the Secondary Entrance access road to the Manor house and protecting the dark corridor along the north and north-east parts of the site. iii) demonstrate that the lighting has had regard to, and will not unduly impact, the South Downs National Park Dark Skies Reserve status. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained, thereafter, in</p>
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			<p>accordance with the strategy. No additional external lighting should be installed without the agreement in writing of the local planning authority. Reason: Many species active at night (e.g. bats and badgers) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and /or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.</p> <p>Condition 32 (to become 33). Travel Plan to relate to two main use types on site which will come into use at different phases.</p> <p>32. 33. Prior to first occupation of the following parcels: a) Purpose Built Student Accommodation b) Listed Buildings Site Parcel (as set out on the Delivery Parcels Plan 0418-SEW-ZZ-ZZ-DR-A-000005 Rev PO1) of the development hereby permitted, a 5 year travel plan for the whole development shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include arrangements for funding, monitoring, review, amendment and effective enforcement. The Travel Plan shall thereafter be fully implemented in accordance with the approved details. Reason: To ensure the promotion of safe, active and sustainable forms of travel and to comply with policies DM35 of the Brighton & Hove City Plan Part Two, and CP9 of the Brighton & Hove City Plan Part One.</p> <p>Condition 43 (to become 44) Insert detail of mitigation for precision. The horizontal and vertical façade wind baffles as mitigation measures set out in the Wind comfort assessment prepared by RWDI submitted on 19th December 2022 shall be implemented prior to first occupation of the development and retained as such permanently thereafter. Reason: To ensure the comfort, safety and amenity of the locality and to comply with policy DM20 of Brighton & Hove City Plan Part 2.</p> <p>Officer Report Section 14. In the event that S106 is not signed, remove part 2. which refers to Local Employment Scheme.</p>
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			<p>Additional neighbour representations</p> <p>An additional nine (9) letters of representation have been received supporting the scheme. The following are those points that have not been raised previously:</p> <ul style="list-style-type: none"> -The city needs more modern accommodation located near to the universities for local growth. -Bringing to life an underused site <p><u>Officer comment:</u></p> <p>Comments from neighbouring residents have been covered within the officer report.</p>																																												
B	Moulsecoomb Place	BH2022/03893	<p>Addition of plans list</p> <p>Informative:</p> <ol style="list-style-type: none"> 1. This decision is based on the drawings listed below: <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>0418-SEW-TB-00-DR-A-PL1120</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-TB-01-DR-A-PL1121</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-TB-02-DR-A-PL1122</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-TB-RF-DR-A-PL1123</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-YD-00-DR-A-PL1130</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-YD-RF-DR-A-PL1131</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1200</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1201</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1202</td> <td>P01</td> <td>19 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>0418-SEW-LB-ZZ-DR-A-PL1203</td> <td>P01</td> <td>19 December 2022</td> </tr> </tbody> </table>	Plan Type	Reference	Version	Date Received	Proposed Drawing	0418-SEW-TB-00-DR-A-PL1120	P01	19 December 2022	Proposed Drawing	0418-SEW-TB-01-DR-A-PL1121	P01	19 December 2022	Proposed Drawing	0418-SEW-TB-02-DR-A-PL1122	P01	19 December 2022	Proposed Drawing	0418-SEW-TB-RF-DR-A-PL1123	P01	19 December 2022	Proposed Drawing	0418-SEW-YD-00-DR-A-PL1130	P01	19 December 2022	Proposed Drawing	0418-SEW-YD-RF-DR-A-PL1131	P01	19 December 2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1200	P01	19 December 2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1201	P01	19 December 2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1202	P01	19 December 2022	Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1203	P01	19 December 2022
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			Proposed Drawing	0418-SEW-MH-M0-DR-A-PL1112	P01	19 December 2022
			Proposed Drawing	0418-SEW-MH-01-DR-A-PL1113	P01	19 December 2022
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			Proposed Drawing	0418-SEW-MH-RF-DR-A-PL1115	P01	19 December 2022
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			Proposed Drawing	0418-SEW-LB-02-DR-A-PL1104	P01	19 December 2022
			Proposed Drawing	0418-SEW-LB-RF-DR-A-PL1105	P01	19 December 2022
			Proposed Drawing	0418-SEW-LB-ZZ-DR-A-PL1106	P01	19 December 2022
			<p>Amendment to condition 1 to read as follows: The works hereby permitted shall be commenced before the expiration of five years from the date of this consent. Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p><u>Officer comment</u> This is to allow sufficient time to commence the listed building works and to coincide with the programming as set out within the heads of terms under point 5.</p> <p>Additional neighbour representations An additional nine (9) letters of representation have been received <u>supporting</u> the scheme. The following are those points that have not been raised previously:</p>			

			<p>-The city needs more modern student accommodation located near to the universities for local growth. -Bringing to life an under used site.</p> <p><u>Officer comment:</u> It is noted that the first comment is not directly relevant to the listed building application. The second point has been covered within the officer report.</p>																																																				
C	65 Orchard Gardens (Portslade Panelworks)	BH2022/02821	<p>Addition of condition 1 – plans list</p> <p><u>Conditions:</u> 1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below. <u>Reason:</u> 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>Location Plan</td> <td>PL01</td> <td>P2</td> <td>6 September 2022</td> </tr> <tr> <td>Block Plan</td> <td>PL02</td> <td>P2</td> <td>6 September 2022</td> </tr> <tr> <td>Proposed Basement Plan</td> <td>PL10</td> <td>P2</td> <td>6 September 2022</td> </tr> <tr> <td>Proposed Ground Floor Plan</td> <td>PL11</td> <td>P2</td> <td>6 September 2022</td> </tr> <tr> <td>Proposed First Floor Plan</td> <td>PL12</td> <td>P2</td> <td>6 September 2022</td> </tr> <tr> <td>Proposed Second and Third Floor Plan</td> <td>PL13</td> <td>P2</td> <td>6 September 2022</td> </tr> <tr> <td>Proposed Fourth Floor Plan</td> <td>PL14</td> <td>P2</td> <td>6 September 2022</td> </tr> <tr> <td>Proposed Roof Plan</td> <td>PL15</td> <td>P2</td> <td>6 September 2022</td> </tr> <tr> <td>Proposed Elevations</td> <td>PL16</td> <td>P3</td> <td>30 March 2023</td> </tr> <tr> <td>Proposed Elevations</td> <td>PL17</td> <td>P3</td> <td>30 March 2023</td> </tr> <tr> <td>Proposed Sections</td> <td>PL18</td> <td>P3</td> <td>30 March 2023</td> </tr> <tr> <td>Proposed Sections</td> <td>PL19</td> <td>P3</td> <td>30 March 2023</td> </tr> </tbody> </table>	Plan Type	Reference	Version	Date Received	Location Plan	PL01	P2	6 September 2022	Block Plan	PL02	P2	6 September 2022	Proposed Basement Plan	PL10	P2	6 September 2022	Proposed Ground Floor Plan	PL11	P2	6 September 2022	Proposed First Floor Plan	PL12	P2	6 September 2022	Proposed Second and Third Floor Plan	PL13	P2	6 September 2022	Proposed Fourth Floor Plan	PL14	P2	6 September 2022	Proposed Roof Plan	PL15	P2	6 September 2022	Proposed Elevations	PL16	P3	30 March 2023	Proposed Elevations	PL17	P3	30 March 2023	Proposed Sections	PL18	P3	30 March 2023	Proposed Sections	PL19	P3	30 March 2023
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Proposed Bay Elevations	PL20	P3	30 March 2023
Proposed Street scene	PL21	P3	30 March 2023
Design & Access Statement			30 March 2023

Amend condition 4:

No development (**excluding demolition**) shall take place until an ecological design strategy (EDS) which addresses ecological enhancement of the site and provision of biodiversity net gain through the incorporation of a minimum 75% native and/ or non-native species of recognised wildlife value in the landscaping scheme, and the provision of 19 bee bricks and 46 swift boxes, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) details of a Biodiversity Net Gain metric calculation
- c) review of site potential and constraints;
- d) detailed design(s) and/or working method(s) to achieve stated objectives;
- e) extent and location /area of proposed works on appropriate scale maps and plans;
- f) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- g) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- h) persons responsible for implementing the works;
- i) details of initial aftercare and long-term maintenance;
- j) details for monitoring and remedial measures;
- k) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, as amended, paragraphs 174 and 180 of the National Planning Policy Framework, Policy CP10 of the Brighton & Hove City Council City

			<p>Plan Part One and Policy DM37 of the Brighton & Hove City Plan Part Two and SPD11.</p> <p>Amend condition 8:</p> <p>The development (excluding demolition) hereby permitted shall not commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.</p> <p>Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policies DM18 and DM20 of City Plan Part Two, and CP12 of the Brighton and Hove City Plan Part One.</p> <p>Remove informative 7</p> <p>This is because the site is not located in a CPZ and therefore the condition is not necessary.</p>																				
D	72 Crescent Drive South	BH2022/03840	<p>Addition of condition 1 – plans list</p> <p><u>Conditions:</u></p> <p>1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <table border="1" data-bbox="952 1114 2145 1375"> <thead> <tr> <th>Plan Type</th> <th>Reference</th> <th>Version</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>1313/01</td> <td></td> <td>15 December 2022</td> </tr> <tr> <td>Block Plan</td> <td>1313/02</td> <td></td> <td>15 December 2022</td> </tr> <tr> <td>Proposed Drawing</td> <td>1313/03</td> <td>C</td> <td>24 March 2023</td> </tr> <tr> <td>Proposed Drawing</td> <td>1313/04</td> <td>C</td> <td>24 March 2023</td> </tr> </tbody> </table>	Plan Type	Reference	Version	Date Received	Location Plan	1313/01		15 December 2022	Block Plan	1313/02		15 December 2022	Proposed Drawing	1313/03	C	24 March 2023	Proposed Drawing	1313/04	C	24 March 2023
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			Proposed Drawing	1313/05	C	24 March 2023
			Detail	Roof ties		14 March 2023
E	BH2023/00026	Studio, 49 Elm Drive, Hove, BN3 7JA	Agent has requested to withdraw the application – email received 3 rd April.			
G	BH2023/00127	8 The Upper Drive Hove BN3 6GN	<p>An additional representation from Councillor John Allcock has been received. A copy of the representation is attached to the Additional Representations List.</p> <p><u>Officer Comment</u> Due to the location and orientation of the works, in close proximity to a two-storey house, the addition of the first-floor extension is not considered to cause a significantly increased loss of light compared to the existing situation.</p>			
H	BH2023/00136	10 County Oak Avenue Brighton BN1 8DJ	<p>Councillor Alistair McNair and Councillor Anne Meadows - a copy of their representation mentioned in the representations section of the committee report is attached to the Additional Representations List.</p> <p>Additional representations have been received <u>objecting</u> to the proposed development. The following are those points that have not been raised previously:</p> <ul style="list-style-type: none"> • Concerns about fire regulations and safety of neighbouring properties • Antisocial behaviour • Weight of new structure • Issues with insurance <p><u>Officer Comment</u> Issues of building safety in construction are dealt with through Building Regulations rather than Planning. The building safety and construction area not planning matters and have not been assessed in this report.</p> <p>The issue of insurance is not a material planning consideration and has not therefore been assessed in this report.</p> <p>Antisocial behaviour and concerns about this are not a material planning consideration and have not therefore been assessed in this report.</p>			

