

Local Impact Report for Rampion Windfarm by Brighton and Hove City Council

Our Reference: 10017313

Introduction

On 25 June 2013 Brighton & Hove City Council (BHCC) was sent notice by The Planning Inspectorate of Application ref. EN010032 by E.ON Climate & Renewables UK Rampion Offshore Wind Ltd (E.ON) for Rampion Offshore Wind Farm. BHCC was further notified that as a local authority it falls within the categories of s88(3) of the Planning Act 2008.

In response to this notification, BHCC has considered the local impacts of this application upon the city, which are set out within this Local Impact Report dated 23 July 2013.

At the outset BHCC would like to state support for the principle of the Windfarm. However BHCC has identified areas of concern over certain aspects of the development which will require mitigation and/or a precautionary approach requiring further discussion and agreement with relevant bodies reflected in the final layout and design.

Project Proposals

The proposed Rampion Offshore Windfarm comprises both offshore and onshore development.

Offshore Array

The offshore aspect of the proposal details 100 – 175 turbines (size dependant) with a site area of approximately 139 sq km. The final project details (e.g. the precise siting and turbine class, type of foundation etc) are not yet determined. However, the project will have a maximum installed capacity of 700MW and will comprise up to 175 three bladed, horizontal axis wind turbines.

Onshore works and cabling

The onshore aspect details works and cabling to be located within West Sussex with landfall to the east of Worthing. An onshore cable corridor would run between the onshore transition pits and the new onshore substation located at Bolney in West Sussex. The route is approximately 26.4 km long in a predominantly northerly direction from Worthing, passing through mainly agricultural land and part of the South Downs National Park.

Windfarm Location in relation to the City of Brighton and Hove

Offshore development

The proposed offshore development area lies in the English Channel off the Sussex Coast within Crown Estate land. This development area will house the proposed Offshore Array - all offshore turbines, offshore substations and inter-array cables. The proposed Offshore Array runs 13 – 23 km off the coast due south of the shoreline boundary of Brighton & Hove City Council, as well as south of the shorelines of both adjoining coastal local authorities and other nearby local authorities, with a site area of approximately 139 sq km. There is no further land or other obstruction between the City of Brighton & Hove to the north and proposed Offshore Array to the south. The proposal details 100 – 175 turbines (size dependant). The final project details (e.g. the precise siting and turbine class, type of foundation etc) are not yet determined. However, the project will have a maximum installed capacity of 700MW and will comprise up to 175 three bladed, horizontal axis wind turbines. Therefore, although the Offshore Array is not located within or immediately adjoining the city boundary, due to its size and the nature of its offshore location this proposal is considered to have a material visible and potential audible impact upon the city in general and the Seafront in particular.

Onshore Works and Cabling

The onshore cabling and works are located within West Sussex outside and away from the boundaries of Brighton & Hove City Council. It is not considered that there would be any material relationship between the physical location of the onshore element of the proposal and land within the Brighton & Hove boundary.

Appraisal of relevant BHCC planning policies and documents applicable to Rampion Windfarm proposals

The submitted application document 6.4 'Non-technical summary', paragraph NTS.7.2 states 'Due regard will also be given to other national, regional and local planning policy documents as part of the decision-making process'. However, it is noted that the submitted application document '6.1.4 ES Section 4 – Planning Policy' does not give regard to or include consideration of the Brighton & Hove Local Plan 2005 or the emerging Brighton & Hove City Plan Part 1 as part of the application process. Although it is recognised that no part of the proposed windfarm works would be physically located inside the administrative area of Brighton & Hove, it is considered by BHCC that both these development plans as well as other documents and strategies produced by BHCC and partners should be included as material considerations when considering this application due to the effect of the Offshore Array upon the city and in the situation where the offshore development is not subject to a development plan that would usually be expected to be considered with regard to all relevant aspects at a local level.

Relevant adopted Local Plan and Submission Local Plan documents:

The following policies are considered to be of relevance to the Rampion proposal from the perspective of Brighton & Hove:

Brighton & Hove Local Plan 2005

The full wording of the policies referred to below are in Appendix One.

Local Plan SU7 'Development within the coastal zone'

Of particular relevance here are parts a and c. *'Planning permission for development will only be granted within the coastal zone... where it: a) takes account of the particular conditions experienced within this area, for example, in the layout, design, landscaping and materials proposed; and c) respects or enhances the appearance and character of the seafront environment;...*

Where appropriate, planning conditions will be imposed and / or a planning obligation sought in order to secure the necessary requirements'.

Local Plan SU10 'Noise nuisance'

This specifies that: *'Proposals for new development will be required to minimise the impact of noise on the occupiers of proposed buildings, neighbouring properties and the surrounding environment. Applicants may be required to submit a noise impact study or to assess the effect of an existing noise source upon the proposed development, prior to the determination of a planning application.*

Developments likely to generate significant levels of noise will be permitted only where appropriate noise attenuation measures are incorporated which would reduce the impact on the surrounding land uses, existing or proposed, to acceptable levels in accordance with government guidance.

Where necessary, planning conditions will be imposed and / or a planning obligation sought in order to specify and secure acceptable noise limits, hours of operation and attenuation’.

QD4 Design - strategic impact

This policy identifies features of strategic importance and seeks to preserve and enhance the views and vistas of these strategic features. Of strategic relevance here include:

*‘a. the view of the sea from a distance and from within the built up area;
b. views along the seafront and coastline are considered to be of strategic importance.’*

The policy position of QD4 is that development which includes a detrimental impact on strategic views or important vistas, and impairs a view, even briefly, due to its appearance, by wholly obscuring it or being out of context with it, will not be permitted.

QD27 Protection of amenity

This policy seeks to protect the amenity of *‘proposed, existing and / or adjacent users, residents, occupiers’* and is considered to be of relevance when considering amenity issues such as noise.

QD28 Planning Obligations

This policy is relevant when reviewing appropriate mitigation for the areas of concern identified by BHCC as well as all other issues that may be identified as appropriate for planning obligations as part of the decision making process. The policy states that *‘In all cases, the obligations sought will be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.*

The aims include:

- a. community or other infrastructure facilities, including educational, cultural, health, social and fire service facilities;*
- l. off-site coastal defence / protection measures;’*

[The above policies in the Local Plan are to be replaced in due course by policies in the emerging suite of documents known as the Local Development Framework \(LDF\) for Brighton & Hove. One aspect of the LDF - the Brighton & Hove City Plan - will provide the overall strategic vision for the future of Brighton & Hove to 2030. It will set out how BHCC will respond to local priorities, meet the challenges of the future and identify the broad locations, scale and types of development needed together with the supporting infrastructure. BHCC has submitted the City Plan Part 1 and its accompanying documents to the Secretary of State for independent examination.](#)

Brighton & Hove Submission City Plan Part One 2013

The following policy is considered to be of relevance to the Rampion proposal from the perspective of Brighton & Hove:

The full wording of the policy and text referred to below are in Appendix Two

SA1 – The Seafront –

This submission stage policy is considered to hold significant weight as a material consideration as there are no unresolved objections to this policy; it is compliant with national policy and is underpinned by up to date evidence. This submission policy is considered to be a material consideration for this application; stating that the council will work in partnership to ensure the ongoing regeneration and maintenance of the seafront in an integrated and coordinated manner and requires that proposals should support the year-round sport, leisure and cultural role of the seafront for residents and visitors whilst complementing its outstanding historic and natural landscape value. Furthermore, proposals should ensure a good marine environment, enhance biodiversity and consider options for small scale renewable energy provision. Some stated priorities likely to have relevance for this proposal:

- *‘Enhance and improve the public realm and create a seafront for all’*
- *‘Monitor, conserve and expand designated coastal habitats and secure nature conservation enhancements to the marine and coastal environment;’*
- *‘Development will be encouraged to consider low and zero carbon decentralised energy’*

Paragraph 3.115 of the Submission City Plan states *‘The seafront has been, and always will be, the ‘shop window’ of Brighton & Hove, encompassing a year round hub of leisure and recreation activities for residents and visitors.*

Submission policy SA1 and supporting text may include helpful information when considering the Rampion Windfarm proposal.

Other material documents and strategies:

There are a number of other relevant documents, Strategies and Action Plans either produced directly by BHCC or in partnership with wider strategic groups/organisations that the council considers to be material considerations for this application. These will be referred to within the consideration of impacts below. Some of these are also referenced within the above submission policy SA1 – The Seafront.

With regard to the physical impact of the Windfarm upon the Seafront, the Seafront Strategy Consultation Report 2013 (produced after an extensive consultation process) is considered to be a material consideration. This public consultation was carried out for the emerging Seafront Strategy, which will build upon the successful Brighton Strategic Seafront Development Initiative 1992.

Brighton & Hove’s Sustainability Action Plan 2013 - through this Sustainability Action Plan the sustainable development organisation BioRegional endorsed Brighton & Hove as the first One Planet City (18 April 2013) which seeks to enable residents to live well within a fairer share of the earth’s resources.

Brighton & Hove City Climate Change Strategy 2011-2015 draws together the wide range of commitments and activities in place to address climate change,

including the Sustainable Community Strategy and other city and council plans, policies and programmes, to focus effort in reducing the city's carbon dioxide emissions (CO2) and preparing for the effects of climate change in the city. It forms the approach towards the 'Zero Carbon' principle from the city's One Planet Framework, while recognising links with other relevant principles (Local and Sustainable Food, Sustainable Transport, Zero Waste, and Local and Sustainable Materials).

Biosphere Reserve bid to UNESCO - Brighton & Hove and Lewes Downs - this bid seeks to secure for the city region special status for its world class environment. Consideration of the Biosphere Reserve initiative is discussed in more depth below as an aspect that requires a precautionary approach, as well as mentioned within paragraph 3.116 of the text linked to the above Submission City Plan policy SA1 – The Seafront (see Appendix Two).

The Seafront as Major Attraction

Despite the prevailing economic climate, the Seafront is still attracting investment as demonstrated by the Brighton Bathing Pavilion proposal in Madeira Drive, the Brighton Wheel, and the progress being made on the I360 project. There are also regular enquiries into development possibilities on the Seafront. The council recognises that continuous improvement to this area is vital to ensure the value of the Seafront is not only maintained but enhanced for the city, and, building on the outstanding success of the "Seafront Development Initiative" of 1992 which focused on Brighton Seafront, a renewed Seafront Strategy for 2013 is being finalised by the city council. After an extensive consultation process, the Seafront Strategy Consultation Report 2013 acknowledges that the Seafront is a major attraction for the city and plays a significant role in attracting business visitors to conferences and events. Results also demonstrate high levels of public opinion that the Seafront is one of the city's best assets. More than three quarters of the respondents (77 per cent) strongly agreed that the Seafront is one of the city's best assets and 96 per cent of respondents either tended to agree or agreed strongly that it is an asset. Furthermore, respondents were also asked to say the extent to which they agreed that they tended to take visitors from other cities to the Seafront. Again, the agreement rates were extremely high with 72 per cent strongly agreeing that they tend to take visitors to the Seafront, and a further 22 per cent tending to agree, giving an overall agreement rate of 94 per cent.

In terms of planning policy, the Seafront is strongly protected by Local Plan SU7 'Development within the coastal zone' and QD4 'Design - strategic impact' as a strategic feature. The emerging Submission City Plan Part One seeks to protect the seafront with policy SA1 'The Seafront', and related paragraph 3.115 states *'It is considered by English Heritage to be one of the finest urban seafront townscapes in Britain.'*

Positive Local Impacts

Positive Environmental Impacts

One Planet Living

With the production capacity of up to 7000MW of renewable wind energy and able to provide power for the equivalent of 450,000 homes, the proposal positively contributes to Brighton & Hove's 'One Planet City' aim of using one planet's worth of resources rather than the current equivalent use of three and a half.

Zero Carbon

Within Brighton & Hove's Sustainability Action Plan 2013, the One Planet approach breaks down into ten principles; the first of which is a Zero Carbon ambition to deliver all energy through renewable technologies. Brighton & Hove City Climate Change Strategy 2011-2015 forms the approach towards the 'Zero Carbon' principle from the city's One Planet Framework. The application will save nearly 1 million tonnes of CO2 emissions per year and so have a positive impact upon the council's Zero Carbon principles and ambitions.

Positive Economic Impacts

The operations and maintenance base in Newhaven, although outside the council's administrative area, will benefit the economy of the wider city region. It will enhance the port's future and is also positive for the Greater Brighton City Deal bid. There will be economic benefits from contractors eating, drinking and staying in the city over the next 25 years. This is estimated to result in modest direct job creation of approximately 65-85 jobs.

An estimate of 700 local sub-contractors could be involved in the construction phase of the scheme. This is a significant number and would provide a positive impact to the economy of the city region.

Potential Positive Economic Impacts

BHCC considers that the scheme could have a number of positive economic impacts for the city.

The windfarm has the potential to become a tourist attraction in its own right. Boat trips could be organised from Brighton Marina to the array for sightseeing and fishing purposes. Furthermore, the best place to see the extent of the windfarm will be from the top of the proposed i360 observation tower on Brighton seafront. The windfarm will provide an additional reason to use tower, and the i360 could be linked to the windfarm by locating a visitor centre near the base of its tower. A visitor centre based in the city could also become a significant tourist attraction - Great Yarmouth's visitor centre

attracts 40,000 visitors per year for 30 small turbines; with 8 million visitors to the city annually and a much larger array, a visitor centre in Brighton could be expected to have larger visitor numbers and have a bigger impact, especially given the opportunity of to view the array from the i360. (See DCO obligations below).

Positive Socio-economic and Community Matters

Raising Awareness of Renewable Energy

An offshore Windfarm near to Brighton & Hove will raise the local profile of renewable energy. There is the potential to improve understanding and acceptability of renewable energy across the local population if appropriate steps are taken to inform and engage with the community (see DCO obligations, below).

Education

The proximity of Brighton & Hove to the proposed offshore Windfarm may provide a strong role for higher and further education in the city; one of BHCC's key strengths.

Neutral Local Impacts

Onshore works and cabling

The **onshore** cabling and works are located within West Sussex outside and away from the boundaries of Brighton & Hove City Council. It is considered they will have a neutral local impact upon BHCC.

Heritage Assets

In terms of its impact on BHCC heritage assets including listed buildings, this issue has been comprehensively covered in the application. The Council's initial views do not disagree with the conclusions in the report, and does not consider that there would be any significant or undue harm to the settings of any of Brighton & Hove's heritage assets.

Coastal Protection

The council has concluded that the application as shown will have no significant impact on Coastal Protection or Shoreline Management on the section of coast for which BHCC is responsible.

Negative local impacts

Noise /audible impact

Whilst Brighton & Hove appears not to be impacted by the cabling and on-shore activities, there has not been sufficient information presented at this design stage that definitively states that the noise impact from the off-shore activities will not be audible to shoreline receptors. There does not appear to be any definitive acoustic report which addresses the combined impact of up to 175 turbines operating simultaneously and potentially out of sequence. Equally, no assessment appears to have been undertaken for the potentially tonal implications off the off-shore sub-stations which should also be modelled. Assurances that these activities will not be audible on shore are still required, primarily due to the fact that once implemented, if the scheme was a problem, there is little if any manner of mitigation measure which could be applied. In the opinion of the BHCC's Senior Environmental Health Officer, the submitted report does not conclusively and robustly demonstrate that noise from piling is not significant for on shore receptor locations. The officer is happy to review further evidence should this be forthcoming. From the information received to date, the Senior Environmental Health Officer is very concerned that the background assessment and source assessment are inadequate and not representative.

It is suggested below that all potential noise impacts are subject to further information and monitoring within a DCO Obligation.

Detailed technical comments on these impacts are contained in Appendix 3.

Construction

Chapter 19 of the Environmental Statement at 19.9.10 notes "*that there will be an increase in vessel movements (particularly during construction phases of the project), which will impact coastal human receptors. This will be particularly noticeable in the ports.*" If Shoreham port was the proposed hub for construction activities, would an assessment be made of potentially 24/7 working and vessels departing to supporting a continuous workload? This might also include HGV deliveries to the area concerned for both raw materials and personnel, which could cause traffic, noise and air quality impacts within Brighton & Hove.

The construction period is noted to be approximately 3 years. It is noted from the text that this could well be 24/7/365 and as such strong control measures need to be in place to minimise any impacts. As above, concerns were raised over the assessment/measurements during the construction of the met mast which need to be addressed. During the construction phase it is only noise that is likely to impact Brighton and Hove, as the onshore activities, (i.e. cabling to the new Bolney substation) are out of the City Council's administrative area.

The three year construction period could have an impact on tourism and recreational swimmers/bathers at Brighton. Whilst 19.5.18 discusses Worthing and Lancing, consideration could also be afforded to Brighton as a major

beach location. During the construction process there may be an inevitable underwater impact and passage of noise. It is suggested that with a 6 m monopole foundation the geographical spread for a 'startle' impact could extend to up to 40 km from source. This may be an issue for recreational bathers.

Investment and Tourism

Development out to sea, where currently there is none, may be perceived by some to bring a detrimental sense of enclosure to the seascape. At present the views out to sea are expansive with no barrier between the sea horizon and the sky. The development may encroach upon this sense of openness and during the hours of darkness will introduce light to the city's previously unlit coastal backdrop. There may be audible distractions that disturb sea bathers including 'startle' impacts upon recreational bathers. This may discourage visitors to the coast from choosing Brighton & Hove as their end destination, visiting instead other coastal towns and areas with an ensuing negative impact upon investment and tourism. Therefore the council urges that the developer is required to support a new eco-tourism / eco-education schemes through appropriate DCO obligations as an essential way forward to include the proposal as a positive new offer for seafront visitors and investors. Suggested areas for DCO obligations are set out below.

Community Impact

The proposal seeks to bring proposed changes to a daytime and night time seascape much loved by the existing community, as well as yet unknown levels of audible disturbance during construction and beyond, Therefore the council urges that the developer is required to support new community scheme(s) through appropriate DCO obligations as an essential way forward to offset the proposed changes. Suggested areas for DCO obligations are set out below.

Development Consent Order obligations (DCO obligations)

Local Plan policy SU7 only grants planning permission for development within the coastal zone where it respects or enhances the appearance and character of the seafront environment; and where appropriate planning obligations are sought to secure this. In the same way, the council requests that the developer enters into DCO obligations where appropriate. BHCC seeks a development outcome that will respect or enhance the appearance and character of the seafront environment and which will allow the Seafront to continue as a major attraction and city asset during installation and after completion of the development, with the involvement and support of the community; and asks for appropriate DCO obligations that will help secure this.

Noise/Audible Impact

It is suggested that all potential noise impacts are subject to further information and monitoring within a DCO Obligation. It is imperative that the developer provides the appropriate audible data before development commences to provide further details for reassurance that the cumulative

impact of these off shore turbines and substations is not likely to be a problem. If such issues were not raised; once the turbines were built and operational there is little, if any, going back and additionally, there would be little if any mitigation measures that may be applied to lessen any impact. If further data shows there would be an unacceptable audible impact with the current scheme at design stage, the developer should be obliged to include the appropriate mitigation at design stage wherever possible, or at the earliest possibility, thereby enabling a successful scheme in terms of noise.

Investment and Tourism

Options should be explored to provide a visitor / interpretation /education centre with potential links with the city's proposed i360 seafront observation tower as the best place to view the array. Great Yarmouth has an interpretation / visitor centre which attracts 40,000 visitors per year for 30 small turbines. With 8 million visitors to the city annually and a much larger array, a visitor / interpretation /education centre for Brighton & Hove could be expected to have larger visitor numbers and an increased positive local impact.

Community Impact

Opportunities should be provided to involve the community in a local share offer or for local residents to invest in a turbine through a community energy scheme. This would provide a local connection to the windfarm, and provide some community benefit from its successful operation.

A visitor / interpretation /education centre as above will also bring community benefits through improving community facilities; and can be expected to enable a more satisfactory community outcome.

Avoiding Negative Local Impact: Aspects that require a Precautionary Approach

The council considers that there are aspects of the proposed development that justify a precautionary approach requiring further discussion and agreement between the developer and relevant bodies. This complies with Local Plan SU7 'Development within the coastal zone', in particular part a:

'Planning permission for development will only be granted within the coastal zone... where it: a) takes account of the particular conditions experienced within this area, for example, in the layout, design, landscaping and materials proposed'. In this way the final design and layout should reflect the agreements made through this process.

1. The city region has made a sub-regional Biosphere Reserve bid to UNESCO to secure for the city region special status for its world class environment. These designations are significant not just for the city region's visitor economy but also for enhancing the city's unique inward investment appeal. Therefore the Brighton & Hove and Lewes Downs Biosphere project is referred to in this report as an initiative for the developers to take account of and interact constructively with through working to maximise the potential socio/economic opportunities that

- may result, such as project funding and information dissemination including through a visitor centre (see Development Consent Obligations)
2. Further discussion with Shoreham Port Authority is strongly encouraged to minimise any adverse impact to commercial shipping using the port arising from the siting of turbines.
 3. Concerns regarding marine ecology should continue to be taken up with Sussex Wildlife Trust.
 4. Concerns regarding the cable route impact on the South Downs National Park should continue to be addressed with the Park Authority and other key local stakeholders.
 5. The impact on Heritage Coast views should also be reduced further if possible.

Suggested additions to the submitted application documents

4.3 Offshore Project Description

An addition is requested to the application document 4.3 'ES Section 2a – Offshore Project Description' (see Appendix Four).

Under the statement '*The development of the final site layout will take into account the following constraints:*' it is suggested that the document also includes as constraints

- Visual impact from the Sussex coastline and Heritage Coast
- Audible impact upon local communities and tourism

This will better identify that onshore visual and audible impacts are rightful constraints that should shape the final site layout.

6.1.4 Planning Policy

As discussed above, it is suggested that submitted application document '6.1.4 ES Section 4 – Planning Policy' should both include and give regard to the Brighton & Hove Local Plan 2005 and the emerging Brighton & Hove City Plan Part One.

Appendix One

Relevant policies in the Brighton & Hove Local Plan 2005

Local Plan SU7 'Development within the coastal zone'

Planning permission for development will only be granted within the coastal zone, which is otherwise in accordance with the other policies of the development plan, where it:

- a. takes account of the particular conditions experienced within this area, for example, in the layout, design, landscaping and materials proposed;*
- b. incorporates, where appropriate, adequate flood protection and mitigation measures;*
- c. respects or enhances the appearance and character of the seafront environment;*
- d. does not adversely affect existing sea views; and*
- e. does not reduce public access to the coast.*

Where appropriate, planning conditions will be imposed and / or a planning obligation sought in order to secure the necessary requirements.

Local Plan SU10 'Noise nuisance'

Proposals for new development will be required to minimise the impact of noise on the occupiers of proposed buildings, neighbouring properties and the surrounding environment. Applicants may be required to submit a noise impact study or to assess the effect of an existing noise source upon the proposed development, prior to the determination of a planning application. Developments likely to generate significant levels of noise will be permitted only where appropriate noise attenuation measures are incorporated which would reduce the impact on the surrounding land uses, existing or proposed, to acceptable levels in accordance with government guidance.

Where necessary, planning conditions will be imposed and / or a planning obligation sought in order to specify and secure acceptable noise limits, hours of operation and attenuation measures. Planning permission for noise-sensitive development, such as housing, schools and hospitals, will not be granted if its users would be affected adversely by noise from existing uses (or programmed development) that generate significant levels of noise.

QD4 Design - strategic impact

In order to preserve or enhance strategic views, important vistas, the skyline and the setting of landmark buildings, all new development should display a high quality of design. Development that has a detrimental impact on any of these factors and impairs a view, even briefly, due to its appearance, by wholly obscuring it or being out of context with it, will not be permitted. The following features and buildings are considered to be of strategic importance:

- a. views of the sea from a distance and from within the built up area;*
- b. views along the seafront and coastline;*
- c. views across, to and from the Downs;*
- d. views across valleys;*
- e. views into and from within conservation areas;*
- f. the setting of listed buildings and locally well known landmark buildings of townscape merit;*

*g. vistas along avenues, boulevards and steeply rising streets; and
h. initial views of Brighton & Hove from access points by all modes of transport.*

QD27 Protection of amenity

Planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and / or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

QD28 Planning Obligations

Matters related to the achievement of one or more of the various aims listed below will be sought by means of planning obligations when planning permission is granted. In all cases, the obligations sought will be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

The aims include:

- a. community or other infrastructure facilities, including educational, cultural, health, social and fire service facilities;*
- b. the provision of shopmobility, parking and other facilities for people with mobility problems;*
- c. public transport infrastructure including the provision or enhancement of public transport services;*
- d. provision of cycle parking facilities / contributions towards pedestrian and cycle route infrastructure;*
- e. off-site highway improvements / traffic-calming schemes;*
- f. affordable housing and / or housing for elderly / people with mobility problems;*
- g. integrated public art;*
- h. environmental improvements and their maintenance, including the provision of open space and nature conservation features;*
- i. leisure, sport and recreation facilities including the provision and maintenance of outdoor recreation space;*
- j. the preservation of a building which is particularly important from an architectural or historic point of view;*
- k. off-site land stability measures, soil erosion and water run-off prevention and reduction measures;*
- l. off-site coastal defence / protection measures;*
- m. enhancements to retail facilities in conjunction with shopping developments;*
- n. recycling facilities for domestic and commercial waste; and*
- o. a contribution to fund the regeneration of a brownfield site in the city to meet local employment, housing, or other local needs as agreed by the planning authority.*

Reference should also be made to other policies in this Plan detailing more specific provisions that will be sought under a planning obligation.

Appendix Two

Brighton & Hove Submission City Plan Part One 2013

Context

3.115 The seafront has been, and always will be, the 'shop window' of Brighton & Hove, encompassing a year round hub of leisure and recreation activities for residents and visitors. From the Marina in the east to the city boundary at Shoreham Harbour in the west, the coastline is heavily urbanised and is set against a largely Victorian and Regency townscape. It is considered by English Heritage to be one of the finest urban seafront townscapes in Britain.

3.116 In addition to recognising the significance of the coastline for leisure and recreational purposes, the importance of conserving coastal habitats and improving the marine environment, including sea water quality and coastal zone management, is also strongly recognised. Maximising the nature conservation potential of the seafront is an important part of the Biosphere Reserve initiative. The space along the seafront, the sea, the beach and the buildings behind the main road all offer important opportunities for further improvement and enhancement. Table 2 on page 25 sets out how this policy will help to deliver against the principles and local targets under the One Planet approach, which is a strategic approach to enabling the city to live within environmental limits.

SA1 – The Seafront

The council will work in partnership to ensure the on-going regeneration and maintenance of the seafront in an integrated and coordinated manner.

Proposals should support the year-round sport, leisure and cultural role of the seafront for residents and visitors whilst complementing its outstanding historic setting and natural landscape value. Proposals should ensure a good marine environment, enhance biodiversity in accordance with Biosphere objectives and consider options for small scale renewable energy provision.

A: Priorities for the whole seafront are to:

- **Enhance and improve the public realm and create a seafront for all; to ensure the seafront has adequate facilities for residents and visitors (including public toilets, waste disposal facilities, seating, signage, lighting and opportunities for shelter and shade) and continue to improve access to the beach and shoreline and ensure the seafront is accessible to everyone;**
- **Promote high quality architecture, urban design and public art which complements the natural heritage of the seafront and preserves and enhances the character and appearance of the Conservation Areas, and the historic squares and lawns that adjoin the seafront⁸⁵;**

- Secure improvements to sustainable transport infrastructure along the A259, including a rapid/ express bus-based services (see CP9) and improve air and noise quality, pedestrian and cycle routes and crossing opportunities in order to achieve a modal shift and thereby reduce the impact of traffic;
- Monitor, conserve and expand designated coastal habitats and secure nature conservation enhancements to the marine and coastal environment;
- Work in partnership with Defra, the Environment Agency, Natural England and Southern Water to continue to maintain coastal defences and to ensure appropriate waste water treatment infrastructure.
- Development will be encouraged to consider low and zero carbon decentralised energy and in particular heat networks and to either connect where a suitable system is in place (or would be at the time of construction) or design systems so that they are compatible with future connection to a network

B: Priorities for specific parts of the seafront are:

Western Seafront (Medina Terrace to Boundary Road/Station Road)

- To enhance and improve the public realm and create a more coherent townscape, that respects its adjoining context, through greater consistency of scale, height and roofline along the north side of Kingsway.
- Opportunities for tree planting and coastal habitat creation north and west of the Lagoon should be explored to soften the appearance of the A259, improve microclimate and provide shade and enhance biodiversity.
- The National Cycle Route 2 is of strategic importance and the council will review and seek to improve areas of the route that are below national standards.

Central Seafront (Medina Terrace to Palace Pier)

- To secure ongoing improvements to and maintenance of the upper and lower promenade, including Hove Lawns, which respect the more tranquil areas west of the Peace Statue.
- Develop a future vision and landscaping option for the lower promenade area either side of the West Pier site to complement the i360 Observation Tower proposal and maximise nature conservation opportunities.
- Secure improvements to traffic flow, air quality and pedestrian and cycle routes and crossing opportunities related to the Brighton Centre redevelopment.
- The council will work with the West Pier Trust and English Heritage to ensure any future proposal for the West Pier is of high quality, complements the seafront regeneration and values its biodiversity interest.

East of Palace Pier to the Marina

- Deliver the regeneration of Madeira Drive as a centre for sports and family based activities supported by a landscaping and public

art strategy which also provides for an improved public realm and the conservation and enhancement of the historic and nature conservation features present in this location;

- Safeguard the vibrant and important event space at Madeira Drive as this presents a unique location for a mix of cultural, sport and leisure activity to take place; and
- Improve beach and seafront access for pedestrians and cycle users, linking with access improvements at the Marina/Black Rock.

East of the Marina

- Safeguard the important community and recreation facility at Saltdean Lido.
- The council will monitor the cliffs behind and to the east of the Marina and take appropriate measures to safeguard coastal communities, important infrastructure (A259 & trunk services) and coastal access in the longer term;
- Ensure the nationally important nature conservation and geological interest of the cliff top, cliff and foreshore is conserved and promoted;
- Adopt a risk-based approach to all new cliff top development and examine proposals rigorously in respect of cliff stability, nature conservation and impact on coastline views and Rottingdean Conservation Area; and
- Recognise that part of this area falls within the South Downs National Park and ensure there are no adverse impacts on the setting of the South Downs National Park.

C: Strategic allocation for the Western Seafront:

1. King Alfred/RNR site

Secure the redevelopment of the King Alfred/ RNR site to ensure the replacement of new indoor public wet and dry sports facilities which provide for the local Hove communities and contribute to the wider mix of facilities in the city.

Provision of 400 residential units.

Other D2 leisure uses in accordance with national planning policy, ancillary retail and café/restaurant uses and community health facilities would also be acceptable as part of a mixed use scheme.

Proposals will be assessed against the priorities for the Seafront, city wide policies and the following criteria:

- a) The development will be required to achieve a high quality of design and sustainability which preserves and where possible enhances the setting of the three adjacent Conservation Areas, adjacent Listed Buildings, the character of the seafront and strategic views;
- b) Provide active ground floor uses and high quality, integrated and attractive landscaping and public realm which promotes biodiversity in accordance with Biosphere objectives and improves connectivity between Kingsway and the seafront;
- c) Provide appropriate flood protection and mitigation measures in accordance with CP11;

- d) Provide for sustainable means of transport to and from the site and demonstrate good linkages for pedestrians and cyclists;**
- e) The development must connect to the sewerage system off-site at the nearest point of adequate capacity;**
- f) The developer will enter into a training place agreement to secure training for local people,**

Development should accord with the council's sports and development briefs for this site and any subsequent amendments⁸⁷.

3.117 The seafront is one of the unique attractions of the city. It is the city's main public space and provides an important opportunity for the promotion and enhancement of both formal structured club and facilities based activities such as sailing and informal casual recreation such as walking and swimming. It is also the location of two exceptional groups of historic buildings fronting the sea, east of Palace Pier to the Marina and west of the Brighton Centre to Fourth Avenue. This historic 'backcloth' provides for both commercial and residential uses and makes a significant contribution to the setting, heritage and vibrant character of the seafront. The seafront area as a whole varies in its intensity of activity with both lively and tranquil stretches. This variety necessitates a sensitive and qualitative approach in terms of managing future change and development.

3.118 Since the early 1990s the central seafront area has been transformed through a mix of public and private investment much of which has been coordinated through the Brighton Seafront Development Initiative⁸⁸. Through the emerging Seafront Strategy⁸⁹, the council will continue to work towards achieving a seafront for all, and supports an integrated process of improvement and regeneration along the coastal strip. Regeneration will be designed to protect and enhance biodiversity and the natural environment, to achieve quality in the planning and urban design of the built environment, to preserve its setting and heritage and to develop the recreational potential of the area for both active and passive pursuits. The identification of new sports and recreation facilities for people to be physically active on the seafront will help improve health and well-being.

3.119 Private development schemes have come forward for the i360 Observation Tower in the West Pier area and development of the Yellowwave beach sports facility (now open). A number of other major regeneration opportunities have been identified along the length of the seafront⁹⁰:

- Brighton Marina and Black Rock – mixed use development including leisure/recreation development at Black Rock, see DA2.
- The International Conference Centre – to replace the existing Brighton Centre, see DA1
- Shoreham Harbour regeneration – see DA8.
- The King Alfred Leisure Centre – a redevelopment opportunity to ensure the replacement of the existing swimming pool and leisure facilities.

3.120 The council will continue to work towards a deliverable scheme for the redevelopment of the King Alfred/ RNR site⁹¹ to deliver sport facilities which provide for the local Hove communities and to contribute to the wide mix of sports provision for the city. The council recognises that to secure the regeneration of the site to deliver new indoor public wet and dry sports facilities an appropriate mix of uses (of which housing is likely to be the

predominant part) will be required. The overall development of the site needs to be of high quality which is sustainable and which positively enhances the seafront and surrounding area.

3.121 Saltdean Lido, near to the seafront is a prominent listed building and an important community facility including a library and community centre as well as the Lido outdoor swimming pool and health & fitness facilities. The Lido itself is the largest enclosed outdoor swimming facility for the city and therefore has a wider catchment area. The overriding requirement of the council is to seek a vibrant, accessible, high quality facility that befits the status of the Lido as a key asset of both the local and wider city community.

3.122 The need to enhance and improve the public realm along the length of the seafront is recognised. New opportunities should encourage people to extend the amount of time they spend at the seafront as well as exploring opportunities to provide shade and shelter⁹². The popular cycle route which runs along the seafront forms part of the 'National Cycle Network' and opportunities for its further improvement will also be encouraged and supported, in particular along the Western Seafront. Opportunities will also be sought to standardise road capacity along the length of the A259 and to reduce its severance effect with the seafront and improvements to sustainable transport infrastructure along the A259 will be secured supporting improvement to noise⁹³ and air quality. The Air Quality Further Review and Assessment (2010) and the Air Quality Action Plan (2011) identified certain junctions on the A259 as exceeding the annual nitrogen dioxide air quality objectives and the A259 between Arundel Road and the city boundary with Adur District Council is included within the 2008 declared Air Quality Management Area.

3.123 The importance of conserving coastal habitats and improving the marine environment including sea water quality and coastal zone management is also recognised. The beach, the shoreline and the marine environment are important natural assets providing valuable habitats that must be protected and enhanced for their biodiversity and geological value and because they have great potential to enhance the seafront experience for visitors, in accordance with Biosphere objectives. A stretch of the seafront east of the Marina falls within the South Downs National Park and will be covered by the Local Plan to be produced by the South Downs National Park Authority (See SA5). Almost half of the coastline of Brighton and Hove is of national nature conservation importance and there are also four sites of citywide

nature conservation importance between Brighton Marina and Shoreham. These smaller sites provide a reservoir from which to enhance and expand urban natural habitat as part of regeneration schemes throughout the Seafront. For this reason, there is a presumption against proposals involving an increase in hard surfacing of the seafront at or in the vicinity of and DA2).

3.124 The coastal frontage of the city is considered to be at risk from tidal flooding⁹⁴. CP11 sets out the approach to managing flood risk. The defence of Brighton & Hove's coastline over the next 50 years is addressed by strategies prepared in partnership with the Environment Agency and adjacent authorities. The reconstruction of the defences between Ovingdean and the Marina, under the 'Brighton Marina to Ovingdean Coast Protection Scheme' is

now complete. The 'Brighton Marina to River Adur Strategy' recommends the maintenance of existing coastal defences with some enlargement of groynes and beaches in the King Alfred area and a scheme to upgrade defences between the western end of Hove Lagoon and the River Adur through Shoreham Port. The Strategy will be revised following advice and funding from Defra. In Brighton & Hove the long term management of coastal flood risk and erosion is set out within the Beachy Head to Selsey Bill Shoreline Management Plan (SMP).⁹⁵The Shoreline Management Plan for the coastline defence.

3.125 To the east of Black Rock and behind the Marina a chalk cliff line runs all the way to Newhaven. The landscape quality of the coastal area of downland countryside at Ovingdean Valley and Roedean bottom is such that it has been included in the South Downs National Park. The cliffs (Brighton to Newhaven Cliff), cliff top and foreshore are designated a Site of Special Scientific Interest (SSSI), a Regionally Important Geological Site (RIGS) and a Geological Conservation Review site (GCR). How the cliffs will react to changing climate is not yet fully understood. Adopting a monitoring and management approach to the coastline in this location will increase the longer term understanding of the evolution of the cliffs, in the light of climate change. This should advise and enable the council in partnership with Natural England and other key stakeholders and the local community to properly manage this unique and valuable natural feature and plan for the future.

3.126 The National Planning Policy Framework requires risk to be reduced from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast. Should a coastal change management area⁹⁶ need to be identified for the stretch of the coastline east of the marina, this will be addressed in future development plan documents.

Brighton Seafront as a buffer to control outflows from the combined sewerage system. Storm water from this tunnel will eventually connect to a new wastewater treatment works at Peacehaven. The policy supports the provision of further appropriate waste water treatment infrastructure that may be required along the length of the seafront.

3.128 There are opportunities to consider small scale renewable energy provision such as solar and wind energy technologies along the seafront. The Brighton & Hove Energy Study has identified particular potential for District Heating networks in and around the seafront within a long list of priority areas. Development within the long-list of priority areas will be encouraged to consider low and zero carbon decentralised energy and in particular heat networks and required to either connect where a suitable system is in place, or would be at the time of construction, or design systems so that they are compatible with future connection to a network

⁸⁷ King Alfred/RNR Planning Brief SPG (2002).

⁸⁸ Brighton Strategic Seafront Development Initiative, 1992.

⁸⁹ Seafront Strategy is due to be adopted Spring 2013

⁹⁰ Brighton Centre SPD (2005); Brighton Marina SPG (2003) and PAN (2008)

⁹¹ Planning permission was granted in 2007 for the redevelopment of the King Alfred/ RNR site. In November 2008, the council's agreement with the Developer for the Frank Gehry designed project on Hove seafront expired. The Agreement which was to have delivered a new sports centre, 751 flats and a new public realm is no longer to be delivered due to withdrawal of funding from the principal funders for the project.

⁹² Opportunities should relate to the Parks and Green Spaces Strategy; the Public Space and

Public Life Study and the Tourism Study.

⁹³ The Noise Action Plan for the Brighton Agglomeration was produced by Defra in 2010. This identifies priority areas for action. The Defra mapping predicts that households most affected by traffic noise are those closest to major roads: London Road, Lewes Road & the seafront

⁹⁴ Strategic Flood Risk Assessment – 2008, updated in 2011

⁹⁵ The Seafront boundary has been informed by the Shoreline Management Plan.

⁹⁶ An area identified in Local Plans as likely to be affected by coastal change (physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion).

Appendix Three

The Environmental Statement and Chapter 27 reference a figure of 112dB(A) at 10m in height with a wind speed of 10m/s. However it is unclear how this particular figure has been arrived at, as the Vesta 7MW turbine has never been tested, instead performance data for a 3MW turbine. Predictions at other wind speeds and heights should also be considered.

The Chapter is also dismissive of the topic of operational noise from the turbines, It lacks calculations and data to reinforce the suggestions made that noise impact is unlikely to be significant.

A comprehensive acoustic report with workings and baseline data to detail that a **cumulative** assessment of 175 turbines potentially operating out of sequence have been modelled and appropriately assessed in line with accepted best practice. Whilst references are made to ETSU-R-97, regard should also be had to BS EN 61400-11:2003

The construction noise of the offshore turbines is also somewhat limited in its discussion within the chapter, with merely the comment that best practice construction noise methods will be used. Having examined the RSK – 41318 dated May 2012 ,the following comments are offered:

1. Actual locations of on shore monitoring should be provided. Grid references, photographs, plans to provide some context
2. The comments in para 2.1 all suggest that the background noises were ambient and influenced heavily by local sources. Commonality of sources include waves, seagulls and traffic.
3. Para 2.2 goes onto indicate that source measurements were recorded by a company in a boat covering the period from 7-8am. How do the measurements identify sea slapping against a vessel?
4. There are no comments about the sea state at the time of the monitoring - this is felt to be relevant.
5. In Appendix B, the source readings are presented from 07:00 hours to 08:00 hours from the boat. However, from 61 readings, distances are missing from 39 of the measurements, leaving only data for 22 minutes.
6. From appendix B it also apparent when looking at higher peak levels recorded that there is a large difference from the LAeq levels and the L90. Again this is indicative that the survey data is not completely reliable. Up to a 25db difference was noted in the levels which remains considerable.

7. Table 3.2 goes onto show source readings in LAeq format with distances presented and the resultant levels recorded for the same time at the 4 on shore locations. However, for 66 readings apparent, only 13 are lower than the source readings which are a minimum of 13.6km away. These do not demonstrate the comments made in para 3.3 that for every kilometre, there is a 3dB reduction. Again the table shows that there remains localised interference with the individual monitoring points which leaves only a subjective comment to be relied upon that the piling could not be heard at the 3 locations.
8. In the opinion of the BHCC Senior Environmental Health Officer, the report does not conclusively and robustly demonstrate that noise from piling is not significant for on shore receptor locations. The officer is happy to review further evidence should this be forthcoming. From the information received to date, the Senior Environmental Health Officer is very concerned that the background assessment and source assessment are inadequate and not representative.
9. It is questioned whether a monopole is the worst case scenario for a piling construction scenario?

References are also made within chapter 27 to the BS5228 for noise relating to construction sites. The BHCC Senior Environmental Health Officer would argue that elsewhere in the documentation it is suggested that construction is likely to occur 24/7 and 365 days a year for approximately 3 years. BS5228 is geared more towards larger on land builds. If noise can be heard, merely a management plan will not lessen the impact of this with the knowledge that there might be years more to come.

In the finalised matrix for impacts, it is suggested that proposed mitigation measures for noise from turbines is none required. It is extremely difficult to retrofit any mitigation measures once the turbines are installed, hence the importance attached to checking that the impacts are correct at the initial stages.

It is unclear what would trigger revised predictions resulting in a full ETSU R-97 assessment.

This is considered so relevant to provide further details for reassurance that the cumulative impact of these off shore turbines and substations is not likely to be a problem. If such issues were not raised and the turbines built, once operational, there is little if any going back and additionally, little if any mitigation measures that may be applied to lessen any impact. It is therefore imperative to provide the appropriate data up front.

Appendix Four

Submission Document 4.3

ES Section 2a – Offshore Project Description:

‘The development of the final site layout will take into account the following constraints:

- The Crown Estate Zone Boundary;*
- Shipping and Navigation;*
- Archaeological Features;*
- Geology;*
- Fisheries interests;*
- Ecology;*
- Aggregates extraction areas; and*
- Existing redundant cables across the Offshore Project;’*