

10th May 2017 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment
3	Land South Of Ovingdean Road, Brighton	BH2016/05530	<p>Following re-consultation of the revised plans and documents received on 24th March 2017 15 (fifteen) further representations of <u>objection</u> have been received. Additional points of objection raised to those listed in the committee report are as follows:</p> <ul style="list-style-type: none"> - Viewpoints provided are misleading, does not appear to show large dwelling opposite Gable End - Appeal decision and Inspector’s comments regarding land at Badgers Walk - The revisions have a larger footprint - Ecology surveys commissioned by local groups differs to applicant’s ecology studies - Proposed development entrance will be on an incline, <p>Ovingdean Residents and Preservation Society: <u>Object</u> on the grounds that this is an inappropriate development on land which is next to the South Downs National Park, forms a barrier between to ancient villages and is a site of ecological importance. Proposal makes only minor modifications to the original proposal. Continues to ignore environmental and landscape issues. It is a myth that the City Plan is a mandate for unfettered development, it is only an indication of where houses might be built.</p> <p>Deans Preservation Group (DPG): <u>Object</u> on grounds of landscape impacts (including impacts on the rural character of the area, the setting of the South Downs National Park, creeping intrusion and excessive density of development), ecology issues and that the Urban Fringe Assessment does not establish the principle of development, as confirmed by the Appeal Inspector for Urban Fringe Site 41. The implications for Site 42 are that the development decision should be made as part of this current application process, and the Urban Fringe Assessment should not be considered as prejudicing this decision.</p> <p>Arbeco Ltd Document – Query the biodiversity of the site set within the applicant’s submitted ecology documents and states that the proposed mitigation measures are</p>

based on a site that would have a lesser value than that found at the site. Query how much of the Red Star Thistle will be retained and the applicant's Red Star Thistle mitigation strategy. Apart from the plant species that will be destroyed, the site has almost 400 insect species recorded with 29 notables, including Section 41 species.

Landvision Landscape Architects Document – For this Open Downs landscape to continue to contribute so much to its South Downs National Park setting and to offer high landscape quality and high scenic quality requires continued protection in its original state, by conserving its natural landform fully intact.

The land contributes in its natural undeveloped landscape state as a Green Gap and unique land bridge "crossover site" linking the grassland in the Open Downs to the east and west of Happy Valley. Due to the land's location, due to its natural intactness of landform and due to the rarity of landscape in its landform, in all its landscape elements, this land must be conserved and protected. The SDNP will thus continue to benefit from conservation and protection of the historic Open Downs agricultural landscape of the Land South of Ovingdean Road within the Happy Valley. This will be in accordance with legislation and policy for landscape conservation and protection in this landscape character area.

Longhill Woodland Group: Object. Site is a significant gateway and wildlife corridor. Any development on the site would destroy the rich habitats on the site which is not acceptable. The revisions submitted to not change anything previous objected to.

Sussex Wildlife Trust: Comment. Attention has been drawn to section 25 of the ecological appraisal addendum. Wish to clarify that the Trust has not been approached by the developer or its ecologist with regards to starting a reintroduction programme for Red Star Thistle. If the developer is suggesting this as a way to deliver biodiversity enhancements and gains, stress that the Trust have not agreed to this. Cannot give any further comment on this matter, but add that if the developer had this approach in mind, a proposal should have been submitted to the Trust for consideration against our policy, procedures and committees prior to any inclusion in a submitted planning document.

Natural England: Comment. With regard to the development footprint note that the application includes a much-reduced scheme with regards to housing numbers. The design has also been amended to provide a more sensitive development in view of its position in the setting on the South Downs National Park.

Note that the current application reduces the direct loss of Red Star Thistle and includes management for this species both on and off-site through translocation.

The application has been shown to include a rich variety of grassland species including Eyebright, which will need to be carefully considered through the construction and operation phases of the development. Fully support comments made by the County Ecologist regarding the need to provide both a CEMP to ensure the careful consideration of key biodiversity features present on the application site, and a Management Plan to provide for future habitats and species within the application site and receptor sites. This is essential for increasing robustness into the future and will indicate the need for the provision of any remedial action for any management techniques which are failing.

Advise that a great opportunity exists to provide chalk grassland priority habitat. On-site management should maximise the quality of the chalk grassland habitat present with the aim of restoring this priority habitat. This should be prioritised in preference to formal landscaping of these areas which will not contribute to biodiversity. This will have the dual effect of enhancing biodiversity and providing a development which is more reflective of the surrounding chalk downland.

Southern Water: Same comments provided as received on the 7th November 2016 regarding the original application submitted.

Wildlife Splash Ltd Comment. Query the information provided to the County Ecologist. Deans Preservation Group has provided a report by Arbeco, the most important concern is the location of the Red Star Thistle and the notable invertebrate fauna. There are nearly 400 species on the site and query the applicant's ecologists assessment that the site is of 'low to moderate value at the district level'.

			<p>S106 Head of Terms A contribution of £191,432 towards open space and indoor sport to be spent at;</p> <p>Parks/Gardens - Kipling Gardens and/or Rottingdean Recreation Ground</p> <p>Children's Play - Rottingdean Recreation Ground and/or Happy Valley</p> <p>Amenity/Natural Semi Natural - Kipling Gardens and/or Beacon Hill Nature Reserve</p> <p>Indoor/Outdoor sports facilities - Rottingdean Recreation Ground and/or Withdean Leisure Centre, Stanley Deason Leisure Centre, Saltdean Lido, Deans Leisure Centre</p> <p>Allotments - Ovingdean and/or Hoggs Platt, Hildesland, Windmill Hill</p> <p>Officer comment: With regards to the additional ecology objections received the Local Planning Authority is awaiting a response from the County Ecologist.</p> <p>Viewpoint 4 of the LVIA has been re-assessed as a result of the recent objections received and is considered to be accurate representation.</p> <p>All the other material planning considerations raised within the additional representations received are covered in the committee report.</p>
81	22 Freshfield Street, Brighton	BH2016/05803	<p>This application was deferred at the last meeting on 12/04/17 for the following further information:</p> <ol style="list-style-type: none"> 1. The number of HMOs in the vicinity of the site was queried, and it was suggested that there was more than one. Whilst there are a number of HMOs in the surrounding area, all available evidence from planning, licencing and council tax records indicates that only one is within 50m of the application property as previously reported. 2. The location of the proposed cycle store was queried. It is noted that the proposed cycle store has previously been considered acceptable at the proposed location under planning permission BH2016/02005.

3. Headroom within the roofspace was queried. The agent has provided sectional drawings.
4. A management plan was suggested to protect residential amenity in the locality. The applicant has agreed to provide a management plan which can be secured by a condition. It is recommended this includes site management, code of behaviour/conduct and refuse/waste management.
5. The use of rooms in the adjoining properties was queried. The only information available from the council's planning records is that the main ground floor of No. 20 appears to be in use as a living/dining room. However, it is also noted that the proposed communal space would be at ground floor level which is not considered unusual for this type of property.

Dowsett Mayhew (applicant's agent) comment as follows in response to matters raised at the last meeting on 12/04/17:

- The loft room (rear) has a total floor area of 8.5m² over 1.5m height. This would be in accordance with the Government's published technical housing standards – nationally described space standards. It is understood that the Local Planning Authority refers to these standards in the absence of their own adopted standards. For clarification, the floor areas on the submitted plans do not include the ensuite bathrooms. The floorspace also exceed the minimum requirements as set by private sector housing for a license to be issued.
- The location of the cycle parking was considered appropriate as part of the previous planning approval reference BH2016/02005. Should there be continued concern the cycle parking could be located at the area to the top of the stairs leading down to the amenity space.
- Objectors referred to a number of other HMOs, up to 5, which are located in the area. Understand these fall outside of the 50m radius as indicated within Policy CP21. However, if these 5 HMOs were located within the 50m radius, this would bring the existing ratio up to 7%. The scheme would therefore still be in accordance with policy CP21 as this is lower than the 10% threshold as stated within policy.
- The neighbouring use of rooms was also considered by Councillors at committee. The scheme proposes a communal living area to the rear of the property, whilst the remain rooms are bedrooms and would in a typical property layout of this type be either living rooms, dining rooms or bedrooms.

			<p>- Should it be considered appropriate, we are happy to accept a planning condition for a management plan to ensure that the amenity of neighbouring residents is protected.</p>
125	17 Marmion Road, Hove	BH2016/02639	<p>Condition 2 amend as follows: Drawing BR 1223-BR-115 submitted on 13th July 2016 to be superseded and replaced by Drawing 1223-BR-115 submitted on 3rd May 2017 to show re-instated front gardens and boundary wall.</p> <p>Condition 3 should read as follows: The hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct runoff water from the hard surface to a permeable or porous area or surface within the curtilage of the property. Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One.</p> <p>Condition 5 should read as follows: No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouses as provided for within Schedule 2, Part 1, Classes A, B, D & E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority. Reason: To protect the amenity of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.</p> <p>Condition 6 should read as follows: No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway. Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies CP12 and QD27 of the Brighton & Hove Local Plan.</p>

Condition 11 should read as follows:

No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning Authority.

The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then be constructed in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy CP10 of the Brighton & Hove City Plan Part One.

Condition 12 should read as follows:

Prior to first occupation of the development hereby permitted, a scheme for landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- Details of all hard surfacing.
- Details of all boundary treatments.
- Details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.

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

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

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