



**Brighton & Hove  
City Council**

# **PLANNING COMMITTEE ADDENDUM**

**2.00PM, WEDNESDAY, 22 FEBRUARY 2012**

**COUNCIL CHAMBER, HOVE TOWN HALL**



# ADDENDUM

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146. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS ON THE PLANS LIST	1 - 12



**22<sup>nd</sup> February 2012 Planning Committee – Late List**

Page	Site Address	Application No.	Update
5	9-16 Aldrington Basin / Land South of Kingsway, Basin Road North, Portslade	BH2010/03739	<p><b>Cllr Peltzer Dunn objects</b> – see attached letter.</p> <p>An additional representation has been received from the <b>agent</b> for the application stating that amended plans were submitted as part of the application process removing the turbines and reducing the height of the end buildings by a single-storey. These plans have not though been registered as part of the application.</p> <p>The representation also states:-</p> <ul style="list-style-type: none"> <li>• The scheme would make a valuable contribution to housing supply (over 10% of the Council’s annual housing supply requirements); bring significant regeneration benefits; (the visitor centre) would promote the use and understanding of sustainable technologies and provide flexible meeting and business space; and would contribute to transport, open space and education infrastructure;</li> <li>• The site falls within an identified tall building node and full and robust analysis has been provided in the Tall Building Assessment. Notwithstanding this the opportunity to seek amended plans reducing the height of the end blocks to provide a more articulated roofline (as stated by the Conservation &amp; Design Team) remains an option;</li> <li>• Detailed acoustic information has been provided that highlights how the turbines can function in a manner that will preserve the amenities of neighbouring residents, and suitably worded conditions or section 106 clauses can be used to ensure that the development proceeds in the manner outlined above. If the turbines cannot be made to perform satisfactorily they will be turned off and left as a form of kinetic sculpture.</li> </ul> <p>There is opportunity to seek amended plans to remove this issue from consideration. The turbines are an attractive, but not essential, feature of the design as the ‘pavilion’ style and shape and orientation of the development would remain.</p> <ul style="list-style-type: none"> <li>• The reason for refusal relating to daylight ignores guidelines set in BRE advice. Notwithstanding this, if amendments were pursued the removal of the turbines and reduction in building height would improve light levels to a number of adjoining properties;</li> <li>• The proposed development at Shoreham can achieve net zero carbon through the use of biomass and solar hot water for space and water heating, with</li> </ul>

electrical load being met through photovoltaic's (PV).

**Response:** The view of the Local Planning Authority is that the reduction in height of the end buildings and omission of the turbines is an amendment too significant to be considered as part of the current planning application and would markedly alter the nature of the scheme proposed. The accompanying additional representations are noted.

Additional representations have been received from the **Kingsway and West Hove Residents Association** objecting to the proposal for the following reasons:-

- There have been no assessments about locating a large number of rotating wind turbines adjacent to the A259;
- Surprised that the submitted parking survey has been accepted as representative of the local situation as it was carried out in the peak summer holiday period, and assumptions about the availability of on-street parking is therefore questionable;
- The application as originally submitted was based on the premise that future occupants of the development would lead an exemplar zero-carbon life style. The parking report indicates an implicit assumption that parking will overspill onto side roads and implies residents of the development would dodge an exemplary zero-carbon lifestyle by parking in adjoining roads;
- There is no indication that the application site would not be considered for inclusion in any future controlled parking zone north of Kingsway, or that its residents would be ineligible for permits if the site ended up within such a zone;
- The transport considerations imply an acceptance that the surrounding area should provide ancillary parking for the propose development. This diminishes the credibility of the scheme as a 'zero-carbon exemplar', and by not indicating at this stage that future residents would be excluded from any future residents parking zone would prevent any future such actions.
- Residents do not believe that it is possible to 'tweak' the Portzed scheme to reduce the overall impact it would have on the residential amenity of this neighbourhood. The only answer is for this application to be refused and, in consultation with local residents and the port, for fresh consideration to be given to the future of this site in its overall context, particularly the need to regenerate Aldrington Basin and safeguard the residential amenities of Kingsway and West Hove.

**Response:** The transport impacts of the development and its sustainability credentials are considered in the Committee report.

An additional representation has been received from **355 Kingsway** objecting to the

proposal due to the impact on PV panels installed to their south facing roof. The shadow plots provided by the developers clearly show that the lower panels of the PV installation would be shaded in mid-winter for most of the period between 9am and 1pm (a key generating period), and their output would therefore be substantially reduced. The applicant's sunlight report appears to wrongly assume that any solar panels installed would be at the highest level of adjoining roofs and this is not the case. Their conclusions are not therefore applicable to all adjoining properties. The reduction of solar power generation potential is a further loss of amenity not referenced in the report.

**Response:** The additional representation is noted. Whilst the potential for a reduction in renewable energy generation is noted the PV panels would continue to make a valuable contribution. It is considered that the impact would not lead to a degree of harm that would warrant refusal of the application. The impact of the development in respect of overshadowing is outlined in the Committee Report.

An additional representation has been received from **16 Saxon Road** objecting to the proposal which is out of scale with the area, will block the sea and harbour views and is taller than anything existing on the south side of the road.

An additional representation has been received from **saveHOVE** commenting that a HGV bridge is required to sever the wharf area east of the turning point. This would create a viable mediating development between Hove Lagoon and the Port based activities and attract the best possible frontage redevelopment of the site, preferably as a media village.

The proposed access road, and new bridge, involves removing part of Wharf Road and parts of Basin Road North & South from port use and alleviate access and egress constraints to redevelopment of the eastern arm. The application site would be the ideal entry point from Kingsway.

The Port Authority wishes to redevelop the western arm in its entirety. The proposed development could possibly be relocated to this part of the Harbour site, opposite the north shore of Shoreham Beach. This would mean that when the Planning Brief is created for the eastern arm in Hove, a single harmonious development from the northern side of Seaside Villas up to the Kingsway is made more viable.

The proposed development would constrain any future development south of the site and involve a mishmash incremental development and overuse of Wharf Road and Basin Road North & South.

**Response:** The impact of the proposed development on the future planning /

53	Land South of Sussex Police Building Crowhurst Road Brighton	BH2011/03804	development of Aldrington Basin is considered in the Committee report.  Amended Plans received reducing the Class B8 floorspace. <b>Officer response:</b> The amended plans received confirm that the Class B1 floorspace has increased to 510sqm, and the Class B8 floorspace reduced to 384sqm. As such it is considered that the Class B8 floorspace is confirmed as ancillary to the wider B1 floorspace and thus the application complies with the requirements of policy EM1. Condition 2 has been amended to reflect the new plan numbers to read as follows: “The development hereby permitted shall be carried out in accordance with the approved drawings no. 49, 52, 53 and 54 received on 13.12.11 and drawing nos. 50B and 51A received on 08.02.12. <b>Reason:</b> For the avoidance of doubt and in the interests of proper planning.”
77	Ovingdean Hall College Greenways	BH2011/03421	Informative to be added 2. The applicant is advised that an application for Conservation Area Consent is required for the demolition of the art block and mower stores.
132	21 Dyke Road Avenue	BH2011/03629	An additional letter of representation has been received from <b>Cllr Brown</b> - see attached letter.
139	150 Ladies Mile Road	BH2011/02845	A further email has been received from <b>152 Ladies Mile Road</b> , <u>objecting</u> to the application for the following reasons: <ul style="list-style-type: none"> <li>• The proposed design is out of proportion to the site, resulting in a proposal out of character and causing overlooking to neighbouring property (No. 152)</li> <li>• Loss of natural daylight and privacy to surrounding dwellings</li> <li>• Increase in noise levels would affect the neighbouring property (No. 152)</li> <li>• Insufficient provision for off street parking</li> <li>• The area is already congested</li> <li>• Difficult ingress from Portfield Avenue (turning right onto Ladies Mile Road) due to parked vehicles (outside 148 Ladies Mile)</li> <li>• The proposal does not achieve the most aesthetic solution, or the best in maximising use of available land.</li> <li>• Other issues are raised about <i>further discussions with the applicant</i>, matters in respect to the original planning consent and request for a site visit.</li> </ul> <b>Officer response:</b> These matters have been carefully considered in the Committee Report and do not raise any further material considerations. Matters raised in respect to further discussions with the applicant about other proposals, are not the subject of this



151	145 Vale Avenue	BH2011/02889	application and therefore material to this application.
177	Land to rear of 64-65 Upper Gloucester Road Brighton	BH2011/03643	Letter received from the <b>Environment Agency</b> – No objection.  Amended Plans received to increase with width of the new footpath to 1200mm. <b>Officer response:</b> The amended plans increase the width of the footpath to 1200mm, which is as per the guidance given by the Sustainable Transport Team; as such the amendment removes the final objection to the scheme and is considered to be an improvement of the application. Condition 2 has been amended to reflect the new plan numbers to read as follows: “The development hereby permitted shall be carried out in accordance with the approved drawings nos. 11806/PA/001, /002, /005, /006 and /008 received on 29.11.11, VIEO metal roofing brochure received on 05.01.12 and drawing nos. 11806/PA/003A, 004B, /007B received on 16.02.12. <b>Reason:</b> For the avoidance of doubt and in the interests of proper planning.”
201	24 Wakefield Road	BH2011/03323	Correspondence dated 13th and 17 <sup>th</sup> February and telephone conversations from representative for applicant raising concern with regards to; <ul style="list-style-type: none"> <li>• description and evidence of factual errors in report and their material effects on the recommendations in the report;</li> <li>• description of the biased representations of the statement of support and objection received in response to the consultation; and</li> <li>• observation of self-contradictory conclusions and recommendations unsupported by an evidence in the report.</li> </ul> E-mail received on behalf of <b>Caroline Lucas MP</b> – Requests that the applicant’s points are considered. <b>Officer response:</b> It would appear that the applicant had received informal pre-application advice from three different planning officers prior to the submission of the application. It is not clear why. The description of the proposal was discussed in e-mails dated the 23 <sup>rd</sup> November in which the Local Planning Authority stated that standard terminology is used for application. In addition the report discusses in depth the proposal. With regards to the reporting of representation this is carried out in a standard form in all reports. The order of representation does not give more weight to letters of support or objection. The Heritage comments were amended following a request from the applicant

			received on the 5th January for clarity.
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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).





**From:** Garry Peltzer-Dunn  
**Sent:** 09 February 2012 10:30  
**To:** Guy Everest  
**Subject:** RE: Re: portZED - BH2010/03739

Guy

Good morning,

Thank you for your note.

I gave you a short resume of my thoughts when we met for the second time re this matter ( many months ago ). My thoughts were then ( and indeed now ) as follows:

I am opposed to the application as I feel that : 1: It is totally out of scale with the immediate area. 2: That it represents a total over development of the site. 3: That with the number of units and the car parking facilities proposed there will without doubt be an overspill parked cars within the immediate neighbourhood. 4: Whilst I applaud the ' green elements ' proposed I do feel that the wind turbines proposed appeared to be of an ' unproven' nature. 5: I have great concerns at the possible noise generation of the turbines. 6: I am certain that there will be a substantial loss of sunlight / light through substantial shadowing from the proposed block. 7: I was very unhappy at the nature of public consultation – this appeared to be based on residents views from an area which in fact is totally divorced from the possible effects of the proposed development.

In a nutshell those were my views. It is for these reasons that I will wish to exercise my right to address the committee ( I assume on the 22<sup>nd</sup> Feb ).

Regards

Garry



**From:** Vanessa Brown  
**Sent:** 17 February 2012 11:16  
**To:** Ross Keatley  
**Subject:**

Dear Mr Keatley

Re BH2011/03629 21 Dyke Road Ave

I would like to request a site visit for this application as the plans are to build right up to the boundary of No. 23 Dyke Road Avenue which is going to have a serious impact on the residents of No.23. and is unneighbourly.

Yours sincerely

Vanessa Brown

Cllr Vanessa Brown  
Conservative Member for Hove Park Ward

