



**Brighton & Hove  
City Council**

# **PLANNING COMMITTEE ADDENDUM**

**1.30PM, WEDNESDAY, 20 MARCH 2019**

**COUNCIL CHAMBER, HOVE TOWN HALL**



# ADDENDUM

**ITEM**

**Page**

**Late/Additional Representations List**



20<sup>th</sup> March 2019 Planning Committee – Additional Representations

Page	Site Address	Application No.	Comment
1	29- 31 New Church Road, Hove	BH2018/02126	<p><b>Additional conditions recommended by Environmental Health:</b></p> <p><b>Soundproofing of Building</b>  Measures shall be implemented in strict accordance with the approved details and recommendations contained within the Planning Noise Assessment submitted by Anderson Acoustics, Dated, 8th June 2018 and referenced as Project No: 3773. These include the minimum acoustic performances required for the glazed elements of the façade, found on pages 16 and 17 of the assessment, specifically ‘Residential - Table 3.11: Minimum sound reduction performance (dB) for the glazed elements of the façade’, ‘Commercial / Offices - Table 3.12: Minimum sound reduction performance (dB) for the glazed elements of the façade’, ‘Education / Worship - Table 3.13: Minimum sound reduction performance (dB) for the glazed elements of the façade’. It also includes the ventilation recommendations found on pages 17 and 18 of the assessment, specifically ‘Residential - Table 3.14: Minimum element normalized level difference Dn,e (dB) for the trickle ventilators’ and the recommended hybrid or a mechanical ventilation system for the Education units. The ‘Design Criteria’ found on pages 22 – 27 shall also implemented. This includes internal walls and floors within residences, reverberation in common parts, separating walls between residential units and communal corridors, doors and the separating floor between basement car park and acoustically-sensitive spaces directly above.</p> <p><b>Reason:</b> To safeguard the amenities of the future occupiers of the development and to comply with policies SU10 and QD27 of the Brighton &amp; Hove Local Plan.</p>

			<p><b>Plant &amp; Machinery</b>  Noise associated with any plant and machinery incorporated within the development shall be controlled such that the Rating Level measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level of 5dB(A) below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:2014. In addition, there should be no significant low frequency tones present.</p> <p><b>Reason:</b> To safeguard the amenities of future occupiers of the development and the occupiers of neighbouring/adjacent properties and to comply with policies SU10 and QD27 of the Brighton &amp; Hove Local Plan.</p> <p><b>Construction Environmental Management Plan (CEMP)</b>  The Developer must not commence development until it has submitted to Brighton &amp; Hove City Council's Development &amp; Regeneration Team for prior approval a Construction Environmental Management Plan (CEMP) which should provide the following information;</p> <p>(i) The phases of the Proposed Development including the forecasted completion date(s);</p> <p>(ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to Commence Development until such consent has been obtained;</p> <p>(iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme);</p> <p>(iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic and</p>
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			<p>deliveries to and from the site;</p> <p>(v) A plan showing construction traffic routes.</p> <p>On receipt of written confirmation from the Council stating approval of the CEMP the Developer shall use its reasonable endeavours to implement the commitments set out in the CEMP during the construction period.</p> <p><b>Reason:</b> To safeguard the amenities of occupiers of adjacent and nearby properties and to comply with policies SU10 and QD27 of the Brighton &amp; Hove Local Plan</p> <p><b>Further neighbour representations</b>  <b>Seven (7)</b> further <u>objections</u> received, one containing an independent daylight/sunlight report, tree report and viability report. The issues raised are covered in the committee report.</p> <p><b>Further comment from The Brighton Society</b> confirming that, notwithstanding the changes made, that all the <u>comments and objections</u> made previously still stand.</p>
59	Longley Industrial Estate, New England Street & Elder Place, Brighton	BH2018/02598	<p><b>Amendment to S106 Heads of Terms:</b>  Section 278 works:</p> <ul style="list-style-type: none"> <li>- To include introduction of <b>33 visitor cycle parking stands</b>, not 66, (as 33 stands provide 66 spaces which is the requirement)</li> </ul> <p>Travel Plan measures to include:</p> <ul style="list-style-type: none"> <li>- Provision of 10 or more additional on-street Brighton &amp; Hove Bike Share stands and cycles;</li> <li>- Provision of maintenance stands together with pumps and basic maintenance and repair tools within the various cycle stores for resident use.</li> <li>- Provision of a voucher of at least £150 towards the cost of purchasing a cycle</li> <li>- Provision of 2 or more 'Doctor Bike' sessions per year with both a direct repair and a teaching element</li> <li>- The Bicycle User Group to also be consulted when reviewing the Travel Plan</li> </ul>

			<p>and in relation to ongoing operational management of cycle parking facilities</p> <ul style="list-style-type: none"><li>- Provision of information packs to each resident including information on local options for sustainable transport, the other measures and offers above, and road safety.</li><li>- Provision of a notice board in a prominent communal location in the development containing the information above, information and updates on Travel Plan progress, and information on other initiatives being promoted by the Travel Plan Coordinator and/or Bicycle User Group.</li><li>- Provision of interest-free loans to employees for the purchase of bus and rail season tickets and bicycle purchase.</li><li>- Providing information to employees on sustainable transport options for accessing the site and work related travel.</li><li>- Provision of information on road safety to employees.</li><li>- Offering annually and where accepted providing formal cycle training to each employee.</li><li>- Establishing a Bicycle User Group for employees</li><li>- Monitoring to be informed by TRICS SAM surveys</li></ul> <p><b>Amendment to Condition 3/S106 Heads of Terms:</b> At the request of the Highway Authority the Construction and Demolition Environmental Management Plan secured by condition 3 is now recommended to be secured by S106, reflecting the scale and complexity of the development, sensitivity of the site being in an Air Quality Management Area and the highways implications that may arise during construction.</p> <p><b>Amendment to wording of condition 14:</b> <i>The development hereby permitted shall achieve at least a 19% reduction in regulated CO2 emissions when compared to Building Regulations Part L (2013) baseline. Notwithstanding the submitted Sustainability and Energy Strategies and proposed use of Combined Heat and Power (CHP) within the development, no development (excluding demolition) shall take place until a further Sustainable Energy Strategy has been submitted to the Local Planning Authority for approval</i></p>
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			<p><i>which investigates a low emission (NOx and particulate) strategy and prioritises the use of alternative low or zero carbon technologies. This Strategy shall evidence the technical feasibility and viability of use of Air or Ground Source Heat Pumps or alternatives in combination with photovoltaics, passive measures and energy storage to achieve at least a 19% reduction in regulated CO2 emissions from the development when compared to Building Regulations Part L (2013) baseline. The Strategy may also include additional information to enable further assessment of the feasibility of the use of CHP including the type, specification and location of potential CHP (and any associated flues) with associated measures to significantly reduce emissions, if no alternative technologies prove to be feasible. The final sustainable technologies and measures shall be agreed with the Local Planning Authority and shall be implemented within the development prior to first occupation.</i></p> <p><b>Amendment to condition 15:</b>  <i>15. Unless otherwise agreed in writing (as part of the above condition), the development hereby permitted shall not be first occupied until details, including specification, scale and appearance of the proposed <b>200sqm</b> (minimum) photovoltaic array as shown on roof level 8 of the submitted plans has been submitted to and approved in writing by the Local Planning Authority. The agreed array shall be implemented before first occupation.</i></p> <p><b>Amendment to condition 24:</b>  To begin with 'Prior to occupation of the development hereby permitted...'</p> <p>List of <b>Approved Drawings</b> will be inserted into the decision notice.</p>
149	118 - 132 London Road, Brighton	BH2018/02699	<p><b>Further Transport comments</b> following the submission of vehicle tracking drawings relating to the use of Oxford Court:</p> <p>If Condition 15 is amended as set out below, believe that the outstanding matters could be resolved through the presentation of additional information.</p>

**Property & Estates Officer comment:**

The proposals not to use the car park for turning or for other conditions is welcomed. So long as a considered approach to loading and unloading within the highway is taken, specifically to ensure the highway is not totally blocked for access to the land to the west of Oxford Court (car park) then don't envisage any issues.

**Amendment to s106 Heads of Terms:**

- S278 Highway Works to be *agreed prior to commencement of development above slab level* and implemented prior to occupation to...

**Amended the following Conditions:**

6. Prior to the commencement of development hereby approved, measures to protect and/or divert the public sewers and water apparatus, if required, shall be submitted and approved in writing by the local planning authority in consultation with Southern Water.

**Reason:** To ensure adequate foul sewage drainage/treatment is available prior to development commencing and to comply with policy SU5 of the Brighton & Hove Local Plan.

14. Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement, if required as a result of the development.

**Reason:** To ensure adequate foul sewage drainage/treatment is available and to comply with policy SU5 of the Brighton & Hove Local Plan.

15. Prior to the commencement of the development hereby approved above slab level, a Delivery & Service Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- How deliveries, servicing and refuse collection for the various functions within the building will be coordinated, scheduled and managed;
- Tracking drawings for different sized delivery vehicles to demonstrate that they can enter and exit Oxford Court in forward gear without encroaching onto

			<p>Oxford Court car park, showing a minimum 500mm buffer between the closest edge of the vehicle with the boundaries, and showing how a large HGV serving one of the retail units affects this as well as movements to and from the Oxford Court car park;</p> <ul style="list-style-type: none"> <li>• That the private forecourt within the site alongside Oxford Court shall be kept clear to allow for essential access and the turning of vehicles only, using keep clear markings or hatchings to enforce this;</li> <li>• A management strategy for deliveries to the student accommodation, providing details of: <ul style="list-style-type: none"> <li>○ an intercom system to enable deliveries to be made in Oxford Court and handed to the site facilities team in the shortest possible time;</li> <li>○ how personal deliveries will be combined and minimised through regular communication with delivery companies;</li> <li>○ how students will be discouraged from ordering personal food deliveries to site, and</li> <li>○ signage and location details to direct delivery drivers to Oxford Court.</li> </ul> </li> </ul> <p>All deliveries, servicing and refuse collection shall thereafter be carried out in accordance with the approved Delivery &amp; Service Management Plan.</p> <p><b>Reason:</b> In order to ensure that vehicles do not cause obstruction to the public highway, interfere with the operation of bus services or potentially create road safety issues, and to protect the amenities of nearby residents, in accordance with policies SU10, QD27 and TR7 of the Brighton &amp; Hove Local Plan.</p> <p>23. The retail and community uses hereby permitted shall not be open except between the hours of 06:00 and 23:00 on Mondays to Sundays, including Bank or Public Holidays.</p> <p><b>Reason:</b> To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton &amp; Hove Local Plan.</p> <p>27. Unless otherwise agreed in writing with the Local Planning Authority, the Combined Heat and Power Plant shall have maximum output of 50kw and NOx</p>
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			<p>emission rate of &lt;40 mg/kWh.</p> <p><b>Reason:</b> In order to minimise NOx contribution to the local AQMA (Air Quality Management Area) and to comply with policies SU9 and QD27 of the Brighton &amp; Hove Local Plan.</p> <p>29. No cables, wires, aerials, pipework, meter boxes or flues shall be fixed to any elevation facing a highway, unless otherwise agreed in writing with the Local Planning Authority.</p> <p><b>Reason:</b> To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD14, HE3 and HE6 of the Brighton &amp; Hove Local Plan and CP12 and CP15 of the Brighton &amp; Hove City Plan Part One.</p>
207	Grove Park, The Linkway, Brighton	BH2018/02051	<p><b>Amended Recommendation</b> to read:</p> <p><b>RECOMMENDATION</b></p> <p>That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to be <b>MINDED TO GRANT</b> planning permission subject to a S.106 Planning Obligation and the Conditions and Informatives as set out hereunder <b>SAVE THAT</b> should the S.106 Planning Obligation not be completed on or before the 10th July 2019 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 12 of this report.</p> <p><u>S.106 Heads of Terms:</u></p> <ul style="list-style-type: none"> <li>• Sustainable Transport contribution of £31,350</li> <li>• Public Art contribution of £17,000</li> <li>• Construction Training and Employment Strategy including a commitment to using 20% local employment during the demolition and construction phases of the development</li> </ul>

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).



