

PLANNING COMMITTEE ADDENDUM 1 Presentations

2.00PM, WEDNESDAY, 22 MAY 2024

COUNCIL CHAMBER, HOVE TOWN HALL

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ADDENDUM

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Brighton Gasworks, Marina Way And Boundary Road

BH2021/04167



Brighton & Hove
City Council

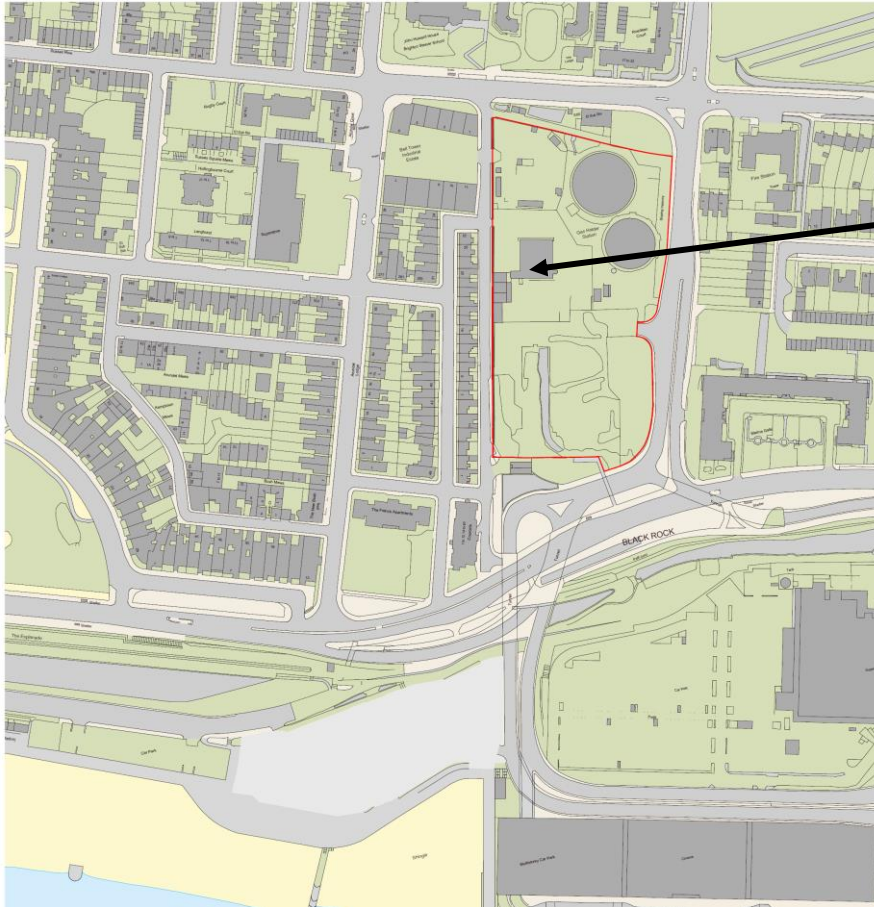
Application Description

Comprehensive mixed-use redevelopment comprising site preparation and enabling works, demolition of existing buildings and structures; provision of new buildings comprising residential use (Use Class C3) and flexible non-residential floorspace (Use Class E).

Map of application site



Existing Location Plan

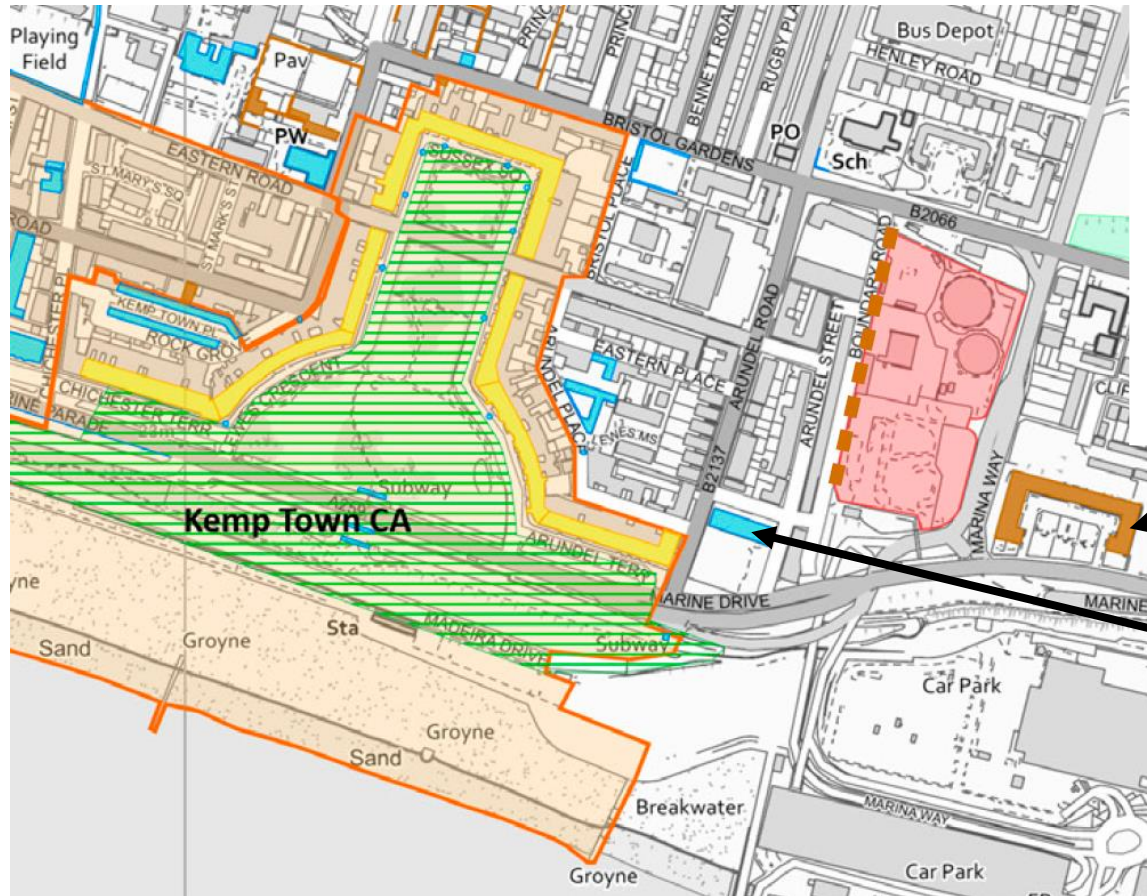


Site

Key heritage assets

Key

- Site
- Grade I
- Grade II
- Grade II*
- Locally listed buildings
- Undesignated heritage asset
- Conservation Area
- Grade II Registered parks and gardens
- South Downs National Park



Marine Gate

French Convalescent Home

Aerial view of application site



View from southwest showing Courcels Building (left) and Marine Gate (right)



North-west corner of site viewed from Roedean Road



View west across site from Marina Way



Rear of properties backing onto Boundary Road



View south down Boundary Road



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ID

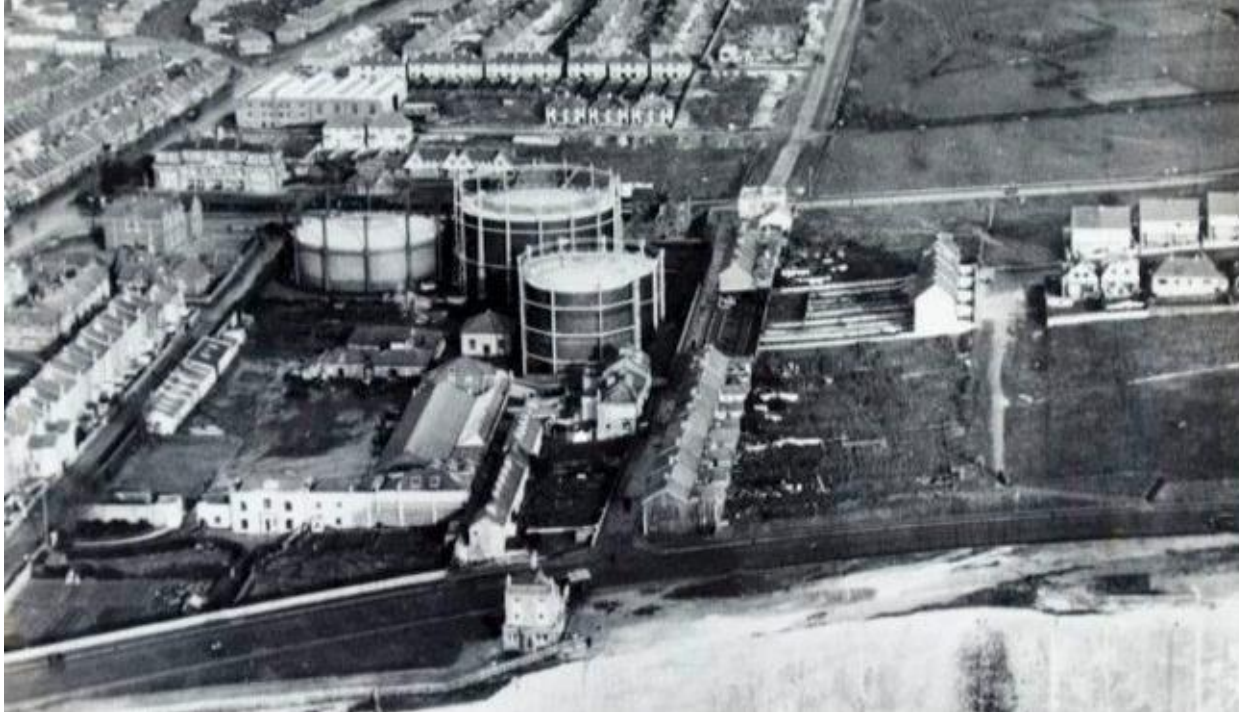
View north up Boundary Road



Image of site from the south, showing the Marina Way under path

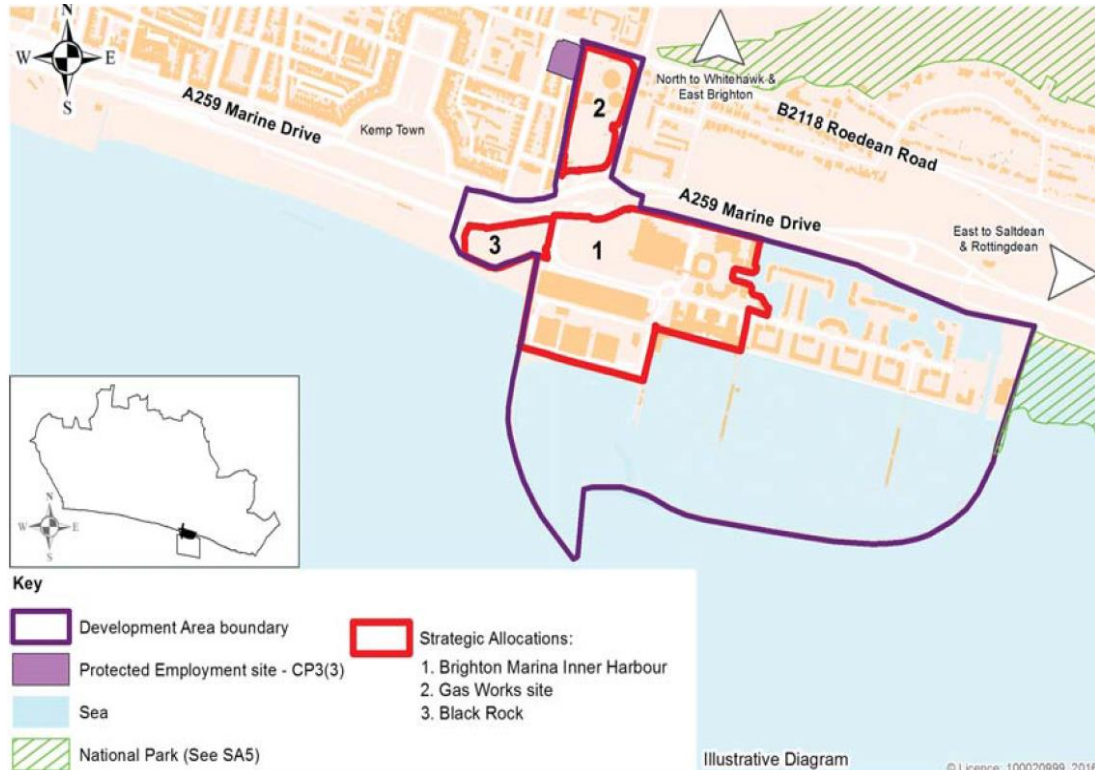


Historic photo of the site, circa 1952



Policy Context

Strategic Site Allocation within Policy DA2 Brighton Marina, Gas Works and Black Rock Area, City Plan Part One (adopted 2016)



Policy Context

Strategy for the Development Area is to: *‘facilitate the creation... of the wider area as a sustainable mixed-use area of the city...’*

Key principles and priorities for the wider DA2 area and the site, including:

appropriate mix of employment floorspace

mix of dwelling type, tenure and size

high quality design

enhancing existing links between the Marina, Gas Works and Black rock site

Strategic Site Allocation (DA2.C.2) for:

2,000 square metres of business floorspace to north of the site

A minimum of 85 residential units and some ancillary retail development



Policy Context

- Significant contribution towards meeting the City Plan housing target:
 - The provision of 495 residential units would make a significant contribution towards the overall City Plan housing target of 13,200 new homes over the period 2010-2030 and would in principle accord with CP1 Housing Delivery.
- Five-year Housing Land Supply position
 - The most recent Housing Land Supply position (SHLAA Update 2023) shows a five-year housing supply shortfall of 7,786 (equivalent to 1.7 years of housing supply).
 - As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).”
- Will contribute towards the City Plan employment land requirements
- Effective use of brownfield sites at higher densities are supported where justified against requirements of Policies CP12, CP14, the Urban Design Framework SPD and the wider Development Area priorities.

Key proposals

- Mixed use regeneration of a contaminated brownfield site, phased over 5+ years
- 495 dwellings (Use Class C3),
- All units to have a private terrace and access to private amenity space within podium gardens, which include food growing areas and children's play space,
- Applicant to use reasonable endeavours to provide 40% affordable housing (via selling to a Registered Housing Provider with the benefit Homes England grant funding),
- 28 • 2,791sqm of flexible employment floorspace (Class E), predominantly at ground floor level throughout the scheme,
- Parking for 179 cars, 30 motorbikes and 560 cycles at podium level,
- Provision of public realm with a central public square (The Circus) and a landscaped route (Green Link) through site with pedestrian and cycle access and significant improvements to Boundary Road,
- Excellent sustainability measures and biodiversity benefits including extensive landscaping, biodiverse roofs, 140 swift bricks and renewables.

Proposed Block Plan



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City Council

Layout and landscaping / public realm plan with building heights



Proposed North Elevation (Roedean Road)



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Proposed East Elevation (Marina Way)



Proposed South Elevation

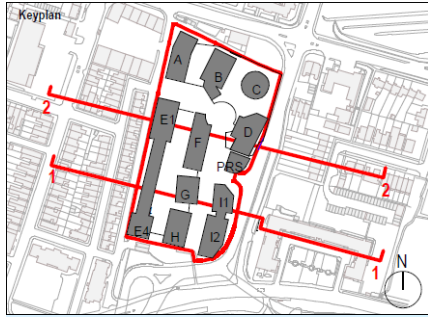


Proposed West Elevation (Boundary Road)



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Proposed Site East West Section 1



Visual of site from the south



Visual from south through site on the Green Link



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Visual of the Circus from the west



Visual from north through site (podium gardens between Block A and B)



Visuals looking south along Boundary Road



Entrance to The Yard from the west off Boundary Road



Representations

1735 objections including the following key issues

- Poor design, excessive height, bulk and density,
- Out of character with the surrounding area,
- Impact on heritage assets and the South Down National Park,
- Contrary to national and local policy and guidance,
- Impacts on roads, congestion, parking and highway safety,
- Concerns around land contamination and public health,
- Lack of affordable housing,
- Poor mix of housing,
- Poor quality of housing, lacking in daylight, privacy and amenity areas,
- Poor ecological, sustainability and biodiversity credentials,
- Harm to neighbouring amenity (loss of light, overshadowing, overlooking, overbearing impact, noise, wind)
- Drainage, sewerage and flooding issues,
- Inadequate consultation, resident's views have not been taken into consideration,
- Lack of infrastructure and public services provided,
- Viability and Wind assessments are flawed,
- Lack of integration with public owned land and the wider Marina and Black Rock.

Representations

62 supporting including for the following key reasons:

- Good quality design,
- Already tall buildings nearby and is in-keeping with the surrounding area,
- Sustainable location, the proposal will not result in increased highways impacts,
- Brighton has a chronic housing crisis, and more homes are urgently needed,
- Proposals will result in the cleaning up of a contaminated site,
- Existing commercial operators on the site are noisy,
- Improved biodiversity and urban greening,
- Local campaign groups are not representative of the views of local people, many of whom are supportive of the scheme,
- Exciting to see massive investment and improved public realm close to a deprived area of Brighton,
- Will create employment and economic growth,
- Better to build on brownfield sites than greenfield.

Housing

- 495 dwellings (Use Class C3) with a combined mix of:
 - 26 x studio (5%),
 - 142 x one bed unit (29%),
 - 265 two bed unit (54%),
 - 48 x three bed unit (10%) and
 - 14 x 3/4 bed townhouses (3%)
- Improvements to the mix have been secured over time with more larger units now proposed,
- All units to have a private terrace or balcony and access to private amenity space,
- All of the units meet or exceed the nationally described space standards and have acceptable layouts, circulation space and outlook,
- Whilst it is a high-density scheme which does result in some negative amenity impacts, sunlight and daylight provision is considered to be good overall,
- 5% of the units overall are designed to be wheelchair adaptable,
- Public realm at ground floor level all publicly accessible.



Viability and Affordable Housing

- The applicant has provided a Financial Viability Assessment (FVA) which sets out that no affordable housing could be viably provided. This has been independently confirmed by the DVS who assessed the scheme in accordance with national planning policy guidance.
- Notwithstanding this, the applicant has set out that they intend to use ‘Reasonable Endeavours’ to provide Affordable Housing (via selling 40% of the homes to a Registered Provider (RP) with Homes England grant funding)
- This would consist of 198 affordable dwellings with a tenure mix of 55/45 affordable rent and shared ownership. The proposed unit mix would be:
 - 77 x 1 bed (39%),
 - 107 x 2 bed 54% and
 - 14 x 3 bed units (7%)
- The s106 legal agreement will set out that the applicant will use ‘Reasonable Endeavours’ to enter into a contract with an RP to provide the affordable housing prior to first implementation.



Employment

- 2,791m² of flexible employment floorspace (Class E), predominantly at ground floor level throughout the scheme,
- The completed scheme will result in a net increase of 110 FTE jobs (average expected yield),
- 2000sqm of the employment floorspace to be conditioned to be solely either ‘office, research and development or light industrial’ space to ensure ‘business floorspace’ is provided in accordance with policy DA2,
- The remaining 791m² of floorspace could suit a range of Class E uses, e.g.
 - retail,
 - restaurant / café,
 - professional services,
 - medical or health services,
 - creche or recreation / leisure / wellbeing

Ground floor commercial space layout (shaded orange)



Design and appearance

- The design of the scheme has evolved positively during pre-application discussions and within the life of the application with input from internal urban designers and independent external design advice,
- Key changes include;
- Reduction of number of homes from over 550 to 495,
- Reductions in height and massing, especially in the north of the site to improve visual permeability through the site and help reduce impacts on townscape, landscape and heritage,
- Improvements to the architecture and form to create more defined, standalone buildings, including a gasholder inspired gateway building in the north-east corner.
- Overall, the scheme is considered acceptable in design terms and has an acceptable relationship with the surrounding area.

View of scheme from the south



View from the north-west on Roedean Road



View north up Boundary Road



Contextual wireline from the south (Marina)



Views of originally submitted (left) and current scheme (right) from west along Eastern Road



Existing View



Originally submitted (left) and current visuals from north-east (right) on Roedean Road



Originally submitted scheme (left) and current scheme (right) from the north on Wilson Rd



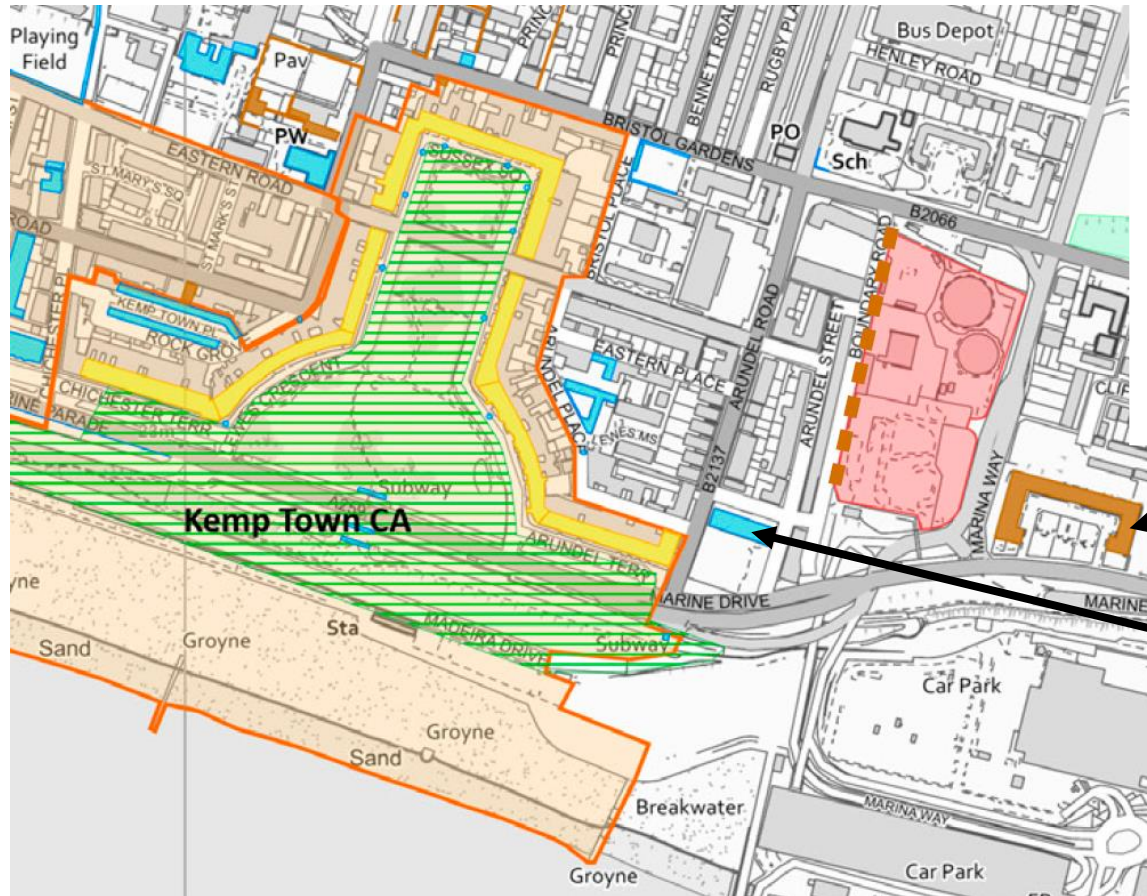
View of circus from north-west showing reductions to massing to improve light into the public realm



Key heritage assets

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Marine Gate

French Convalescent Home

Verified view and wireline showing scheme beyond the French Convalescent Home (Grade II Listed)



From Kemp Town Conservation Area, along Eastern Road.

Existing **Proposed**



From Kemp Town Conservation Area

Existing

Proposed



Flint Boundary wall to be removed to allow creation of a widened road.



View from South Downs National Park from the north-east, existing and proposed



Heritage and landscape considerations

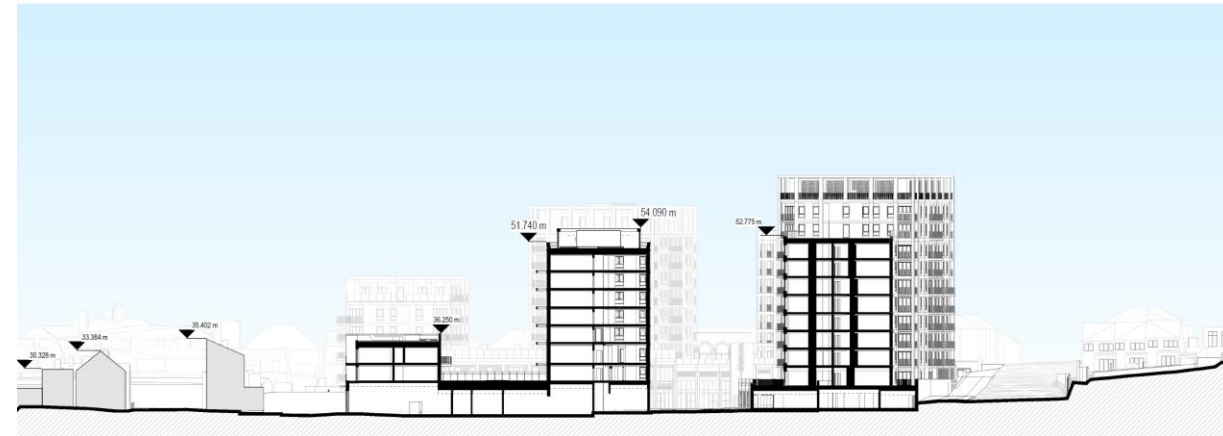
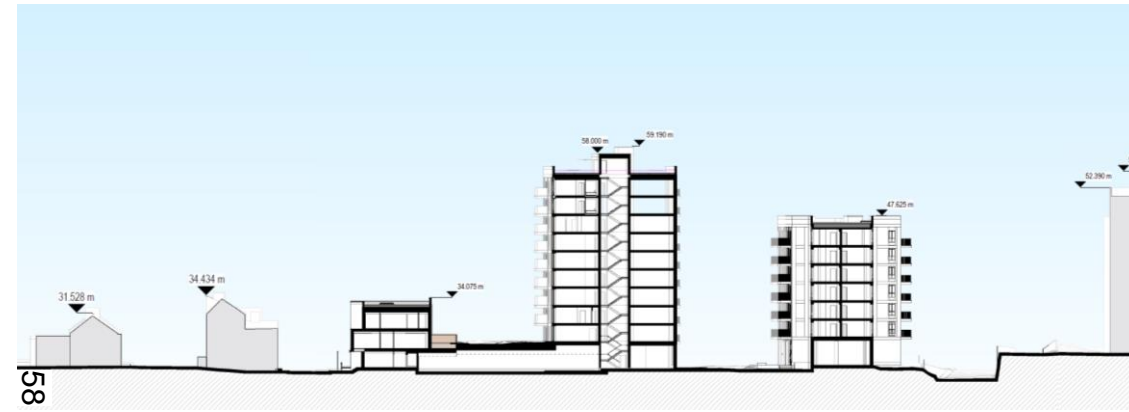
- Scheme has been revised over time to reduce massing and density and this has lessened any impacts in key views,
- Any harm to heritage assets is considered to be outweighed by the clear public benefits of the scheme, which include the regeneration of an allocated site with significant levels of housing, employment and new public realm,
- The proposal would result in some changes to views from the South Downs National Park but would not result in any significant harm to the setting of the Park.

Impact on neighbouring amenity

- Key impacts are loss of daylight and sunlight to the rear of properties on Arundel Street, backing onto Boundary Road,
- Loss of daylight to west facing properties in Marine Gate,
- Scheme has been designed to minimise the impact on Boundary Road, and is predominantly three storeys in height for most of this boundary to mirror the Arundel Street properties,
- As the development site is currently empty, adjoining properties currently have unrestricted light and as such any high-density development will inevitably result in some harm to neighbouring amenity.
- Overall, the harm is not considered to outweigh the positive benefits of the redevelopment of this brownfield site,



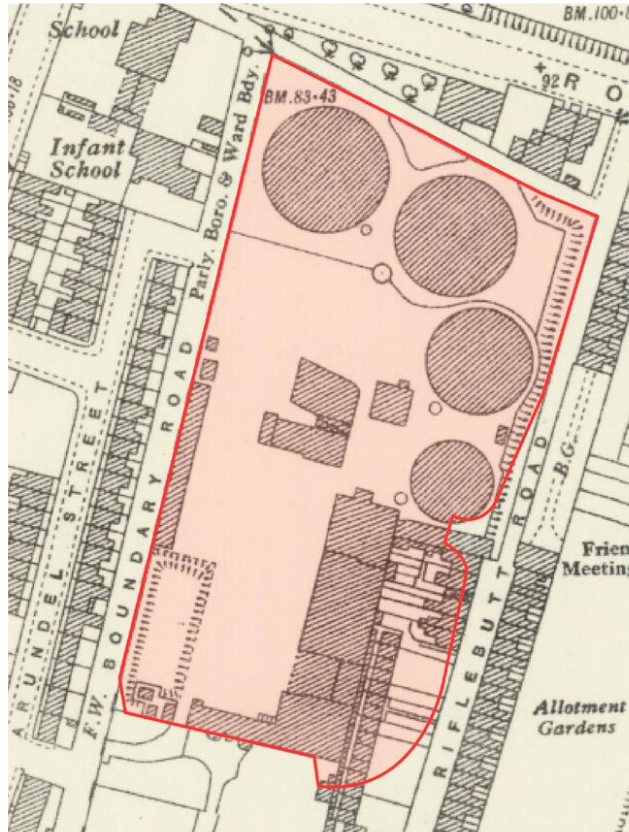
Impact on neighbouring amenity



Land Contamination

- This is not a typical gasworks in terms of contamination,
- Has been used for storage and not gas production from 1880,
- The contamination from gas production was predominantly in the south-west of the site, most of this contamination was removed in 2003,
- Detailed site investigation information has been submitted by the applicant and this is considered appropriate,
- The Remediation Strategy and Air Quality and Odour Management Plan have been submitted upfront with the application,
- Subject to the suggested conditions the council instructed land contamination specialists (LEAP) and the Environment Agency are both satisfied with the proposals in respect of land contamination.

Original gasholders vs Proposed Layout

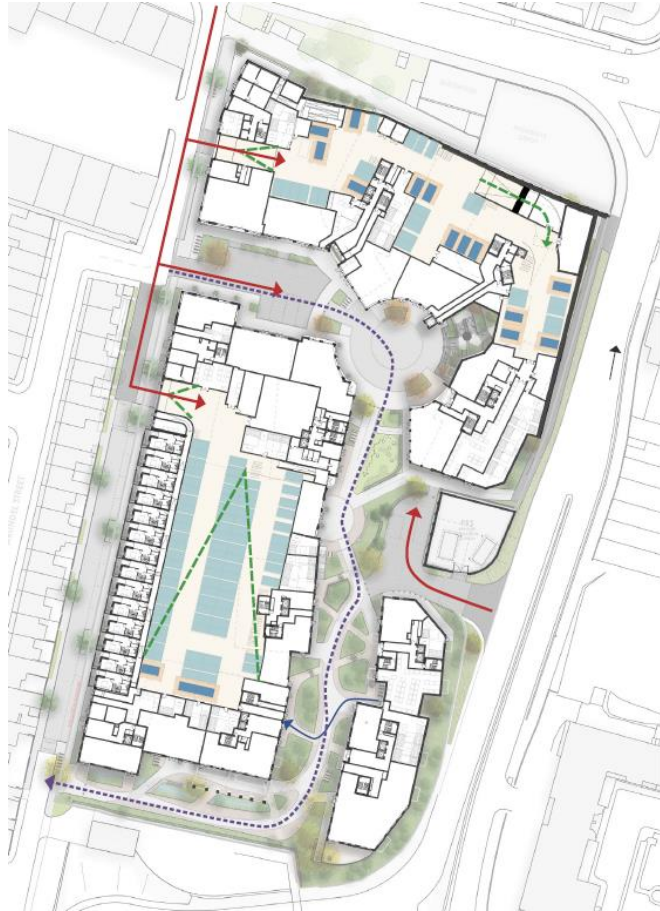


Transport

- Parking for 179 cars, 30 motorbikes and 560 cycles at podium level,
- A publicly available cycle and pedestrian path is proposed through the site,
- Improvements are proposed to Boundary Road,
- The proposed parking provision is considered to strike the right balance between delivering a sustainable development, with limited car use, whilst ensuring that there is not an unacceptable impact on surrounding streets in respect of overspill parking,
- Proposed development will result in a slight decrease in vehicular trips in the AM / PM peaks when the transport network is most stressed in, comparison to the existing situation.
- Servicing and delivery proposals are considered acceptable.



Car parking strategy



Key Considerations in the Application

- Principle of development and policy considerations (including employment and housing)
- Design, density, appearance and impact on the setting of heritage assets and the South Downs National Park,
- Viability and affordable housing,
- Standard of accommodation,
- Impact on neighbouring amenity,
- Public realm and landscaping,
- Land contamination,
- Highways, parking and delivery and servicing,
- Biodiversity, Ecology and Sustainability

S106 table

Affordable housing:

- Applicant to use reasonable endeavours to enter into a contract with a Registered Provider (RP) with sufficient grant funding to acquire 40% of the total dwellings on the site which will be provided as affordable housing by the RP.
- Late-stage Reviews of Viability

Sustainable Transport and Highways:

- Applicant to enter into a s278 agreement to provide the following highway works:
 - Boundary Road improvements with car club bay, tree planting and maintenance,
 - Toucan crossing on Marine Drive, south of Boundary Road,
 - B2066 Roedean Road, Marina Way improvements,
- Bikeshare docking facilities with 10 e-bikes in proximity to the site, to be located either on-site or the public highway, adjacent to the site.
- Permissive Path Agreement

Public art

- Commissioning and installation of an Artistic Component and / or Arts Strategy to the value of **£231,620**.

Employment:

- A financial contribution of **£180,260** towards the Local Employment Scheme
- Submission of an Employment & Training Strategy

Monitoring fees:

- Contribution for the necessary monitoring of the s106 agreement, the public art proposals and the Travel Plan.

Conclusion and Planning Balance

- Site allocated for higher density mixed-use development through Policy DA2 of City Plan Part 1;
- Benefit of 495 new dwellings must be given increased weight, given the Council is unable to demonstrate a 5-year housing supply;
- The quality of accommodation provided is considered very good – every property would have private balcony/amenity area as well as access to communal gardens;
- Built development would have excellent sustainability credentials;
- Economic benefit of increased jobs on site – up to 2791m2 of modern, flexible commercial floorspace;
- Improvements to public realm, environment and amenities on site – significant tree planting and new connections, improvements to Boundary Road;
- Some harm to neighbouring amenity particularly to properties to the west on Boundary Road – loss of daylight and sunlight, but some impact is considered inevitable when developing an allocated site;
- Less than substantial harm to the setting of heritage assets and the loss of the undesignated flint wall on Boundary Road outweighed by the public benefits of the scheme;
- Some impact on South Downs National Park but impact on setting considered acceptable;
- Impacts on highways, ecology, archaeology, landscape, flood risk, wind, air quality and water (contamination) are considered acceptable.

Conclusion and Planning Balance

Overall, it is considered that the public benefits of the scheme overall, which includes the regeneration of a contaminated site, with the provision of a significant amount of housing and employment and public realm, environmental and economic benefits are such that they clearly outweigh the heritage harm identified, any limited impacts on landscape or townscape and the harm to neighbouring amenity.

It is notable that the positive benefits of the proposed development are such, that it would be considered acceptable, and in accordance with local and national policy, if it were to come forward without any affordable housing.

The proposed development will make a significant contribution towards sustainable development in the city and thus complies with the NPPF and contributes towards meeting the objectives of City Plan 1 and 2.

Recommend: Approval subject to conditions and s106 agreement.