



## PLANNING COMMITTEE LIST

### **Brighton & Hove City Council**

**Cllr. Bridget Fishleigh**

**BH2021/04167 – Brighton Gasworks**

#### **10<sup>th</sup> January 2023:**

I am in favour of this brownfield site being developed to provide much-needed homes in the city.

However, I object to the second amended planning application from Berkeley/St William Homes for the site Ref BH2021/04167 for the following reasons.

#### **Financial Viability Assessment**

I have read Professor Stephen Walker's detailed observations on the applicant's revised Financial Viability Analysis (FVA2) and I also attended an online briefing with the Professor. He is surprised that the LPA doesn't seem to be following its own rules.

The main points I have picked out from his report and the briefing are that:

- The FV A provided is a profit appraisal rather than a full FV A which meets national guidance - and the LPA's own procedures.
- The FVA is basically the same as previous application. The Professor would expect it to be much more open about how the new 40% affordable housing element impacts on the financial circumstances. He said that the affordable housing won't get delivered without a subsidy from Homes For England. This subsidy is hidden profit which is not in the FVA.
- Abnormal and normal costs have been combined with no differentiation; fees have been layered on top of costs.
- The contractor's overhead and costs are inside the cost profile that the developers have prepared but they are the same company. This means that the costs are duplicated.
- It is stated in the FVA that the developers bought the land for £6million plus fees. However, this is a JV between the National Grid and Berkely and including this £6 million for land that is already owned increases the costs.

#### **Land Contamination**

We have been told that arsenic, lead and possibly asbestos and ferro-cyanide are among the toxic substances present on the site and buried far below the surface.

It is surprising that the developers are not being compelled to provide a detailed plan about how they will remove these substances as part of the planning application.

And, if the developers aren't sure what is down there and in what amounts, then this will likely affect the FVA.

The potential effects of these chemicals on local residents has not been thoroughly investigated, if at all. Residents have already been told that they will have to close their windows during the build when noxious substances will be released.

Poisoning local residents should be grounds for refusal.

#### **Affordable Housing**

The 226 affordable homes included in this revised proposal is not a contractual commitment at the moment but should be made mandatory by the LPA.

If the applicant can't deliver affordable housing from day one, then the LPA needs to ensure that there are mechanisms in place for future viability reviews - multiple – to take future market changes into account.

With regards to the Material Planning Considerations:

#### **Effect on listing building and conservation area**

Virtually all the buildings within the Kemptown conservation area are listed. To quote from the Brighton Society, *"because of the exceptional character of Kemp Town as a unified estate of*



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*Grade 1 Listed Buildings, that heritage status demands that it is given **exceptional protection** against harm from developments that could threaten and be detrimental to the quality of its existing character and historic quality" and*

*"The proposed Gasworks development will have a profoundly detrimental effect on the character and the quality of the Kemp Town Estate. They wJ1/ tower above the existing buildings at the end of Eastern Road where it passes through Sussex Square, it will be very prominent from high level viewpoints in the South Downs, and from the high land above and to the east of Marina Way, and from the seafront below Madeira Terraces and the cliffs".*

#### **Layout and density of building and Design, appearance and materials**

In my opinion, the proposed buildings are too high, too bulky, out of scale and character with its surroundings.

Michael Gove, the levelling up, housing and communities secretary, has recently said that new developments should have more focus on **the "heart and soul" of areas and that** too many planning applications were "indifferent" or "insipid".

If this application is refused, and the developers appeal, then it seems unlikely that he would approve it.

I would also like to ask why an extended image of this 3D model is not included within the Heritage and visual impact documents in the Gasworks planning application documentation. This was provided by the developers of the Edward Street Quarter.

#### **Parking, Highway safety and traffic**

Finally, on multiple occasions over the past few years, I have asked for improvements to roads and pavements in this area including providing a pavement where none exists alongside the fast-moving road to Roedean. The impact of a potential 1000+ new residents on the existing road infrastructure hasn't been fully assessed.

For these reasons, I hope that the LPA recommends to refuse this planning application. The developers need to go back to the drawing board.