

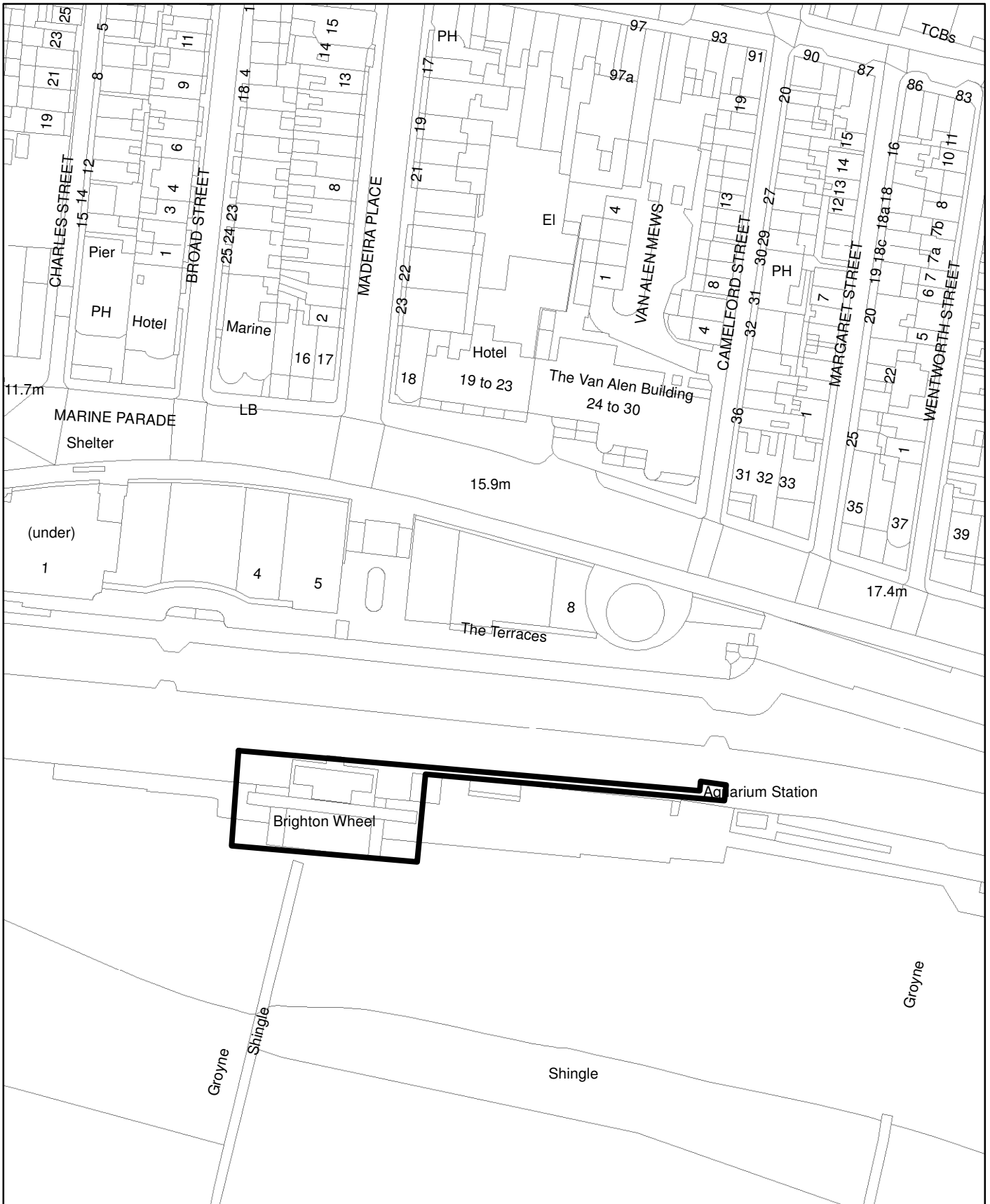
ITEM A

**The Brighton Wheel, Upper Esplanade,
Daltons Bastion, Brighton**

**BH2015/00513
Removal or variation of condition**

3 JUNE 2015

BH2015/00513 The Brighton Wheel, Upper Esplanade, Daltons Bastion, Madeira Drive, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2015/00513	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Removal or Variation of Condition		
<u>Address:</u>	The Brighton Wheel Upper Esplanade Daltons Bastion Madeira Drive Brighton		
<u>Proposal:</u>	Application for variation of condition 3 of application BH2011/00764 (Erection of a 45 metre high observation wheel including extension of promenade over beach, new beach deck, ancillary plant, queuing areas, ticket booths and merchandise kiosk (for a temporary period of 5 years, except beach deck which is permanent)) to extend the temporary period for a further five years until 19 May 2021.		
<u>Officer:</u>	Maria Seale, tel: 292175	<u>Valid Date:</u>	23 February 2015
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	20 April 2015
<u>Listed Building Grade:</u>	Pier II*, Terraces & Aquarium II		
<u>Agent:</u>	Stiles Harold Williams, 69 Park Lane, Croydon, CR0 1BY		
<u>Applicant:</u>	Paramount Entertainments Ltd, c/o Stiles Harold Williams		

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to be **MINDED TO GRANT** planning permission subject to a Deed of Variation to the Section 106 Agreement dated 19 May 2011 and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The 45 metre high wheel is in situ and the site forms part of the Madeira Drive seafront promenade and the beach, and is located opposite The Terraces and Aquarium. The site is approximately 110 metres east of Palace Pier and currently projects out from the main seaward line of the promenade by approximately 5 metres.
- 2.2 Underneath the wheel there is an arcade containing an ice cream parlour and shop and concrete pathway.
- 2.3 The site is located within the East Cliff Conservation Area and is close to several listed buildings, including the Grade II* Palace Pier, and Grade II Terraces and Aquarium.

3 RELEVANT HISTORY

- BH2011/00764** Erection of a 45 metre high observation wheel including extension of promenade over beach, new beach deck, ancillary plant, queuing

areas, ticket booths and merchandise kiosk (for a temporary period of 5 years, except beach deck which is permanent). Granted on a temporary basis 19 May 2011 (expiry 19 May 2016).

BH2011/02923 Application for Approval of Details Reserved by Conditions 16 (crime prevention measures) and 17 (vehicular servicing & maintenance plan) of application BH2011/00764. Approved 21/10/11

BH2011/02915 Application for Approval of Details Reserved by Condition 11 (external lighting) of application BH2011/00764. Approved 21/10/11

BH2011/02912 Application for Approval of Details Reserved by Condition 15 (cycle parking) of application BH2011/00764. Approved 17/10/11

BH2011/02907 Application for Approval of Details Reserved by Condition 9 (disabled access measures)) of application BH2011/00764. Approved 21/10/11

BH2011/02906 Application for Approval of Details Reserved by Conditions 12 (operational and queuing management plan) and 13 (waste & recycling management plan) of application BH2011/00764. Approved 24/10/11

BH2011/02894 Application for Approval of Details Reserved by Condition 10 (materials and finishes) of application BH2011/00764. Approved 21/10/11

BH2011/02892 Application for Approval of Details Reserved by Condition 14 (travel plan) of application BH2011/00764. Approved 24/10/11

BH2011/02878 Application for Approval of Details Reserved by Conditions 7 (storage of original railings) and 8 (new railing details) of application BH2011/00764. Approved 8/3/12

BH2011/02133 Application for Approval of Details Reserved by Conditions 11 (external lighting) and 14 (travel plan) of application BH2011/00764. Refused 13/9/11

BH2011/01756 Application for Approval of Details Reserved by Condition 6 (construction environmental management plan) of application BH2011/00764. Approved 8/7/11

4 THE APPLICATION

- 4.1 Planning permission is sought for the variation of condition 3 of application BH2011/00764 to extend the temporary period for a further five years to retain the wheel until 19 May 2021.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: 25** letters of representation have been received (see table attached at end for report for addresses) objecting to the application for the following reasons:

- There is a clear expectation that the wheel will be removed when the i360 is built
- It is an interim attraction, goes against previous widely understood agreements to remove it
- Will in effect make it permanent, will set precedent
- Will undermine viability of i360. Will draw tourists away from i360 and Hove end of seafront. i360 needs to be successful as benefits from public money
- City does not need 2 viewing attractions
- Is not suitable as a permanent form of development
- Detracts from character and appearance of the area including period buildings, original heritage concerns still applicable
- Is poor quality design, not iconic or unique, does not enhance seafront
- Ruins view of pier and overshadows Volks Railway
- Offers poor value, is too expensive
- Is not well used, reflects badly on council attempts to promote seafront
- Could put off potential business occupiers of the Terraces and is a deterrent to good quality investment
- Is overwhelming and dominant
- Contributes to homogenisation of unique English vistas
- Contributes nothing to city visually
- Is unsightly, rusty, dirty and tacky, is poorly maintained, lacks all pods
- Accuracy of visitor and employment figures disputed and benefits to city's economy
- Insufficient technical assessment carried out, based on out of date information
- Environmental Impact Assessment may be required
- Loss of privacy
- Intrusive lights
- Applicants do not engage with local community or offer discounts
- Adverse impact to property prices
- Loss of sea view
- Spoils outlook for hotel guests

5.2 **84** letters of representation have been received (see table attached at end of report for addresses) supporting the application for the following reasons:

- Is an attractive feature on seafront
- Is in keeping in a seaside location
- Fits in nicely with adjacent pier and Sealife Centre
- Is a great place to visit, provides amazing views and informative commentary about the city, is professional
- Adds to the holiday environment
- Will bring in more tourism money

- Will provide jobs
- Will help regenerate this underused area of seafront which badly needs it
- Is part of Brighton, is an icon
- Is fittingly marks the end of the marathon, bike ride, car race etc, adds personality and identity
- Is photogenic
- Is supportive of schools and charities
- Is supportive of local community
- Is popular
- Is well priced, is an affordable option for families who may find i360 expensive
- Is self-sufficient and not costing council anything
- Brings in revenue for council
- Is compatible with i360, they provide different experiences, city has scope to offer further attractions
- Losing the wheel would leave a void
- Removal will cause problems for other tenants in area
- Disabled people can use it
- None of the dire prediction about loss privacy or excessive lighting have come to pass

5.3 **1** letter of comment has been received from **Flat 2, 15 Madeira Place** supporting the proposal as long as no additional lighting installed.

5.4 **Councillor Powell:** Objection on the grounds it was agreed that the wheel would go when the i360 was secured; ie the construction of the i360 would rule out a simultaneous observation structure (such as the wheel) on the seafront. A copy of her full email is attached at the end of this report.

5.5 **Brighton & Hove Economic Partnership:** Objection. The structure was granted temporary consent to avoid undermining the viability of the i360. Whilst competition is not a planning matter, it seems illogical that the i360, which has received public money from the PWLB and will generate money for the public purse, could be jeopardised. Assuming there is no change in material circumstances since the original consent, the only justification for granting new consent would be on economic grounds if it was shown the wheel was of such benefit to the city it was compelling for it to remain. The business case put forward by the wheel is not convincing due to lack of supporting evidence for employment figures, revenue generated and visitor numbers, and they appear inflated.

5.6 **Brighton & Hove Tourism Alliance:** Objection on grounds that Brighton is a city that thrives on co-operation and successful businesses are ones who engage, which the wheel has not done. Failure to meet predicted visitor targets could well be a reflection of not working strategically in partnership with other tourist providers. The wheel has not achieved more tourists coming here. The wheel is a stop gap attraction and should not ride on the coat tails of the i360.

- 5.7 **CAG:** No objection on conservation grounds. Suggest consideration be given to adding a condition requiring improvement to the appearance and facilities at the base level of the wheel, provided they are temporary.
- 5.8 **Environment Agency:** No objection. There have been no changes on coastal flood risk data and the EA are happy with the original FRA.
- 5.9 **Historic England:** Comment the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist advice.
- 5.10 **Hove Civic Society:** Objection on grounds that the reasons for time-limiting the presence of the wheel remain as valid now as originally, the strategic importance to the city of a permanent i360 remains predominant, extension of wheel would create uncertainty and risk for i360, the terms of the lease should be applied and the question should not be opened through attempts to revisit planning conditions.
- 5.11 **Kingscliffe Society:** Objection on grounds that planning legislation (para 2 b & 3 of S73 and section 62) means that application should be refused. The wheel has not significantly contributed towards tourism/economy due to low visitor numbers - there have never been any queues and restaurants opposite in the Terraces have closed down. Severe effect to nearby residents due to being overpowering, ever-present, intimidating and a blot on the landscape. Not designed like London Eye with degree of transparency, no respect for seafront architecture. Not a quality attraction like Volks Railway or Pier. Residents and businesses amenity severely affected. Loss of privacy from flashing mobile phone photographs. Proposal has not been viewed from residential units opposite.
- 5.12 **Regency Society:** No objection in principle. However, 10 years is effectively a permanent consent. The applicant should submit all documents required for a full planning consent. The wheel is a beneficial addition to the seafront and provides striking views from various parts of the city. The appearance at ground level is untidy and inappropriate and improvement should be required. There is no provision for visitor facilities such as toilets or protection from the weather.

Internal:

- 5.13 **Coastal Protection Engineer:** No objection.
- 5.14 **Economic Development:** Objection. This original consent was granted to provide a temporary facility prior to the development of the i360 further along the seafront which has now secured the funding to construct and work in underway to provide a permanent modern purpose built iconic viewing facility for the city. The potential impact of this extended temporary consent on the economic viability of the i360 has to be taken in consideration.

- 5.15 Whilst it is acknowledged that the Brighton Wheel has provided employment and income for the city the figures quoted by the applicant are not substantiated or evidenced. Further information would be required to support and evidence the figures quoted based on the original forecasts.
- 5.16 The council have a draft Seafront Strategy and therefore the comments of the Head of Sport & Leisure and the Head of Tourism will cover how this extended temporary consent would accord with the strategy.
- 5.17 The council recently approved a Seafront Investment Programme which brings together a portfolio of projects and seafront initiatives together as a co-ordinated programme of work and identifies the major development projects that will contribute to the development of the tourist and visitor economy. The i360 development is a key component of this investment programme and will deliver significant investment and employment to the seafront. The Brighton Wheel because of its temporary nature is not identified in this longer term Investment Programme therefore the proposal should be refused.
- 5.18 **Environmental Health:** Comment that no complaints have been received about noise or light due to the wheel since it began operating.
- 5.19 **Flood Risk Management:** Comment There is no problem from a sustainable drainage perspective.
- 5.20 **Heritage:** Objection. The impact of the wheel on the conservation area and in views beyond has been reviewed, and it is considered that the overall impact is generally as shown in the original application and therefore it is not proposed to make different comments on the current application. It should be noted, however, that the ancillary structures currently in place do not seem to be entirely as approved and the immediate environment around the base of the wheel is disappointing as a result. For example glossy plastic signage panels have been placed around the periphery on the north East and West elevations and large temporary looking canvas banner type signs on the beach side, both West and East facing. There are also some tent-like structures on the south side of the wheel platform. This all combines to create a cluttered and low quality environment at close quarters.
- 5.21 The National Planning Policy Framework states that in considering applications for development local authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets and that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. It also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 5.22 It is not considered that the wheel as implemented sustains or enhances the character of the East Cliff Conservation Area. It is considered that the harm caused by the wheel on Madeira Place is substantial, and on Dalton's Bastion

and the conservation area in general is considered to cause less than substantial harm. Even when the harm is less than substantial paragraph 134 of the NPPF requires that the public benefits arising from the scheme should be considered to outweigh the harm.

- 5.23 Under the tests now required by the NPPF as set out above, support cannot be given for the extension of the temporary approval.
- 5.24 **Planning Policy: Comment.** The proposal is acceptable in planning policy terms subject to comments from other internal consultees.
- 5.25 Brighton & Hove's Seafront is of vital importance to the economy of the city and it also plays an anchor role for city's tourism economy which contributes an estimated £732 million to the city's economy each year and sustains 17,500 jobs (13,000 FTEs). Key strategic development sites along the seafront are identified through the City Plan and other council and city and sub-regional documents. The purpose of these strategic development sites are to act as catalysts for the wider renewal and regeneration of the city's seafront.
- 5.26 A strategic objective of the council reflected in the City Plan (SO17) is to enhance the seafront as a year round place for sustainable tourism, leisure, recreation and culture whilst protecting and enhancing the quality of the coastal and marine environment.
- 5.27 Taking account material representations received during the submission consultation in 2013, it is considered that weight can be attached to SA1 The Seafront and CP5 Culture and Tourism.
- 5.28 The overarching priority for the seafront set out in SA1 The Seafront is the on-going regeneration and maintenance of the seafront in an integrated and coordinated manner. Proposals should support the year-round sport, leisure and cultural role of the seafront for residents and visitors whilst complementing its outstanding historic setting and natural landscape value. Part A sets out a number of priorities applicable to the whole seafront and specific priorities for East of Palace Pier to the Marina are set out at Part B. which relate to the regeneration of Madeira Drive as a centre for sports and family based activities. CP.1 sets out the expectation for new visitor attractions, including being of a high environmental standard, complement and build on the city's distinct tourism offer, and reduce seasonality.
- 5.29 The supporting text to SA1 The Seafront at 3.118 recognises the role of the (emerging) Seafront Strategy in ensuring an integrated approach to improvement and regeneration. The draft Seafront Strategy sets a vision to '*Create attractive, sustainable, high quality environments for residents, businesses and visitors throughout the year*'; the importance of the '*potential to broaden and enhance the main draw of the tourism appeal both spatially (wider than the prime location between the piers) and in time (with an extended all year round season)*' and indicates in the draft Seafront Character Areas for

Palace Pier to Brighton Marina, the: '*Potential for leisure use beyond the life of the planning permission*'. Whilst the type of leisure use is not specified it would need to fit with the longer term strategic requirements of the seafront.

- 5.30 It is understood that following recent public consultation and scrutiny the preparation of the final Seafront Strategy will be influenced by the preparation of an investment strategy. The Seafront Strategy is not a supplementary planning document. The weight to be attached to this document at this stage is limited. Whilst the key strategic development sites and priorities have been identified through SA1 The Seafront and other Development Areas (DA1, DA2, DA8), detailed maintenance and improvement plans are still at a draft stage. Any further seafront development sites and potential uses identified through the Seafront Strategy would need to be taken through the City Plan Part 2.
- 5.31 Leisure uses are identified in the NPPF as a main town centre uses to which a town centre use is normally required. The site is an edge of centre location, located within 300m of St James Street District Centre and 308m from the edge of the Regional Shopping Centre. Proposals for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan should be accompanied by a sequential site assessment. This site is accessible and well connected to the town centre. Whilst the site is not an identified development site, the priorities for the area east of the Palace Pier do include sport and leisure activities as indicated in SA1.B and the draft Seafront Strategy. Given this proposal is for a temporary use it is not considered necessary to require a sequential site assessment.
- 5.32 As with the considerations in 2011, whilst the proposal broadly fits with SA1 The Seafront and the emerging Seafront Strategy, it is important that extending its temporary permission does not prejudice or pre-empt the final vision/strategy or allocation for this part of the seafront.
- 5.33 The Head of Sport & Leisure and the Head of Tourism should be consulted on this application in relation to the emerging seafront strategy and also on the assessment set out in the Economic Impact Assessment of the contribution the Brighton Wheel has had on tourism in the city and the regeneration of this area of the seafront. There are a number of assumptions set out in the Economic Impact Assessment that may need further clarification. It is not clear what visitor figures have been assumed for the economic impact of the Brighton Wheel for the 2016-2021 period, particularly given that original forecasts of visitor numbers for the Brighton Wheel appear to have been higher than recently achieved and it is unclear whether the estimated economic impacts of the Brighton Wheel for the next 5 years will be realised and whether there would be an impact on the i360 when this is operational.
- 5.34 The council's updated its Strategic Flood Risk Assessment SFRA (SFRA Update, January 2012), so it would be appropriate for the applicant to consider whether it is necessary to revisit and update as appropriate the Flood Risk

Assessment that was submitted with the 2011 application. The council's Coastal Protection Officer should be consulted on this application.

- 5.35 Given the previous concerns raised by the Major Projects Heritage and Design team and the rationale for granting the temporary permission to allow the impact of the development to be fully monitored, the team should be consulted on this application.
- 5.36 **Seafront Team: Objection** The Seafront Team are not aware of any issues with highways or access. There was one complaint regarding noise one night when the wheel was being maintained.
- 5.37 The current temporary lease has an expiry date of 29th August 2016. There is also a highway consent which expires when the planning permission lapses. Current timescales for the construction of the Brighton i360 will mean that the planning permission and the highway consent for The Wheel will now expire before the planned opening of the i360 in June 2016.
- 5.38 The lease and highway consent relating to The Wheel were drafted to ensure that there would be no concurrent operation between the two observation attractions (Brighton i360 and The Wheel). The Wheel fully understood the Council support for the Brighton i360. The Council made it clear that by supporting The Wheel for a temporary period at Dalton's Bastion, it was not to be assumed that a more permanent arrangement would be considered at some future point in time. That position was exemplified by the requirement for a bond to ensure the Wheel's removal and the corporate position was mirrored by the temporary nature of the planning permission and highway consent, as the Brighton i360 remained the strategic priority for the Seafront. Indeed the original chosen location of The Wheel was the West Pier Site, and if this had gone ahead, the Brighton i360 would have needed to access the site in 2014. The current lease has allowed The Wheel to exercise the full five years of their lease, but not to operate at the same time as the new attraction which will open in 2016.
- 5.39 In June 2014, a commercial agreement with Brighton i360 ensured the project would proceed with the Council acting as senior lender and receiving circa £1m per annum for a 25 year period. These funds have been ring fenced to ensure they can be used for urgent ongoing maintenance and other support for the seafront. The Brighton i360 will also result in landscaping of the wider area, rebuilding of the west pier arches, new cycle route, new subway lighting, restored West Pier Kiosks, a new visitor centre and conferencing venue, Michelin star restaurant and café, and exhibition and retail space.
- 5.40 The Council has never considered that the seafront can accommodate two observation attractions in relatively close proximity and the business case for the i360 was predicated on the basis of being the sole aerial attraction on the seafront. As the major seafront owner and funder of the i360, it agrees with much of the contents of David Marks' letter to the LPA dated 11.05.15 and

generally objects to the proposed renewal of planning permission. In particular it agrees that an up to date analysis and technical report on the impact of the proposal is required in order to properly gauge the position and consider the pros and cons of the application.

- 5.41 The current draft Seafront Strategy (which has not been formally adopted by the council) has identified Dalton's Bastion as appropriate for "family leisure attractions and facilities" and was identified as having potential for leisure use beyond the period of the existing planning permission for the Brighton Wheel. Once the Wheel ceases to operate at this location, the Council may therefore either a) seek an alternative leisure attraction for the site which meets the wider strategic needs of the seafront (subject to Planning and Highways); or b) the site would be reassessed whilst alternative proposals are explored which better suit the longer term strategic requirements of the seafront and fit within any future adopted Seafront Strategy which would seek to take full account, for example, of the emerging Seafront Investment Plan.
- 5.42 The reason for condition 3 of the current planning permission (i.e. the condition which states that on or before the 19th May 2016 the use shall cease) includes "to ensure the future strategic planning of the seafront is not undermined". It is submitted that renewing the consent would fundamentally undermine that strategy.
- 5.43 **Sustainable Transport:** No objection. Highways Enforcement confirm they have not had any substantial complaints about the wheel. The Highway Authority does not need any updated technical assessments further to those already produced for the previous application BH2011/00764. While the NPPF has been introduced since the previous application was submitted there has not been any significant changes in local planning policy or changes in the local area which would alter the Highway Authorities view on this application.
- 5.44 Original conditions in relation to Travel Plan (Condition 14) and Vehicular Servicing & Maintenance (Condition 17) should ensure that the implementation of the measures in these documents are continued during the life time of any new permission.
- 5.45 The Valley Gardens Phase 3 (Aquarium Roundabout) works, are provisionally programmed to commence 2017/18 and would potentially be complete by 2019/20 but do not directly impact upon or are impacted by any new permission of the wheel other than the works will provide enhanced access to the wheel. During any construction works to the aquarium roundabout access to Madeira Drive and the big wheel can be retained.
- 5.46 **Tourism:** Comment. The wheel is a tourism asset for the city. VisitBrighton are keen to see a diverse range of attractions in the City to encourage leisure visitors to visit in the first place and as a reason to potentially extend their stay. The Wheel has made a contribution to the city in terms of something to do when in Brighton, but it is unlikely to be a decision driver for tourists to come to the

city. Whilst it is not possible to verify the quantum of visitor numbers cited by the applicant they are possibly not unrealistic for an attraction of this scale.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public Transport accessibility and parking
TR4	Travel Plans
TR5	Sustainable transport corridors and bus priority routes
TR7	Safe development
TR8	Pedestrian routes
TR13	Pedestrian network
TR14	Cycle access and parking

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TR15	Cycle network
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU7	Development within the coastal zone
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU14	Waste management
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD6	Public Art
QD7	Crime prevention
QD15	Landscape design
QD17	Protection and integration of nature conservation features
QD25	External lighting
QD27	Protection of Amenity
QD28	Planning obligations
SR18	Seafront recreation
HE3	Development affecting setting of a listed building
HE6	Development within or affecting setting of conservation areas
NC4	Sites of Nature Conservation Importance

Supplementary Planning Guidance:

SPGBH4 Parking Standards

SPGBH15 Tall Buildings

Interim Guidance on Developer Contributions

Supplementary Planning Documents:

SPD07 Advertisements

SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

SA1 The Seafront

CP5 Culture and Tourism

CP11 Managing Flood risk

CP12 Urban Design

CP15 Heritage

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the reasons why a temporary, rather than permanent, consent was originally deemed appropriate.

8.2 The reason for the temporary permission given on the decision notice reads:

The development is not considered suitable as a permanent form of development, to safeguard the visual amenity of the area, to ensure the future strategic planning of the seafront is not undermined and to allow the impact of the proposal to be monitored, and to comply with policies SR18, QD1, QD2, QD4, HE6, HE3 and QD27 of the Brighton & Hove Local Plan.

8.3 The key issues to therefore consider are:

- the visual impacts of the wheel
- the current status of the strategic planning of the seafront
- the outcome of monitoring its effects.

8.4 These need to be considered in the context of current planning policy.

8.5 A new material consideration since the original permission was granted is the National Planning Policy Framework (NPPF) and accompanying Planning Practice Guide. In terms of planning policy, the (saved) policies of the adopted Local Plan remain relevant and weight is given to policies in the emerging City Plan Submission Part One, particularly where they are consistent with the NPPF and where no objections have been received.

8.6 As the key reason the wheel was deemed acceptable originally was its positive impact to the economy and tourism and the regeneration of the seafront, these remain important considerations.

8.7 The matter of potential competition, for example with the i360, is not considered to be a material planning consideration. Planning is concerned with the broad public interest rather than private interests such as competition between businesses or loss of a view or property value. The i360 is addressed further under headings below.

8.8 Issues regarding the principle of a wheel in this location were covered under the original application and shall not be revisited in great detail again in this report.

8.9 In summary, a seafront location was felt to be appropriate for such an attraction and whilst harm was identified to some heritage views (from Madeira Place in particular), these were considered to be outweighed by the economic/tourism benefits of the proposal and the fact it was temporary. The proposal was felt to be an interesting and fun attraction.

8.10 At the time of the original permission the Council was in the very early stages of producing a Seafront Strategy. The temporary permission reflected this status

and it was anticipated that the Strategy would advance over the 5 year period. The i360 as an individual project did not form part of the considerations within the planning report.

- 8.10 The impact to residential amenity was fully assessed and considered acceptable. The impacts in terms of transport, parking and sustainable modes, refuse/waste generation and toilet provision were considered acceptable.

Planning Policy:

- 8.11 One of the key issues to consider is planning policy, and how this has changed since temporary consent was first granted.
- 8.12 The (saved) Local Plan policies identified in section 7 above remain relevant to this proposal and hold significant weight as they form part of the adopted Development Plan. Originally the proposal was deemed to comply with these Local Plan policies and this is considered to remain the case.
- 8.13 In terms of changes, the two main considerations since 2011 are the advancement of policies in the City Plan Part 1, and the NPPF.
- 8.14 The seafront is recognised as being of vital importance to the economy of the city and it also plays an anchor role for the city's tourism economy. This is reflected as a strategic objective of the council in the City Plan (policy SO17) which seeks to enhance the seafront as a year round place for sustainable tourism, leisure, recreation and culture whilst protecting and enhancing the quality of the coastal and marine environment. It is considered that the wheel contributes to this strategic planning policy objective. Promotion of a sustainable economy is a key aim of the NPPF.
- 8.15 Key strategic development sites along the seafront are identified through the City Plan and other council and city and sub-regional documents. The purpose of these strategic development sites are to act as catalysts for the wider renewal and regeneration of the city's seafront. The overarching priority for the seafront is set out in City Plan policy SA1 The Seafront. It seeks the on-going regeneration and maintenance of the seafront in an integrated and coordinated manner. Proposals are expected to support the year-round sport, leisure and cultural role of the seafront for residents and visitors whilst complementing its outstanding historic setting and natural landscape value. Whilst the site is not an identified development site (in the DA policies), Part A of SA1 sets out a number of priorities applicable to the whole seafront and specific priorities for East of Palace Pier to the Marina are set out at Part B - which relate to the regeneration of Madeira Drive as a centre for sports and family based activities.
- 8.16 City Plan CP5 Culture and Tourism sets out the expectation for new visitor attractions, and expects these to be of a high environmental standard, and complement and build on the city's distinct tourism offer, and reduce seasonality. The NPPF states that leisure uses should normally be located

within town centres, and whilst this site is edge of centre it is accessible and well connected to the town centre.

- 8.17 Taking into account material representations received during the submission consultation in 2013, it is considered that significant weight can be attached to policies SA1 and CP5.
- 8.18 It is considered that the wheel, being a leisure use, broadly fits with both these emerging policies in the City Plan, and the NPPF. As stated in the previous reason for granting a temporary permission, it is important to ensure the wheel does not prejudice or pre-empt the final vision or strategy for this part of the seafront. The wheel is not considered to undermine City Plan policies which outline strategic objectives.
- 8.19 Key Council documents to consider since the original permission are the draft Seafront Strategy published in November 2012 and the emerging Seafront Investment Plan (draft anticipated autumn 2015). The draft Seafront Strategy was subject to councillor scrutiny and internal officer workshops. External public consultation was carried out in May 2013. Although this was not taken forward it is understood that it could influence a final Seafront Strategy/Investment Plan. This final Plan is to be influenced by a number of different council documents in a co-ordinated approach.
- 8.20 The supporting text to City Plan policy SA1 recognises the role of the (emerging) Seafront Strategy in ensuring an integrated approach to improvement and regeneration. The draft Seafront Strategy sets a vision to 'Create attractive, sustainable, high quality environments for residents, businesses and visitors throughout the year'; the importance of the 'potential to broaden and enhance the main draw of the tourism appeal both spatially (wider than the prime location between the piers) and in time (with an extended all year round season)'. It indicates draft Seafront Character Areas and for the Palace Pier to Brighton Marina identifies 'family leisure attractions and facilities' as appropriate uses and 'potential for leisure use beyond the life of the planning permission' for Daltons Bastion. The Strategy does not, for example, identify the site of the i360 as the only attraction on the seafront. Whilst the type of leisure use between the pier and Marina is not specified in the Strategy it would need to fit with the longer term strategic requirements of the seafront.
- 8.21 The wheel can be seen to broadly fit with the draft Seafront Strategy. These documents are not, however, Supplementary Planning Documents and are at draft stage and have not been formally adopted for council use, and thus can be given very limited weight in planning terms. The concerns of some objectors, the Seafront, Leisure and Economic Development teams regarding potential impact to the i360 are noted and understood, however, in planning terms there is not an adopted strategy that indicates that one particular attraction should hold more weight than any other or a document that determines exactly what uses should be considered on individual sites. Other than overarching policies in the City Plan there is an absence of a clear adopted vision for the whole

seafront. Whilst the key strategic development sites and priorities have been identified through the City Plan policies SA1 and other Development Areas (DA1, DA2, DA8), detailed maintenance and improvement plans are still at a draft stage. Any further seafront development sites and potential uses identified through the Seafront Strategy would need to be taken through the City Plan Part 2 which will identify specific opportunities for individual sites. Currently the wheel does not contradict the emerging Seafront Strategy/Investment Plan, and if the public via the Council choose to change direction or find the wheel unsuitable the issue can be revisited as part of the formal adoption process.

Tourism and the economy:

- 8.22 At the time of granting the original permission, it was anticipated that the Brighton Wheel would have a positive contribution on the tourism and economy of the city and the regeneration of this area of the seafront.
- 8.23 Some concerns have been raised by objectors and consultees that the applicant's stated visitor (and employment) numbers are inaccurate and likely to be overstated, and that it is not clear what the future economic impact of the wheel will be. They point to the fact that visitor numbers are lower than originally predicted.
- 8.24 In the absence of data to demonstrate otherwise, however, the applicant's figures are accepted. The Tourism/VisitBrighton team are the best placed to comment within the Council and state that whilst it is not possible to verify the quantum of visitor numbers cited, they are possibly not unrealistic for an attraction of this scale. It is acknowledged that the wheel has not proved to be as popular as thought originally, however, even if the case is overstated, it is difficult to argue that the wheel does not have a positive benefit to tourism and provides jobs. VisitBrighton agree that whilst the wheel is unlikely to be a key decision driver for tourists to come to the city, it is a tourism asset and a diverse range of attractions in the City can only be positive. From the letters of support for the proposal it can be seen that a significant number of people both from within and outside the city consider the proposal to be an attractive, iconic part of the seafront. Annual surveys carried out by Tourism South East on behalf of the Council (which included the wheel) since 2011 clearly show that visitor numbers to the City are increasing as well as satisfaction levels regarding the quality of attractions. The majority of people consulted by the Council on the draft Seafront Strategy in May 2013 wished the wheel to stay (41 for, 24 against). This area of the seafront is still clearly in need of regeneration and having such an attraction here is considered positive. It is not considered that the limited success of the Terraces can be cited as evidence the wheel is having a negative impact.
- 8.25 The Council's aspirations for the site in their capacity as landowner is to remove the wheel so as not to compete with the i360 and seek an alternative leisure attraction or alternative use that fits in with the emerging Seafront Strategy/Investment Plan. The i360 is supported by the Council given the quality of what is being offered and the wider regeneration benefits it will bring

and investment for the seafront. These benefits are clearly recognised, however, as has been stated, there is not an adopted seafront vision and competition between businesses is not a material planning consideration. Notwithstanding this, it is not the place of planning to second guess what impact the wheel might have on the i360. Supporters of the scheme suggest they offer different attractions and that the city is large enough to accommodate both. Objectors cite the fact that the i360 business case was restricted to it being the sole observatory attraction and that weight should be given to the fact that it has been identified as a priority through public funding. The fact remains that there is no current planning policy context or other formal adopted strategic document to justify a refusal of planning permission. Granting planning permission does not mean that the Council as landowner cannot decide to terminate the lease for the wheel and seek its removal regardless of the outcome of this planning application, as this is a separate process to planning.

Visual amenity and historic impact:

- 8.26 The advice given by the Council's Heritage Team is unchanged from that given originally. They comment that the visualisations originally produced did accurately reflect the impacts of the wheel now in situ. They consider the wheel does not sustain or enhance the East Cliff Conservation Area and does cause some harm to heritage views, in particular those down Madeira Place towards the sea, contrary to Local Plan policies HE3 and HE6 and the NPPF. They do not consider the public benefits arising from the scheme to outweigh the harm, as required by the NPPF.
- 8.27 It is considered that the merits of the proposal are finely balanced. Whilst it is acknowledged that the design of the wheel is rather standardised and some harm is caused to heritage views, it is argued that the key view from Madeira Place is just one view in one seafront street amongst many within the Conservation Area. It could be argued that the wheel provides striking views from various parts of the city. CAG raise no objection. The Regency Society raise no objection. It should be noted that Heritage England (previously English Heritage), no longer wish to comment and have left the assessment to the local level suggesting they do not raise a significant objection. Weight is also given to the positive benefits of the proposal as outlined in this report in accordance with the NPPF and the fact that the applicant seeks a temporary, as opposed to permanent, permission.
- 8.28 The comments and concerns expressed regarding the 'untidy' banners and gazebo structures around the base are noted, however, in the context of the seafront developments and surrounding signage, flags etc it is not considered to appear out of character or cause significant harm. The wooden shed structure to the west of the wheel is unauthorised and the Seafront Team confirm they are in the process of seeking its removal.

Amenity

- 8.29 It is noted that some local residents remain of the opinion that harm is caused to their amenity. The original committee report thoroughly covered the issue of

impact to residential and general amenity and loss of privacy, light pollution etc and the proposal was deemed acceptable in compliance with Local Plan policy QD27.

- 8.30 The relationship with neighbours in terms of location has not changed. We now have the benefit of being able to assess the wheel in situ and the evidence from Council consultees suggests this initial assessment of impact was correct given the lack of substantiated complaints received or issues raised.

Temporary permission:

- 8.31 The applicant is seeking a temporary, not a permanent, permission.
- 8.32 The 'Use of Planning Conditions' section within the NPPF Planning Practice Guide states that temporary conditions can be considered where a trial run is needed to assess effects or where it is expected that planning circumstances might change in a particular way at the end of the period. It states a temporary use can make good use of vacant land prior to any longer term regeneration plans coming forward. The Guide states it will rarely be justifiable to grant a second temporary permission – further permission should normally be granted permanently or refused if there is clear justification for doing so.
- 8.33 Given this advice, the merits of this proposal have been considered carefully to establish if an exceptional case can be made for a second temporary permission.
- 8.34 Given the issues discussed in this report it is considered that there is an exceptional case for a temporary, as opposed to permanent, permission given the absence of a formal strategic vision for the seafront and the status of planning policy and the emerging City Plan. It is hoped that a further 5 years will allow sufficient time for the Seafront Strategy/Investment Plan to develop and the City Plan to advance, including the formal allocation of individual sites in Part 2. This will provide some clarity regarding the strategic vision for the seafront.
- 8.35 In addition, a temporary permission recognises that some harm is indeed caused by the development to historic views but this would be acceptable as it would not be permanent and be easily reversed.
- 8.36 Monitoring is also still considered appropriate, to establish how popular the wheel is or whether new impacts might occur (for example if it were more intensely used due to a reduction in price).
- 8.37 In this rare case, a development which could potentially be there 10 years is still considered 'temporary'. Though perhaps not directly comparable, there are examples where a 10 year temporary period is considered appropriate, such as within large development sites with long term strategic aspirations for permanent replacement (eg modular buildings at the Royal Sussex Hospital).

Updated technical information:

- 8.38 The question of whether there needs to be further and updated technical information submitted with this application has been raised, as has the potential requirement for the Council to issue a formal Screening Opinion under the EIA Regulations.
- 8.39 It is considered that neither are necessary, as the development does not, and would not, have significant environmental effects. The development was formally screened at the time of the original application and it was confirmed then not to constitute EIA development. Circumstances have not changed and the use of the wheel is less intense than first envisaged. It is therefore considered that it is not necessary to issue a further formal Screening Opinion. The site area is well below the amended threshold in the EIA Regulations and the site is not located within a defined Sensitive Area. The EIA thresholds have actually become less onerous since the original Screening Opinion (Schedule 2 threshold going from a site area of 0.5ha to 1ha in April this year) meaning that very few urban development projects will fall into this category.
- 8.40 Consultees have considered whether further technical information (such as transport or flood risk updates) are required to accompany this application, and agree they are not.

9 CONCLUSION

- 9.1 The merits of this proposal are finely balanced. In terms of the three key reasons the wheel was originally given a temporary permission – visual amenity, strategic planning and monitoring – the wheel is considered acceptable. It is considered that no significant harm would be caused to heritage views and the benefits of the proposal in terms of tourism, the economy and regeneration are considered to outweigh any disadvantages. Competition between business interests is not a material planning consideration. There are insufficient planning policy or other strategic grounds to refuse planning permission. The proposal broadly fits with the draft Seafront Strategy and does not contradict the emerging Seafront Investment Plan but these are of very limited weight in any case. Monitoring of the wheel in operation has shown this is not a problem. A further temporary permission is considered appropriate in this exceptional case.

10 EQUALITIES

- 10.1 The wheel is fully accessible to the disabled. Disabled parking spaces are located close by.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 11.1 Deed of Variation to the S106 Agreement
To include reference to this current application

11.2 Conditions:

1. Not used.

2. The development hereby permitted shall be carried out in accordance with the approved drawing no.s 002-01/11/001 Rev A, 002-01/11/002, 002-01/11/002 Rev A, 002-01/11/003, 002-01/11/003 Rev A, 002-01/11/004 Rev A, TA573/P01, TA573/P02, TA573/P03, TA573/P10, TA573/P11, TA573/P12, TA573/P13 and TA573/P22 submitted 16/3/11, TA573/P04 submitted on 17/3/11, SPA drawings 01 & 02 of swept path analysis submitted 21/4/11 and drawing no.s TA573/P14B, TA573/15B, TA573/16A, TA573/17B, TA573/18A, TA573/19A, TA573/20A and TA573/21A submitted on 26/4/11, except for the detail of the railings which shall be carried out as approved under permission ref BH2011/02878 and details of materials which shall be carried out as approved under permission ref BH2011/02894.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. On or before the 19th May 2021 a) the use of the observation wheel shall cease and b) the observation wheel including the extension to the promenade, railings and all plinths, ancillary plant and structures, kiosks and ticket booths hereby permitted (excluding the lower beach decked area) shall be removed and the land restored to its condition in accordance with a Scheme of Work to be submitted to and approved in writing by the Local Planning Authority. The Scheme of Work shall be submitted a minimum of 3 months before the removal of the structure.

Reason: The development is not considered suitable as a permanent form of development, to safeguard the visual amenity of the area, to ensure the future strategic planning of the seafront is not undermined and to allow the impact of the proposal to be monitored, and to comply with policies SR18, QD1, QD2, QD4, HE6, HE3 and QD27 of the Brighton & Hove Local Plan and SS1, SA1, CP5, CP12 and CP15 Brighton & Hove City Plan Part One (submission document).

4. The wheel hereby permitted shall only be in use between 10am and 11pm each day unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent undue disturbance to the occupiers of nearby properties and users of the seafront, to comply with policies QD27, SR18, SU9 and SU10 of the Brighton & Hove Local Plan.

5. Noise associated with plant, machinery and people incorporated and associated 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 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.

Reason: To prevent undue disturbance to the occupiers of nearby properties and users of the seafront, to comply with policies QD27, SR18, SU9 and SU10 of the Brighton & Hove Local Plan.

6. Not used.

7. The original seafront railings shall be safely stored for future reinstatement in accordance with the details approved under permission ref:BH2011/02878.

Reason: In the interests of preserving the visual amenity and character and appearance of the East Cliff Conservation Area, to comply with policies QD1, QD2 and HE6 of the Brighton and Hove Local Plan.

8. The railings shall be retained in accordance with the details approved under permission ref:BH2011/02878.

Reason: In the interests of the visual amenities of the locality to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.

9. The means of access and egress for disabled and wheelchair users accessing the whole development shall be retained in accordance with the details approved under permission ref:BH2011/02907.

Reason: To ensure the development is accessible to all, to comply with policy SR18 of the Brighton & Hove Local Plan.

10. The external surfaces, materials and finishes of the development shall be retained as per the details approved under permission ref:BH2011/02894.

Reason: In the interests of visual amenity, to comply with policies QD1, QD2, QD4, HE3 and HE6 of the Brighton & Hove Local Plan.

11. The external lighting of the development shall be retained and operated as approved under permission ref:BH2011/02915 unless the Local Planning Authority gives its written consent to a variation.

Reason: In the interest of protecting the amenity of occupants of nearby properties and in the interest of visual amenity, to comply with policies QD1, QD25, HE3, HE6, SR18 and QD27 of the Brighton & Hove Local Plan.

12. The operation of the development shall be carried out in accordance with the Operational and Queuing Management Plan approved under permission ref:BH2011/02906 The Queuing Plan shall be submitted for periodic review at the request of the Local Planning Authority and shall include data and information of daily visitor numbers.

Reason: In the interests of highway safety and protecting the amenity of occupiers of nearby properties and users of the promenade and beach and to monitor the impact of the development, to comply with policies TR1, TR7, TR8, TR13, TR15, SR18 and QD27 of the Brighton and Hove Local Plan.

13. The measures contained in the Litter, Waste and Recycling Management Plan approved under permission ref:BH2011/02906 shall be carried out and adhered to.

Reason: To ensure satisfactory waste provision to serve the development and to promote sustainability, to comply with policies SU2, SU14, SR18 and QD27 of the Brighton & Hove Local Plan.

14. The measures in the Travel Plan approved under permission ref: BH2011/02892 shall be carried out. The agreed measures shall be monitored and evaluated and a review shall be submitted on an annual basis or other such time period as agreed in writing with the Local Planning Authority. The monitoring and evaluation will be as set out in the approved Travel Plan.
Reason: To ensure the demand for travel is adequately managed and to reduce reliance on private motor vehicles through the promotion of sustainable modes, to comply with policies TR1, TR2, TR4, TR7 and TR14 of the Brighton & Hove Local Plan.

15. The 20 bicycle parking spaces approved under permission ref: BH2011/02912 shall be retained.
Reason: To ensure the demand for cycle parking is met and to promote sustainable modes, to comply with policies TR1 and TR14 of the Brighton and Hove Local Plan.

16. The crime prevention measures approved under permission ref: BH2011/02923 shall be retained in the development.
Reason: In the interested of crime prevention, to comply with policy QD7 of the Brighton & Hove Local Plan.

17. The Vehicular Servicing and Maintenance Management Plan approved under permission ref: BH2011/02923 shall be adhered to at all times.
Reason: To ensure the safety of pedestrians and cyclists, to comply with policy TR7 of the Brighton and Hove Local Plan.

11.3 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-
The development would contribute towards the regeneration of this area of the seafront and contribute towards the tourist attraction of the city and boost the economy. The proposal is restricted to a temporary period only. The proposal would not cause significant harm to the visual amenities of the locality. The proposal would be sustainable. The proposal would not adversely affect the amenity of occupiers of nearby properties. The

proposal would not be detrimental to highway safety. The proposal would not adversely affect biodiversity. The proposal would meet the demand created for waste and recycling provision. The proposal would not undermine the importance of the seafront and beach as an open space. The proposal would meet the demand for travel it creates and promote sustainable modes of transport. The proposal would be accessible.

BH2015/00513 Brighton Wheel: Appendix A

Letters of Objection

Property Name	Street	Town
19	Broad Street	Brighton
50	Bromwells Road	London
5	Charles Street	Brighton
18	Hanover Crescent	Brighton
4	Holly Close, Varndean Drive	Brighton
	Kings Road	Brighton
Mercure Hotel	Kings Road	Brighton
282	Madeira Drive	Brighton
19	Madeira Place	Brighton
Flat 4, 19	Madeira Place	Brighton
Basement Flat, 17a	Marine Parade	Brighton
19-23	Marine Parade	Brighton
5, Van Alen Building	Marine Parade	Brighton
13, Van Alen Building	Marine Parade	Brighton
18, Van Alen Building	Marine Parade	Brighton
37, Van Alen Building	Marine Parade	Brighton
20	Park Avenue, Woodford Green	Essex
42	Regency Square	Brighton
2	Richmond Road	Brighton
1A	Steine Street	Brighton
Clayton Castle	Underhill Lane	Hassocks
Unknown (email address only) x3		

Letters of Support

Property Name / Number	Street	Town
88	Applesham Avenue	Hove
13	Argyle Road	Brighton
59	Brentwood Road	Brighton
1	Broad Street	Brighton
Flat 2, 46	Cathcart Road	London
8	Charles Street	Brighton
10	Charles Street	Brighton
13	Charles Street	Brighton
19	Charles Street	Brighton
13, Clarendon House	Clarendon Road	Hove

64	Collington Lane West	Bexhill-on-Sea
1	Constable Way	Bexhill-on-Sea
Flat 8, Copnor Green	Milton Road	Portsmouth
40	Cowfold Road	Brighton
4	Crayford Road	Brighton
21	Derek Avenue	Hove
95	Ditchling Road	Brighton
20	Downview Road	Barnham
55	Drove Road	Portslade
88	East Ham Road	Brighton
16	Elm Park Gardens	Surrey
24	Farlaine Road	Eastbourne
8	Farm Hill	Brighton
8-10	Florence Road	Brighton
45	Goodwood Way	Brighton
55	Holme Crescent	Bedfordshire
Collington	Hook Heath Road	Woking
	Ingfield Manor Drive	Billingshurst
46	Jersey Street	Brighton
33	Kipling Avenue	Brighton
5	Lewis Road	Lancing
8	Little Oak, Partridge Green	Horsham
69	Lodge Lane	Hassocks
4-5	Madeira Drive	Brighton
15-16	Madeira Drive	Brighton
15	Madeira Place	Brighton
13 (x2)	Manchester Street	Brighton
53	Manor Farm Avenue	Surrey
Drakes Hotel	Marine Parade	Brighton
26, Van Alen Building	Marine Parade	Brighton
Hove Park School (x2)	Nevill Road	Hove
140	Nevill Road	Hove
Brighthelm Pre-School	North Road	Brighton
5	Nutley Close	Hove
21	Oathall Avenue	Haywards Heath
24	Orchard Gardens	Hove
Royal Spa Nursery School	Park Hill	Brighton
22	Portfield Avenue	Brighton
	Portland Road x2	Hove
175	Preston Drove	Brighton
16	Princes Crescent	Hove
20	Queens Road	Brighton
Unit S	Riverside Industrial Estate	Littlehampton
28	Roselands Avenue	Eastbourne
32	Rowan Way	Horsham

25	Ruskin Road	Hove
104	Sackville Road	Hove
16	Shakespeare Street	Hove
20	Shenfield Way	Brighton
18	Ship Street	Brighton
Bishops House	South Road	Brighton
Forest View Residential Home	Southway	Burgess Hill
44	St Leonards Close	Newhaven
Fairlight Primary School	St Leonards Road	Brighton
3	St Michaels Place	Brighton
8	Steine Street	Brighton
6	Tarmount Lane	Shoreham-by-Sea
8	Tudor Close, Broadway Park	Lancing
Unknown (email address only)		
43	Upper Brighton Road	Lancing
40	Upper Rock Gardens	Brighton
29	Viaduct Lofts	Brighton
American Express Community Stadium	Village Way	Brighton
41	Walnut Treet Road	Surrey
137	Wantley Hill Estate	Henfield
Wartling Place Country House		Hailsham
Yew Cottage	West End	Hertmonceux
53	Westbourne Gardens	Hove
St John the Baptist RC School	Whitehawk Hill	Brighton
22	Windmill Close	Hove
	York Road	Burgess Hill

COUNCILLOR REPRESENTATION

Dear Maria,

Re: BH2015/00513 Brighton Wheel

As ward councillor for Queens Park, I am writing to oppose this application, which seeks permission for the Wheel to remain for a further 5 years from its currently required removal date of May 2016.

Condition 3 attached to the granting of the 2011 application, which limits the structure to a 5 year period, clearly states that *'The development is not considered suitable as a permanent form of development, to safeguard the visual amenity of the area, to ensure the future strategic planning of the seafront is not undermined.....'*

In 2011, despite proposals for the Wheel to be situated in the East Cliff Conservation Area, we as ward councillors listened to concerned residents and stakeholders with regards to the proposal, and eventually, it was agreed at the time of the 2011 application, that the Wheel would go when the i360 was secured; i.e, that in line with the council's plan, the construction of the i360 would rule out a simultaneous observation structure (such as the Wheel) on the seafront.

I was then, and am still now, supportive of that agreement back in 2011, which was made with the goodwill of many local residents and businesses in my ward. It is for this reason, that I object to the above planning application.

I ask that this application is brought to a full Planning Committee for their consideration, and hopefully for their refusal.

Regards,

Cllr Stephanie Powell
Green Party Councillor for Queens Park Ward
Brighton & Hove City Council

