

# BRIGHTON MARINA PUBLIC INQUIRY

CLOSING SUBMISSIONS  
of Brian Simpson

on behalf of

**save**brighton

14 December 2009

## **INTRODUCTION**

I should like to start by thanking the inspector for running the inquiry in what has seemed an exemplary manner and express my appreciation for the care and good humour that you, Sir, have shown in ensuring that everyone who wished to contribute has been able to do so in an atmosphere of calm and balanced concentration.

Thanks are also due to Ms Ellis and Mr Lindblom for the courteous yet incisive way they have presented evidence and conducted cross-examination. And I should like to thank Rob Williams as well as Ms Ellis for the help and advice they have given me. Many thanks too to all the others who have oiled the inquiry's administrative wheels and kept it on the rails.

## **PROFESSOR WATTS**

Last week we were privileged to hear the views of Professor John Watts, the Marina's original lead architect. He told us that forty years ago when the Marina was being designed, the LPA had perceptively objected to excessive land reclamation at its western end in view of the potential obtrusiveness of buildings when viewed from the East. As a result, development near the undercliff walk had been eliminated and separation of the buildings from the backdrop of the cliffs became a key aesthetic feature. If the appeal scheme goes ahead this process would be reversed.

The Cliff Building would not, as I pointed out in my evidence, merely be an obtrusive cluster of buildings alongside the cliff, it would have a more far-reaching deleterious impact, blocking cliff views from the Brighton seafront looking East towards Seaford as well as views from the Roedean seafront looking West towards the Brighton to Shoreham seafront and pier. Today's uninterrupted coastal continuity from Worthing to Seaford would be brought to a juddering visual halt by this city-scale housing development nesting in the Marina like a vast concrete cuckoo.

Brighton Marina, as Professor Watts explained, was originally conceived as a pleasure harbour which its promoters hoped would surpass the best in the world. But it was also recognised that, yachting being a largely summer pursuit, it was important to provide the Marina with a permanent population as well as leisure and commercial facilities. The idea was to make the Marina a lively, attractive and successful place all year round. The housing and other facilities were never conceived to be a bolt-on extra but were intended to integrate with the harbour, so that throughout the Marina one would see water, boats and the cliff, and the sense of place would never be lost.

Essential to the architectural conception was the cliff. It was not just regarded as a museum piece, as the appellants seem to see it, but as a vigorous natural reminder of what a dramatic site this is. By virtue of its geographical separation by the cliff from the urban development of Brighton the Marina is naturally more a part of the seascape than the landscape.

In this extraordinary man-made harbour, built out from the beach in a place with no geographical defences and only strings of concrete caissons to protect it from the sea, the intention has always been to create a unique marine environment. It was never envisaged that this place, reclaimed from the sea to create something special for the people of Brighton would one day be regarded as a mere brown field building site to accommodate the overflow from the city's urban sprawl.

But times change and there is currently such a housing shortage that the Marina will need to play its part in accommodating new development. Few people would argue against this. Indeed, sympathetic new housing, built on an appropriate scale and designed to harmonise with the rest of the Marina would be a welcome enhancement.

In considering just what is the right kind of housing we cannot ignore the voices of those who tell us that the really pressing need today is not for undersized one and two bedroom flats but for accommodation suitable for families. Nor must it ever be forgotten that housing pressures may come and go but the need to protect and preserve the setting of our listed buildings and the natural heritage of our coastline will always remain. We must never allow short term pressures to lead to decisions which might permanently blight our city's future.

## **VIABILITY**

We have heard that the planned size and density of the appeal scheme are necessary for it to be viable. In biology the word 'viable' means 'capable of independent life' and it is interesting to think about this etymology because a city bears more than a passing resemblance to a biological organism. Just like an animal, a city needs to achieve some growth merely to survive and further growth can help it thrive. But there is an inverted U-shaped relationship between growth and success and, beyond a certain point, the consequences of growth turn negative.

(Tony Mernagh of the Brighton & Hove Enterprise Partnership accepted this under cross-examination, admitting he did not know whether the Brunswick scheme had already carried development beyond the optimal point. And, as Mr Glanville pointed out today, the appellants' claims re viability have not been rigorously tested as English Heritage had recommended)

If part of an organism grows out of control in a way that fails to respect the needs of the rest of the organism, the net effect can be damaging or even fatal. This kind of growth is what is called a tumour. In certain key respects the appeal scheme resembles a tumour, for there is widespread concern that it would be a significant overdevelopment that would do such damage to other parts of the Marina and the wider city that any potential benefits would be negated and the net effect would be destructive.

If this is a scheme that is not viable unless it grows to intolerable dimensions, then for the sake of the remainder of the Marina and in the interests of our city as a whole, it should be allowed to die.

## **RELATIONSHIP BETWEEN THE LPA AND THE APPELLANTS**

The LPA has behaved strangely in its relationship with the appellants. For some years it had worked in close cooperation with them, encouraging them, advising them and working together on strategic policy such as PAN04 that both hoped would harmonise with the appellants' ambitions. One can perhaps understand the appellants' confusion and frustration when, after the fulsome recommendation of the application by their officers, the council planning committee turned round and rejected it. They must have felt like a bride who had been jilted at the altar.

The problem was that the planning officers had been so single-mindedly obsessed with getting more homes built that they had failed to ensure that planning policies were being properly complied with. In this, I feel, they were in dereliction of their duty. They could and should have told the appellants what was wrong with their scheme at an early stage and required them to put it right. Their failure to do so resulted in an entirely unacceptable scheme being put before the councillors for approval and one can only applaud their courage and good judgement in rejecting it.

On the other hand, the appellants have no moral right to feel aggrieved, because they had failed to be open and honest about the effects of the appeal scheme on Brighton's landscape, seascape and quality of life. And both the LPA and the appellants had taken the decision to sideline residents and conduct what they described as 'consultations' but which in reality were no more than cosmetic exercises which would enable them to place ticks in boxes with such labels as 'community involvement'. I shall return to this later.

## **BROWN FIELD SITE**

The appeal scheme proposes to regard the western end of the Marina close to the cliff as a brown field site for the construction of a substantial development exceeding cliff height. Due regard has not been paid to the fact that this land in a visually sensitive location was reclaimed from the sea for the specific purpose of creating a marina and there has been a long-standing presumption against its use as a general-purpose building site for the construction of residential tower-blocks.

The appeal scheme is conceived both as a new urban centre in itself and as a southerly continuation of existing urban development which currently ends at Marine Gate. The appellants appear to regard the visual continuity that this will create as a virtue. They make no mention of the fact that the visual separation of the Brunswick scheme from the coast (it was conceived as an 'island' of tall development) would be destroyed by the appeal scheme. Nor

do they attempt to justify the fact that viewed from the cliff top, the visual permeability of the Brunswick scheme (which was required by the LPA as a condition of granting planning permission) would be 'filled in'.

While urban continuity and visual impermeability might be not only acceptable to the appellants, but embraced by them, they are the converse of the urban discontinuity and visual permeability that are essential to Brunswick. Worse than this, the appeal scheme would succeed in destroying these key attributes of the Brunswick development.

## **GATEWAY**

Part of the justification for the appeal scheme appears to be its manifestation as a visual gateway into Brighton. But there has been such a gateway, standing proudly on the clifftop for over seventy years. It is called Marine Gate. And if anyone regards that as insufficiently tall or impressive we shall have the Roaring Forties tower of the Brunswick scheme. In the 'gateway' department that will be the last word and the appeal scheme's gateway attributes will thus be superfluous.

## **DENSITY**

The extreme density of this scheme has necessitated using every square foot often for quite unacceptable purposes.

The small size of the flats and light deprivation will make many residents want to get out whenever they can, but what kind of environment will they be getting out to?

The worst aspect of the proposed public realm in my opinion will be the pressing into use of the low concrete ramps for what began as a zone for playing such games as basketball, but which degenerated under cross-examination into a zone for what Mr Reid described as 'knock about' activities. And we need to remember that this will be a zone very close to occupied flats that will produce an indeterminate amount of noise and disturbance.

Whether or not parents will be, or should be, happy to dispatch their offspring for up to a 15 minute walk through the affordable housing zone to play knock about games under the ramps - which may end in the children themselves being knocked about - is a moot point.

Even with the ramps used in this way there is still not enough recreational space to avoid pressing the Rottingdean terraced gardens into use as an overflow zone. And who, seriously, is likely to spend an hour walking there and back for a game of pétanque?

The fact that any of these expedients has even been put forward is evidence, if any were needed, that once three thousand homes are crammed into the

Marina (including the existing ones and Brunswick's) it will simply be overoccupied.

## **BOB ALLIES**

I was impressed with the honesty and candour shown by Bob Allies when I cross-examined him. He accepted that he did not see the appeal scheme as a maritime scheme and when asked if the *raison d'être* of Marina Point tower was primarily financial replied that one had to start on that basis or nothing would happen.

Acknowledging that the Cliff Building would obscure the views of the cliff from Kemp Town and the Brighton seafront looking East, he said that although it would be a shame to lose these views, he had not considered redesigning the scheme to avoid it and nor had he been asked to do so.

For me this was deeply worrying. As we have heard repeatedly at this inquiry the loss of this view (typified by TVIA image T30) is not merely a shame but it is a view that comes into just about every category to be protected under Local Policy QD4. The appellants should have done their best to avoid losing it; that they did nothing at all I find extraordinary.

## **RICHARD COLEMAN**

I have to say that, by contrast with that of Mr Allies, I found Mr Coleman's evidence implausible, unconvincing and at times incomprehensible.

He came to the inquiry equipped with a four page CV detailing an outstanding career that has included work with both Norman Foster and Lord Rogers, and under cross-examination agreed that accuracy and attention to detail were important in his work.

When I first saw his description of arriving in the Marina and finding himself in an urban desert, I thought I knew what he meant. Asda. Perhaps he just needed reassurance that life was possible without Marks & Spencer. But he wasn't just reacting to the commercial offering. As I soon came to realise, the Colemanism 'urban desert' simply refers to any piece of land, however small, which hasn't yet got a tower block on it.

The TVIA was held on BHCC's website throughout the consultation period whence it was available to be downloaded. There can be no doubt that this document was used by people who would never have a chance to take a paper copy of it to the various viewpoints in order to assess the effect of the appeal scheme for themselves and many would have relied on it to give a truthful account, in words and pictures, of the visual impact of the development.

In doing this they would have been hopelessly misled, since key attributes of the existing landscape (such as views of cliffs, the sea and the pier) were often invisible or hard to discern, and the wide angle made the buildings of the appeal scheme look far more distant and unobtrusive than they would be if actually built.

In the description of methodology at the back of the TVIA it was stated that the Landscape Institute guidelines had been taken into account but Mr Coleman admitted that key recommendations concerning lenses to be used had not in fact been followed. And while he had claimed in his proof of evidence that the AVR methodology had been endorsed by the Landscape Institute, under cross-examination he admitted it had not.

These departures from the truth, while individually not amounting to very much, form a pattern. We are constantly being told things that are not quite true and they are always things which are designed to give Mr Coleman's evidence greater credibility than it deserves.

Mr Coleman was unable to explain how it was that several of the pictures compared midwinter 'before' views with midsummer 'after' montages, beyond saying he had not noticed and that he didn't think it mattered, and although he admitted that image M34 had been 'manipulated' he didn't think that this was misleading and he considered it unnecessary to show an unmanipulated image for comparison.

But how can a man of his ability not regard it as misleading to provide a montage in a visual impact assessment that simply provides no idea of the visual impact of the largest building in the scheme? If a visual impact assessment cannot show us visual impact then what can it show us?

Even more destructive of Mr Coleman's credibility has been the saga of image M32. This image purported to be a montage from a point in front of Marine Gate but I proved in my evidence in chief that it could not have been taken from there but had in fact been taken from a point 50 metres to the west and closer to the cliff edge. He had several chances to tell the truth about this image, a truth of which he was fully aware, as he finally revealed under cross-examination.

So determined was he to maintain that the viewpoint had not been moved that he even claimed that concrete fence-posts had been 'removed' from the view shown in the montage 'for clarity'. The truth as I finally managed to surgically extract from him under cross-examination, was that those concrete fence-posts were never even visible from the viewpoint that had been used.

He said that the viewpoint had been moved to produce a better view of the development and this I believe, for it was the only position anywhere near the original viewpoint which afforded a view between all the buildings to the southern harbour wall, as well as offering tantalising views into two gardens that were shown as sunlit on the montage, although most of the time they would of course be in deep shadow. I suspect that a montage produced from

the original viewpoint would have looked irredeemably dreadful which was why he did not want it to be seen.

Most baffling of all, where on view M32 in the TVIA is the biggest, most impactful building of all, Marina Point tower, which from this viewpoint would start eight storeys below the observer's feet and finish a full twenty storeys above his head? It would be by far the largest structure in this view, yet it is carefully excluded from the montage, just off-picture to the left.

This highlights what I regard as the greatest general defect of the TVIA. It has crossed the line from being an objective assessment, which is what it seems to say on the can, to being a marketing document. If it had been subject to the kind of rigorous standards enforced by the Advertising Standards Authority it would never have seen the light of day, and it is unfortunate that the Property Misdescriptions Act 1991 does not apply to planning applications.

Whether the development is seen from near or far, and whether or not it obliterates or compromises a view of a cliff, a pier or the sea, Richard Coleman invariably regards it as having a beneficial impact. This is on account of what he regards as the quality of the architecture in general and the sculptural quality of Marina Point in particular. What he seems to be saying is that however negative the visual impact of the scheme might be on other aspects of a view, one's ability to gaze with delight upon the wonders of Marina Point will always more than make up for it. But I believe this tells us more about Mr Coleman than it says about the scheme.

Personally, and I'm sure this won't come as an enormous surprise, I don't much care for the appearance of the Concrete Concertina (aka Marina Point). But even if I found it to be exceptionally beautiful I would still not want to see it in certain situations. To be aesthetically acceptable a building needs to look good not just in itself, but in its context.

One modern building I know I will love is Renzo Piano's Shard of Glass, currently being erected amidst a sundry collection of indifferent apartment blocks near London Bridge station. It will help to regenerate a run-down part of Southwark and will be a magnificent addition to London's skyline. But for all its soaring elegance, in Brighton Marina such a tower would be inappropriate and incongruous.

It seems, however, that the concept of incongruity simply does not figure in Mr Coleman's architectural lexicon, and so unconditionally enamoured is he of the qualities of Marina Point that he would no doubt regard it as an improvement to the view even if it were built in Venice in the middle of St Mark's Square.

The fact that Mr Coleman regards the approval of the Shard of Glass as having established a precedent that would justify erecting the Concrete Concertina in the Marina, shows the extent to which he is insensitive to significant differences between an already densely-built inner-city location where there are no natural landscape views to be spoiled and a coastal one



where views of both landscape and seascape would be blocked or compromised.

Mr Coleman produced a diagram to the inquiry showing (by means of a blue line) that even development restricted to cliff height would block certain strategic views. This is not relevant since there has never been any suggestion in any policy or Act of Parliament that development to cliff height would be required. All the diagram proves is that while a cliff height restriction will be necessary to protect strategic views, it will not always be sufficient.

If the appeal scheme is approved, it could be the thin edge of a wedge of environmental desecration. Joni Mitchell might have put it like this: they'll take all the cliffs and put 'em in a cliff museum. And they'll charge all the people one pound fifty just to see 'em. Don't it always seem to go that you don't know what you've got till it's gone? They'll pave paradise and put up an urban blot.

## **DAVID GAVIN**

It is a matter of great regret that Mr David Gavin has been indisposed and unable to attend this inquiry and I should like to reiterate via Mr Lindblom my good wishes for his speedy recovery that I conveyed earlier.

Mr Gavin's evidence was crucial in several respects in that it included evidence about wind, sunlight and community involvement all of which I regard as deeply flawed and which I had intended to test by cross-examination.

To facilitate the smooth running and timely conclusion of the Inquiry I did, however, agree to Mr Lindblom's suggestion of submitting written questions and he had agreed to my request that there should be a quick response in order to allow further questions if I was not satisfied with the answers. In the event I submitted my questions last Monday but did not get a reply until after 7 pm on Friday.

The answers were about as unsatisfactory as I had envisaged, many being incomplete, evasive, misleading or based on what appeared to be a deliberate misunderstanding of my questions but, as the appellants well knew, it was now too late for me to do anything about this in time for my closing submissions.

I do feel that, while Rule 6 Parties have gone out of their way to adopt a helpful and reasonable approach to resolving the difficulties occasioned by Mr Gavin's absence, this has not been reciprocated by the appellants. Since Mr Gavin's evidence was not tested at this Inquiry, nor could it have been, I would respectfully suggest to the Inspector that it will now be inappropriate to give it the same weight as evidence that has been tested.

I would, however like to make some closing comments about the appellants' evidence on these matters and would simply ask the inspector to accord them whatever weight he feels appropriate.

## **WIND**

In the appellants' response to my questions they say that wind tunnel findings were based upon the long-term records from the Met Office anemometer at Shoreham Airport. They say that 'BRE were advised by the UK Met Office that this was the best site for Brighton'. I suspect that what the Met Office really told them was that this was the closest site for which they have data.

As a private pilot, living near the Marina and with substantial experience of flying out of Shoreham I have been struck by the difference in weather conditions between the two locations. There is a tendency for mist and low cloud to invade the Adur valley and the adjacent Shoreham airfield while the Marina often remains under a crystalline blue sky. The consequently greater temperature gradients which are characteristic of the Marina seafront are among the atmospheric factors which feed a wind over the Marina that can have a ferocity I have never experienced at Shoreham.

The determinants of wind conditions at ground level are far more complex than the appellants seem to understand. [Perhaps this is not quite right. I'm sure they do understand this but it is not the story they wish to tell]

They say that records at Shoreham were corrected for the effect of the 'fetch' (ie the land or sea the wind travels across) so that the resulting records used in the analysis represent the wind conditions found at the Brighton Marina site. I do not see how such theoretical corrections can properly take into account key differences in the local topography (ie land shape – hills, valleys, cliffs etc) as well as local land humidity (the effects of rivers etc) and local land and sea temperatures. The appellants have not, to my knowledge, provided any information about the algorithms or parameters that were used to achieve the purported correction of the Shoreham data, nor any evidence that the process has been independently and expertly verified.

In assessing the appropriateness of basing Marina wind assumptions on Shoreham airfield data it has to be understood that the Shoreham airfield weather station is located near the centre of the main runway at a point 1.3 kilometres from the nearest coast while Brighton Marina is literally in the sea. Southerly winds hit the Marina after blowing for 100 miles across the Channel and prevailing south-westerlies can have blown unobstructed over the open sea for upward of 4,000 miles before they strike the Marina. No wonder residents sometimes complain about the wind.

Shoreham airfield, by contrast, is relatively protected from extreme wind by significant land masses to the Southwest, West, North and East.

To add to it all, the effects of the cliff have not been properly considered. As wind blows across or along a substantial cliff there are significant local effects, such as

downdrafts and turbulence. The appellants claim that their wind-tunnel model takes into account the effects on wind of the cliff, but it is clearly incapable of so doing.

The section along the cliff included in the model will behave quite differently from the cliff itself. On the model, there is only a short section of cliff which terminates with a vertical cut-off curving around behind Marine Gate. When this cut-off is upwind in the tunnel it will act as a secondary 'cliff' which will create turbulence in the airflow before it reaches the 'real' cliff-edge in the model. Furthermore this short section cannot simulate the effect of, say, an easterly wind being channelled the full length of cliff, before curving towards the South as it reaches the western end of the Marina. Only on-site measurements can determine the true impact of this cliff.

Taking everything into account it is as irresponsible for the appellants to base their wind evidence on data from Shoreham airfield as it would be for a pilot to use wind data from Brighton Marina to calculate his final approach to Shoreham. Even in these hi-tech days every airfield still has a windsock near the runway, and in the absence of an air traffic controller it is what pilots use.

For a development of this significance, anemometers should have been maintained at several locations on the Marina itself and on the adjacent cliff-top over a period and a proper local wind record established. Professor Watts has told me that before housing was originally constructed on the Marina, wind measurements were taken using anemometers installed at several sites on the Marina. For this not to have been done for the appeal scheme seems bizarre and irresponsible.

I wonder if the truth is that wind measurements were indeed taken at the Marina but they were found to be so worrying that the appellants decided not to use them. Or could it have been simply a question of the appellants trying to keep costs down?

## **SUNLIGHT AND DAYLIGHT**

Dr Littlefair's report, which appears in Appendix 10 to David Gavin's proof of evidence, is an ingenious document. Although it appears to say nothing that is strictly untrue, the way it is worded shows extraordinary *economy* with the truth. And for a report that is supposed to be about sunlight the way it fails to illuminate is noteworthy. The same can be said of the 'answers' I was given to my written questions.

Figures 4 and 5 for example purport to show areas shaded in red which cannot receive any sunlight on March 21. But what do they tell us? If any area can receive just one minute of sunlight on this date, it won't be shaded red. And what about dates other than March 21?

Of course, what Dr Littlefair has done is to trawl through the statistics in a hunt for exceptional data, considering that this will suffice to 'prove' that lack of sunlight will not be a problem.

Dr Littlefair's shadow plots tell us nothing about what happens after 4pm at any time of year, but the reason for this is plain, since by that time all the courtyards and

gardens are shown to be submerged in deep shadow, even on midsummer's day. Nor does he tell us anything about the period from October to February. This extended winter will be a time when the sun will rarely, if ever, penetrate the permagloom of Explore Living's courtyards.

The inspector's experience will be a better guide than these statistics. It is a truth almost self-evident that if you pack tall buildings as closely together as those in the appeal scheme, most of the intervening spaces will be in the shadow of other buildings most of the time. Of course, from time to time during the March to September period a shaft of sunlight will briefly illuminate odd bits of the ground as the sun emerges from behind one building before disappearing behind the next. But this does not mean there is satisfactory sunlight.

## **CONSULTATION**

I am sure the inspector has been wondering how it can be that a scheme that both council officers and developers claimed had the support of the local community has been so roundly and unanimously condemned by the local community. Let me explain.

So-called consultation events relating to the development of Brighton Marina were held both by the appellants and the LPA. It appeared that no professional or independent agencies were used to design or lead the events or verify any results. Indeed it was never very clear what the results were.

Mr Jim Dennis seemed to be in charge of consultations run by the appellants while council planning officers controlled the events run by the LPA. Neither Mr Dennis nor the council officers appeared to have any expertise or interest in running a genuine consultation.

Both Mr Dennis and the planning officers usually made it clear to participants what aspects of development they would be allowed to discuss and what they would not be allowed to discuss. They also made it clear that questioning the way they ran the consultations would not be acceptable and anything that they regarded as inappropriate criticism would result either in exclusion or in events being terminated.

Specifically, both the appellants and the planning officers sought to stifle genuine debate about the height or density of development and at one LPA-run event that I attended it was made clear to me that if I insisted on raising such issues I would be thrown out.

Many participants, including myself, felt that the 'consultation events' run by the appellants were in reality merely marketing events. They were run by a self-styled 'facilitator' who was widely accused of behaving in a patronising, arrogant way and of being uninterested in hearing the opinions of people who opposed the scheme. It became obvious to most of the residents who attended these events that neither the appellants nor the LPA were genuinely interested in residents' views, in either sense of the word.

Before the consultation events conducted by the officers I requested details of what was to be discussed but I was never told. The officers seemed to see consultation as a manipulative exercise in which participants were deprived of accurate information and systematically prevented from expressing their views or having them taken into account. In these respects their attitude was more or less indistinguishable from that of the appellants.

The officers had appeared to be far more interested in working genuinely with the appellants than they were in working with the local community. Their involvement with the developers significantly predated any discussion with the local community and they appeared to systematically ignore much of the key negative feedback, which should have been given to the developers, acted upon and been properly taken into account when formulating their recommendations to the council.

Several speakers at the inquiry said that they had been misled by the appellants' brochures and exhibitions and the event recounted by retired magistrate Stella McCrickard perhaps typifies the appellants' attitude. She told us that Mr Dennis had produced a small-scale model of Marina Point at one event and had denied that a larger model existed, even though he had shown it to her on a previous visit to the exhibition. Soon afterwards a member of his staff produced the larger model to which Ms McCrickard had been referring.

## **FAILURE TO MODIFY SCHEME**

When BHCC refused planning permission for the scheme last December, the appellants could have looked into the possibility of modifying the scheme to try to deal with the objections that had been raised. Given that the architect himself had considered it a shame that cliff views to the East would be blocked, it seems surprising that no attempt was made to look for other solutions.

## **PIECEMEAL DEVELOPMENT**

Few would deny that the western end of the Marina has suffered from low quality piecemeal development in the past. The three leisure sheds have an unfortunate hangar-like appearance and the multi-storey car park is ugly to look at and awkward to use. But the greatest architectural crime has been the reclaiming of land adjacent to the cliff for the construction of the Asda car park.

We have still not reached a point, however, where the problem is irreversible. Landowners could and should get together to see if they can develop a true holistic plan for the integrated development of the Marina's western end and its aesthetic integration with the rest of the Marina. We could then have what we might call a wholemeal Marina rather than a piecemeal one.

If the appeal scheme goes ahead, however, it will itself be the mother of all piecemeal developments. For the appeal scheme will effectively mop up nearly

every scrap of available building land, leaving no space, let alone any financial incentive, for remedial development in the future. Worse still, it is hard to see how reconstruction of the entry/exit ramps will even be physically possible once all the surrounding land has been filled with buildings.

We would have arrived at a point where the Marina's western end had been finally defined as a disparate collection of unrelated structures from which it would be impossible to create architectural harmony and from which there would be no return to the Marina's original maritime concept. Future architectural historians would see the appeal scheme as the final catastrophic act in the piecemeal exploitation of the Marina which would ensure that its true potential could never be realised.

## **FLOOD DEFENCES**

We heard from Maria Higgins who was rightly concerned that the costs of any enhancement to flood defences required as a condition of development should be paid by the developer and not charged to existing residents.

Although there may well be substantial warning of a flood event, as a regular Marina user myself this inquiry has made me wonder whether there could be some catastrophic breakdown of flood defences at any time either as a result of an accident during construction or for reasons that are unpredictable, and I wonder what the emergency evacuation procedures are and whether they will ever be made public. Whether or not the appeal scheme is approved, is it not the case that steps will need to be taken to advise all users and residents how they will be warned of imminent flooding (is there some siren in place?) and what evacuation procedures they may need to follow?

None of us can have failed to notice the almost monotonous regularity with which forecasts of sea-level rises occasioned by the melting of the polar ice caps are constantly revised upwards and I, for one, was intrigued to know what new evidence savebrighton witness Professor Watts might wish to bring forward. As the Marina's architect he spent seven years at the Marina during its construction and might he not be one of the few people alive today with a truly profound understanding of its method of construction and what will need to be done, or avoided, to ensure it is kept safe?

But Mr Lindblom made it clear that if any new evidence is now brought forward a costs order might be made against whoever introduced it. He knew quite well that neither I nor Professor Watts can afford to take this indeterminate risk. I find all this puzzling as I would have thought it was in the appellants' interests not merely to do everything they can to smooth their path towards obtaining planning consent, but also to ensure they have the best possible information on which to base decisions on how, or indeed whether, to proceed with the plans they have in place.

Anyway, I am not in a position to follow this line of enquiry any further so all I would do now is ask the inspector to follow it as he sees fit.

## **IN CONCLUSION**

The Marina now finds itself at a decision point. We can say yes to the appellants and let them build assorted blocks of flats on the odd bits of space left around the ramps and leisure sheds, ending up with what will look like a bit of Croydon that has accidentally been built in the wrong place, or we can rediscover the original vision for the Marina and look for a developer who will work with the people of this great city to create a unique integrated maritime environment that will be truly exciting for both residents and visitors. The latter, I believe, is a choice that will bring prosperity not just to the Marina but to our city, for it will put Brighton firmly on the international marine tourism map.

If, however, the appeal scheme is approved, it will represent the final triumph of mediocrity over aspiration, of piecemeal exploitation over integrated planning. It will be the final nail in the coffin of a world-class marina that Britain could have been proud of and from which the people of Brighton and its visitors could have derived immeasurable pleasure and benefit for generations to come.