



Nathaniel Lichfield and Partners

Planning Design Economics

STATEMENT OF COMMON GROUND

BRIGHTON MARINA REGENERATION PROJECT

APPEAL REF.

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09 September 2009

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This Statement of Common Ground has been prepared jointly by Nathaniel Lichfield and Partners (NLP) on behalf of the appellant, Explore Living¹ (EL), and CgMs Limited on behalf of the Local Planning Authority (LPA), Brighton and Hove City Council (BHCC), and is authorised as such below:

Signed on behalf of the Appellant



David Gavin for NLP on behalf of the Appellant

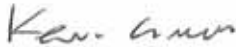
Position

Director

Date

9 September 2009

Signed on behalf of the LPA



Kevin Goodwin for CgMs Limited on behalf of the LPA

Position

Director

Date

9 September 2009

¹ Explore Living (No. 1) Ltd, X-Leisure (Brighton I) Ltd and X-Leisure (Brighton II) Ltd

1.0 Introduction

- 1.1 This Statement of Common Ground has been prepared by Nathaniel Lichfield and Partners (NLP) on behalf of Explore Living² (EL) and CgMs Limited on behalf of the Local Planning Authority (LPA), Brighton and Hove City Council (BHCC). The Statement has been produced in accordance with the requirements of the Town and Country Planning (Inquiries Procedure) (England) Rules 2000 (SI 2000 No. 1624).
- 1.2 EL submitted an appeal to the Planning Inspectorate on 6 April 2009 against the LPA's decision to refuse planning permission for a mixed-use development on land at Brighton Marina, Brighton, East Sussex.

² Explore Living (No. 1) Ltd, X-Leisure (Brighton I) Ltd and X-Leisure (Brighton II) Ltd

2.0 Application Site and Surroundings

Description of Site

- 2.1 Brighton Marina is located approximately 2.24 km east of Brighton City Centre. The Marina was constructed during the 1970s to provide a working harbour and yacht moorings. The Marina contains a variety of mixed uses. In the mid-1980's retail and leisure facilities were developed, along with housing, and further development has taken place including leisure, retail, restaurant and residential uses and a hotel.
- 2.2 The 12 ha appeal site covers a large area at the western end of the Marina, which includes predominantly retail and commercial uses. The site includes; the ASDA store and associated car park, the multi-storey car park, cinema, casino, health and fitness centre (David Lloyd), bowling alley (Bowlplex), Rendezvous Casino, Pizza Hut and McDonald's restaurant and drive-thru; Park Square, which lies to the south of the cinema/multi-storey car park and includes the service road which runs behind the leisure units and the McDonald's site; 'Merchant's Quay' which includes the Octagon and Village Square; 'The Waterfront' area a development comprising a hotel, (The Seattle) retail and restaurant / bar complex fronting the Outer Harbour; and the Estate office located at the junction of Palm Drive and the Strand.
- 2.3 The point of vehicular access to the Marina is at its western end via a network of ramps from the A259, which intersects the centre of the site.
- 2.4 The site is characterised by poor quality architecture and public realm, devoid of any sense of place. Development and investment is required if the Marina is to become a successful place in which to live, work, shop and relax.
- 2.5 Within the application site are six parcels of land where new buildings/structures are proposed. These are shown on Plan 1 (overleaf) and comprise:
- 1 Cliff Site (ASDA site)
 - 2 The Sea Wall (formerly known as the Needles site, given its slim shape);
 - 3 Marina Point (Petrol Filling Station site)
 - 4 Quayside (McDonald's site)
 - 5 Inner Harbour Site (the Estate Office site)
 - 6 Replacement Petrol Filling Station Site (eastern end of the multi-storey car park).

2.6 Each of the above sites is briefly described below.

Cliff Site (ASDA Site)

2.7 This 3.25ha site, which incorporates the ASDA store, is located in the north-west corner of the Marina, to the immediate south of the cliff face. Vehicular access is via Marina Way.

2.8 The ASDA store is positioned at the eastern part of the application site and to the south of the chalk cliff face which rises between 20.0 and 32.0 metres above the general ground level in the marina. Between the ASDA store and the cliff there is an undercliff path, which is used by pedestrians, joggers, walkers and cyclists.

2.9 A service area is located at the rear of the store and there is a large surface level car park to the south and the west comprising 642 car parking spaces. The store car park comprises tarmac hard standing with pedestrian walkways and trolley bays.

2.10 A colonnaded covered walkway is provided along the western elevation of the ASDA store.

2.11 To the south-west of the surface car park lies a car wash facility, positioned beneath the ramps.

Sea Wall Site

2.12 This site, comprising an area of 2,539 sq.m, lies parallel to the Western Breakwater. The site comprises a strip of land, hence its former name "The Needles Site", and includes the western section of the multi-storey car park, the western side of Park Square and part of the Western Breakwater.

2.13 The site is bounded by the 'Wave Wall' to the south (a wall which separates the Outer Harbour from the Western Marina) to the west by the Western Breakwater, to the north by the Marina Way access ramps and to the east by the David Lloyd Leisure Complex.

Marina Point (Petrol Filling Station Site)

2.14 This 1,432 sq.m site incorporates the Petrol Filling Station (PFS) situated at the junction of Palm Drive and Marina Way and includes a small store, operated by ASDA. To the immediate east of the site lies The Waterfront, with its servicing access to the south.

2.15 Vehicles enter the PFS from the north-east corner of Park Square.

2.16 This site is flat and comprises a single storey building with five petrol pumps positioned on a paved forecourt.

Quayside (McDonald's Site)

- 2.17 This site is positioned in the north-east corner of Park Square and to the immediate south of the multi-storey car park.
- 2.18 To the south-west of the site, lie three leisure units occupied by Rendezvous Casino, west of which lies Bowlplex and the David Lloyd Leisure Complex.
- 2.19 The McDonald's site comprises an area of 3,995 sq.m with 50 customer car parking spaces located to the south and west of the McDonald's restaurant.
- 2.20 An outside seating area, enclosed by a wooden picket fence is provided to the north of this site. This restaurant also provides a Drive-Thru facility for customers to the south and west of the restaurant which is accessed off Park Square.

Inner Harbour Site (Estates Office Site)

- 2.21 This 1,153 sq.m site incorporates the Estate Office in a single storey building located northeast of 'The Waterfront' development, a mixed use development comprising shops, restaurants and a hotel, positioned at the eastern end of Palm Drive.
- 2.22 The site overlooks and is bounded to the north and east by the Inner Marina and to the south by the junction between Palm Drive and The Strand.

Replacement Petrol Filling Station

- 2.23 This 1,699 sq.m site incorporates the eastern end of the multi-storey car park and adjoining land to the immediate east, which comprises an exit road from the car park and grass verges.

Description of Surrounding Area

- 2.24 Immediately to the west of the Marina is Black Rock which is a council-owned site allocated in the Local Plan for recreation and leisure use. The Volks Railway station at Black Rock is located further to the west and there is a Site of Nature Conservation Importance (SNCI) adjacent to the railway.
- 2.25 The beach at Black Rock is also designated as a Site of Nature Conservation Importance (SNCI) as are the areas of water within the Marina. The cliffs to the north of the Marina form part of the Brighton-Newhaven Cliff Site of Special Scientific Interest (SSSI). Marine Gate, a 1930s residential development located on the cliff top at a higher level, lies to the immediate north of the ASDA store. The whole Marina lies within the defined Coastal Zone. To the north-west of the Marina lies the Kemp Town Conservation Area, which contains listed buildings (approximately 120), many of which are Grade I, including the seafront squares and historic gardens and Kemp Town Enclosures. The former French Convalescent Home (situated immediately to the east of Kemp Town

and now converted to apartments), and Roedean School to the north-east of the Marina are both Grade II listed.

- 2.26 Above the cliffs, to the north of the Marina runs the main A259 coastal road. To the north of this, and immediately north of the Marina lies Marine Gate, comprising some 9 storeys (rising to 61m AOD) and to the west of this lies the gas holder site. Further west of this, and to the north-west of the Marina, lies Kemp Town, which comprises buildings of typically 4 storeys (to parapet) with 5 storeys including attic level.
- 2.27 To the north of the Marina lies East Brighton Park, which comprises approximately 24.3ha (60 acres) of open parkland, with playground facilities, two football pitches, two cricket pitches and two tennis courts. The rolling downland countryside beyond the built up area rises steeply above Sheepcote Valley and Roedean Bottom dry valleys and further to the north and east lies the South Downs AONB. The recently agreed boundaries of the proposed South Downs National Park were extended from the AONB southwards across this area to include the two valleys up to the mean low tide of the sea shore adjacent to the eastern wall of the Marina. Confirmation of the National Park is anticipated in April 2010.

3.0 **Planning and Project History**

Planning History

- 3.1 Planning permission was granted for the development of Brighton Marina, a yacht marina with adjacent residential and leisure buildings, on land re-claimed from the sea, following two public inquiries and an Act of Parliament. The latter was required as the development involved construction on the seabed which required Crown Approval, which was achieved through an Act of Parliament (The Brighton Marina Act 1968). Construction of the Marina commenced in 1971 and was completed in 1978.
- 3.2 The original design for the Marina was set out within the Louis de Soissons Partnership, 1973 Masterplan, which envisaged a high density development comprising a mix of uses, including residential and retail.
- 3.3 The cost of constructing the Marina had far exceeded the original budget and the backers were reluctant to commit further funding so further development was halted.
- 3.4 In 1985 the Marina was taken over by businessman Brent Walker. He immediately brought in a superstore operator and commenced construction of the Village Square development of shops and restaurants.
- 3.5 This was followed by flats and houses built on promontories overlooking the Inner Marina. A 1,600 space multi-storey car park and cinema complex at the eastern end of the Marina were completed in 1988.
- 3.6 Brent Walker fell victim to the tough 1980s economic climate and decided to sell the Marina. In 1986, Brunswick Developments plc purchased the Marina and developed the bowling complex, health and fitness centre, casino and the residential development of 800 flats and houses with Barratt.
- 3.7 The Marina itself was leased to Premier Marinas, operators of five of the largest marinas in the country, and the commercial section of the Marina was taken over by Parkridge Developments, specialists in retail and leisure projects. Parkridge developed 'The Waterfront', a four storey complex incorporating retail units, a hotel and restaurants with views over the Marina. The Waterfront opened in October 2002.

Specific Planning Approvals

- 3.8 This section outlines the position in terms of more specific planning approvals. This section should be considered alongside a list of the site's planning history contained at Appendix 1.

- 3.9 Outline permission was granted for a superstore in 1986 along with the Village Square, a development of shops and restaurants (BN85/987/OA). Reserved matters, for a supermarket with 724 car parking spaces (BN85/987/RM), were approved later the same year. This was followed by the construction of flats and houses built overlooking the Inner Marina and a multi-storey car park and cinema complex completed in 1988 (86/1353/F & 88/1517).
- 3.10 In 1987 a full planning application was approved for the petrol filling station (87/974/F).
- 3.11 In 1995 a full planning application was approved for the erection of a night club (2,230 sq.m), 26 lane bowling alley (2,957 sq.m), fast food sales (558 sq.m) and high level restaurant (616 sq.m), provision of on site parking for 168 cars plus use of 700 spaces in a multi-storey car park (95/0142/FP).
- 3.12 The single storey McDonald's restaurant with a drive-thru facility and car parking provision for up to 45 cars was also approved in 1995, pursuant to reserved matters associated with the outline application reference 94/0801/OA. The reserved matters application was approved in 1996 (95/1292).
- 3.13 On land to the south of The Strand, permission was granted in 1997 for four, 4 and 5 storey blocks to provide 402 flats together with 745 car parking spaces (96/0824/FP). This development is known as 'Marina Village'.
- 3.14 The West Quay, a two storey building comprising restaurant, public house, staff flat and service bay was granted planning permission in December 1998 (BH1998/02472/FP).
- 3.15 In May 2000, an application was approved for the construction of a new deck and erection of a 5 storey building containing 24 flats and 90 car parking spaces / boat storage with refuse and cycle store at existing ground level (BH1999/02780/FP).
- 3.16 In July 2000, permission was granted for a development known as 'The Waterfront', a mixed use development of 3,580 sq.m of retail floorspace (Class A1), 4,230 sq.m of bar / restaurant (Class A3) and a 104 bedroom hotel (BH1999/02001). This approval was superseded by an approval for a mixed use development comprising 3,328 sq.m of retail floorspace (Class A1), 5,328 sq.m of bar / restaurant (Class A3) and a 100 bedroom hotel (BH2000/02665/FP).
- 3.17 In February 2001, permission was granted for the demolition of a single storey commercial unit adjoining the lock and partial demolition of a trade centre and the erection of a 3 storey building to provide retail, office / workshop space, call centre, provision for 60 car parking spaces (15 of which for disabled persons) and 15 cycle spaces to the east of the lock towards the east of the Marina (BH2000/01643/FP).

- 3.18 The Cliffs at Black Rock to the north of the Marina have also been the subject of an application in 2001 for cliff stabilisation works (BH2001/01487/FP). This application was called-in by the Secretary of State and was the subject of a public inquiry, where the Inspector's conditional decision approved proposals for cliff trimming and stabilisation works.
- 3.19 In November 2005 an application (the Brunswick Scheme) was refused for a mixed-use development at Brighton Marina, comprising the Outer Harbour, West Quay and adjoining land (BH2004/03673/FP). This proposal was for 988 flats in 11 buildings ranging from 5 – 40 storeys, to include the following Use Classes: A, B1, D1 and D2.
- 3.20 A subsequent application with a reduced residential provision was submitted by Brunswick Developments Group plc in April 2006 (BH2006/01124/FP) and approved, subject to conditions in June 2006. This proposal was for residential development comprising 853 flats in 11 buildings ranging from 6 – 40 storeys, to include the Use Classes A, B1, D1 and D2. This permission has been implemented.
- 3.21 On the 15 December 2005 the Council resolved to grant permission for Southern Water to install a new wastewater flow pipe from Black Rock to the eastern boundary including a combined sewer over-flow at Black Rock, pumping station in Marine Drive at Roedean along with access shafts at Black Rock. This proposal was subsequently rejected by the Secretary of State following a Public Inquiry (July 2007) on grounds of landscape and visual impact. The Planning Inspector did however accept the principle of the proposed location of these works. The revised application was approved by East Sussex County Council in August 2008 and works on-site are due to commence in 2009.
- 3.22 To date, despite the evolution of a detailed scheme for an international arena, no planning applications have been submitted in respect of the Black Rock site to the immediate west of the Marina.

Project History

- 3.23 The original planning application was submitted in September 2007 for the following development:
- “Demolition of Asda superstore to create a 3-10 storey building with enlarged store (790 sqm increase) and 2,702 sqm of other Class A1-A5 (retail/restaurant/drinking) uses on ground floor with 764 residential units above and community hall (314 sqm), and new pedestrian/cyclist bridge link from cliff to roof of building and associated engineering works. Demolition of petrol filling station to create 3-28 storey building with 204 sqm of Class A uses at ground floor and 148 residential units above. Demolition of McDonald’s restaurant to create 5-17 storey building with enlarged drive-thru restaurant (212 sqm increase) and 148 sqm of other Class A uses and 233 residential units above. Demolition of estates office to create 3-4 storey building of 35 residential units. Demolition of western end of multi-storey car park to create 6-11 storey building adjacent to western breakwater of 114 residential units with stair access from breakwater to Park Square. Demolition of eastern end of multi-storey car park to create single storey petrol filling station, pedestrian footbridge and new lift and stair access. Total: 1294 residential units. Associated car parking spaces (748 residential, 736 commercial), cycle parking (1,339 residential, 314 in public realm), servicing, plant, refuse, CHP unit, public and private amenity space, hard & soft landscaping and outdoor recreation areas. Change of use of two A1 retail units (524 sqm) within Octagon to medical use (Class D1). Alterations to vehicular, pedestrian and cyclist access and circulation, including new roundabout and transport interchange behind Waterfront.”*
- 3.24 This comprised 1,294 residential units (585 x 1 bed, 609 x 2 bed and 100 x 3 bed), 40% of which (518) were affordable (206 x 1 bed, 257 x 2 bed and 518 x 3 bed). Of the affordable housing, 60% were intermediate Homebuy and 40% were for social rent.
- 3.25 Following post application discussions with the Council and other key statutory and non statutory consultees the scheme was amended and was the subject of an initial substitution in June 2008. The description of development was amended as a consequence and the appellant’s record of these changes can be found at Appendix 2. These changes are documented in the Planning Statement, September 2008 (Section 4, page 32-42) and within the Design and Access Statement, June 2008 (Section 5.1, page 65-71). Briefly, the changes comprised the following:
- Design development of Marina Point, Quayside, Cliff Building, Sea Wall and Inner Harbour.
 - Increased private balcony provision from 82% to 96%.
 - Enhanced public realm proposals and increased on-site recreation provision and provision of an on-site recreation co-ordinator.
 - Identification of potential off-site recreational opportunities.

- Development of Harbour Square.
- Residential units increased to 1,301 from 1,294.
- The tenure split was changed to 50% intermediate Homebuy and 50% social rented.
- Housing mix comprising 2 x studio, 531 x 1 bed, 682 x 2 bed and 86 x 3 bed. Of the affordable housing, the mix comprised 208 x 1 beds, 257 x 2 beds and 55 x 3 bed.
- Introduction of a seasonal kiosk at the Sea Wall Site.
- Introduction of B1 office accommodation.
- Commitment to addressing Code 4 of the Code for Sustainable Homes on the five main categories.
- Enlarged Asda store with an additional lift adjacent to the entrance of the southern elevation linking street level at ground to the 4th floor level.
- Introduction of a petrol filling station.

3.26 The full description of the proposed development as of June 2008 can be found at Appendix 2.

3.27 A further, smaller substitution took place in September 2008 to reflect further post-application feedback. This substitution comprised the following:

- Adjustment to affordable housing tenure to 65% intermediate Homebuy and 35% social rented.

4.0

The Proposed Development

4.1

The appellant seeks planning permission for the following development:

- a** Demolition of the existing ASDA retail store and redevelopment to create an enlarged retail store (Class A1) of 11,412 sq.m along with 2,056.5 sq.m of other retail uses in Class A1-A5 and 395 sq.m of office accommodation (Class B1) , a 342 sq.m community hall (Class D1), with associated plant, refuse and parking facilities. This part of the redevelopment to also include 779 residential units with associated parking, public/private amenity space and a new bridge link for pedestrians/cyclists;
- b** Demolition of part of the eastern end of the existing multi-storey car park to create a replacement ASDA petrol filling station and pedestrian footbridge;
- c** Demolition of the existing estates management office to create a 3 – 4 storey building comprising 35 residential units with associated private amenity space;
- d** Demolition of the western end of the existing multi-storey car park to create a 6 – 11 storey building (Sea Wall) comprising 117 residential units with associated parking, private amenity space and seasonal kiosk 72.5 sq.m;
- e** Demolition of the existing petrol filling station to create a 28 storey building comprising 148 residential units and 182.5 sq.m of Class A1-A5 retail space with associated plant, refuse and parking facilities and a 26 sq.m office unit (Class B1);
- f** Demolition of the existing McDonald's and redevelopment to create a new 5 – 16 storey development including a Drive-Thru restaurant facility (Class A3) comprising 555 sq.m. This development also includes 131 sq.m of other Class A1-A5 retail space and 222 residential units with associated parking and public/private amenity space;
- g** Change of use of two existing retail units (Class A1) within the Octagon development to create a Healthy Living Centre (Class D1) comprising 516 sq.m;
- h** Construction of a Combined Heat and Power unit (CHP);
- i** Alterations to existing vehicular circulation, pedestrian and cycle access arrangements, areas for cycle parking and the creation of new routes for access and servicing;
- j** A new bridge link for pedestrians and cyclists between the upper cliff and the north-western part of the Cliff Site (ASDA site), along with associated engineering works;

- k** New areas of hard and soft landscape, green roofs and formal and informal areas of amenity space including youth facilities.

4.2 The planning application comprised the following documentation:

- Forms and covering letter dated 14 September 2007
- Covering letter dated 26 October 2007
- Covering letter dated 30 June 2008
- Covering letter dated 15 September 2008
- Further information requested under Regulation 19, November 2007
- NTS regarding further information requested under Regulation 19, November 2007
- Environmental Statement Vol. 1, June 2008
- Environmental Statement Vol. 2, June 2008
- Environmental Statement NTS
- Design and Access Statement, June 2008
- Planning Statement, September 2008
- Flood Risk Assessment, June 2008
- Retail Impact Statement, June 2008
- Housing Statement, September 2008
- Transport Assessment, September 2008
- Public Art Statement, May 2007
- Public Art Statement Addendum, June 2008
- Statement of Community Involvement, September 2007
- Statement of Community Involvement Addendum, June 2008
- Construction Environment Management Plan, September 2007
- Planning Drawings (the associated drawing register can be found at Appendix 3).

4.3 The proposed development is summarised further overleaf.

Proposed Uses

4.4 The proposed development will incorporate the following accommodation:

Table 1 Schedule of Existing and Proposed Accommodation within the 6 Sites within the Application Boundary

USE	EXISTING sq.m (GEA) Excluding associated car parking, plants and servicing areas	PROPOSED sq.m (GEA) Excluding associated car parking, plants and servicing areas (see Table 2)	PROPOSED SQ.M (GEA) Including associated car parking, plants and servicing areas
Commercial Retail (Class A1 – A5)	8,655 (Petrol Filling Station – 85 sq.m) (ASDA – 8,300 sq.m) (McDonald’s – 270 sq.m)	13,468.6	39,955.7
Office (B1)	Estates Office - 462	395	423.2
Residential (C3)	None	/	146,970.6
GP / Healthy Living Centre and Community Hall(D1)	None	858.6	858.6
<i>Sui Generis [petrol filling station]</i>	<i>85 sq.m (included as ancillary to Asda store i.e. A1 retail)</i>	<i>739 (not included in GEA total as the replacement petrol filling station comprises forecourt only)</i>	<i>739 (not included in GEA total as the replacement petrol filling station comprises forecourt only)</i>
TOTAL	9,117	14,722.2	188,208.1

4.5 A replacement ASDA Petrol Filling Station is also proposed at the eastern end of the existing multi-storey car park.

Commercial Uses

4.6

The proposed commercial uses and associated floor areas within each of the 5 buildings are set out in table 2 below.

Table 2 Schedule of Proposed Commercial Accommodation

USE / SITE	CLIFF SITE sq.m		SEA WALL SITE sq.m	MARINA POINT sq.m	QUAYSIDE sq.m	OTHER sq.m		TOTAL sq.m
Retail (A1 - A5)	Asda (ground including ATM)	8,147.9	Seasonal retail unit 72.5	Retail unit 182.5	McDonalds (including refuse) 555.4	Asda Service yard = 4104.3; Asda plant = 620; Asda Parking = 18,945.1; McDonald's parking and plant = 1871.6; Marina Point retail refuse = 4.6		
	Asda (first)	3,264.2			Retail unit (refuse 6) 131.1			
	Retail unit 1	152.5						
	Retail unit 2	148.5						
	Retail unit 3	503.8						
	Retail unit 4	407.2						
	Retail unit 5	291.7						
	Retail unit 6	552.8						
Totals	13,468.6		72.5	182.5	686.5	25,545.6		39,955.7
Office (B1)	Office unit 1	89.9		Office unit 26.0		Marina Point office refuse = 2.2		
	Office unit 2	93.5						
	Office unit 3	93.5						
	Recreation Coordinator Office	118.1						
Totals	395.0			26.0		2.2		423.2
Non-Residential Institutions (D1)	Community Centre	342.4				GP / Healthy Living Centre	516.2	
	Totals	342.4					516.2	858.6
Sui Generis						Petrol Filling Station Forecourt	739.0	
Totals							739.0	739.0
TOTALS sq.m	14,206.0		72.5	208.5	686.5		26,800.8	41,976.5

4.7

The residential component of the proposed development, including affordable housing, is set out in the tables overleaf.

Table 3 Schedule of Proposed Residential Accommodation

Residential (C3)	Cliff Site	Sea Wall Site	Marina Point	Inner Harbour Site	Quayside	TOTAL
	82,481.5	14,134.6	16,819.2	2,761.5	27,303.9	143,500.7
Associated Plant	3,469.9	/	/	/	/	146,970.6

Table 4 Schedule to Show the Proposed Housing Mix and Distribution

Number of Bedrooms	Tenure	Studio	1 Bed	2 Bed	3 Bed	TOTAL	
Cliff Site	Affordable	0	208	257	55	520	779
	Private	0	79	180	0	259	
Sea Wall Site	Private	0	68	43	6	117	
Marina Point	Private	0	52	72	24	148	
Quayside	Private	2	91	129	0	222	
Inner Harbour Site	Private	0	33	1	1	35	
TOTAL		2	531	682	86	1,301	

4.8

The proposed development includes provision of both private and public amenity space which can be summarised as follows:

Private Amenity Space

a Private Balconies and/or Semi-Private Amenity Spaces

96% of residential apartments have access to their own private balcony / terrace and in addition to this, all residential units have access to semi-private terraces/courtyards/roof gardens. Broken down by site, this can be summarised in the table below as follows:

Table 5 Schedule to the Show the Provision of Private and Semi-Private Amenity Space

Site	Total No. of Units	No. of units with access to a private balcony/terrace	% of units with access to private balcony/terrace	No. of units with access to a semi-private amenity space (area sq.m)	% of units with access to a semi-private amenity space
Cliff Site	779	748 (2.8 – 16.5 – terraces substantially larger)	96%	779	100%
Quayside	222	210 (2 – 11 sq.m – terraces substantially larger)	95%	222	100%
Sea Wall Site	117	113 (3 – 16 sq.m – terraces substantially larger)	97%	117	100%
Marina Point	148	148 (3 – 51 sq.m some balconies substantially larger)	100%	0	0%
Inner Harbour Site	35	35 (3 – 5 sq.m – terrace substantially larger)	100%	35	100%
TOTAL	1,301	1,251	96%	1,153	92%

Public Amenity Space

b New Open Space

- i Cliff Park and Geo-Learn Space this space is located on the roof top of the new supermarket service area. These spaces are intended to provide areas for education and play and include a Local Equipped Area for Play (LEAP) and a Neighbourhood Equipped Area for Play (NEAP)). North, south, east and west access to this area is provided by a combination of a new cliff top bridge, public lifts, ramps and staircases.
- ii The Arrival Space (928 sq.m) at the Cliff Site, accessible from the new pedestrian/cycle bridge link and via the Cascading Street at the Cliff Site, provides a publicly accessible area, containing landscape, public art and seating.
- iii Youth facilities will be located under the ramp to the north of the multi-storey car park (1,850 sq.m) (parkour and five-a-side pitches) and to the west of the Cliff Site (745 sq.m) the city's first climbing wall will be introduced. These spaces will be located at a recreation zone within the Marina, served by an on-site recreation office and sports coordinator. The appellant's proposals are intended to improve this underutilised space beneath the ramps.

c Reformulated / Enhanced Open Space / Public Realm

- i "Park Square" (3,282 sq.m) comprises the rectangular space currently used for road access, parking and open space to the south of the multi-storey car park. The intention is that the space will host a variety of formal and informal activities. This space also includes a play space to the west of Pizza Hut (400 sq.m).
- ii "Western Promenade", a pedestrian route along the Western Breakwater remains as per the existing arrangement. Steps and a lift through the Sea Wall Site also connect the Western Breakwater with Park Square, providing a link from the Marina to the beach, facilitated by the Brunswick bridge link. Connections will also be maintained from the Boardwalk to the multi-storey car park via a replacement pedestrian bridge. The appellant will provide a new lift.
- iii Enhanced recreational areas within Village Square comprising a petanque area (225 sq.m), a pilates area (285 sq.m) and a chess area (129 sq.m), which combined will provide a focus for activity within this civic space.

d Shared Spaces - The principal shared space is intended to be "Harbour Square" which will replace the existing roundabout and incorporate new vehicular arrangements and a new landscaped square, and includes seating areas, landscape/biodiversity and public art.

e Provision of physical linkages to both internal and external open space – New linkages include:

- i A new high level bridge (and cliff viewing area) connecting into the existing off-site pedestrian network. This will provide access to the cliff top coastal path which will provide access to the open countryside and proposed South Downs National Park as well as improving connections to the heart of the Marina via the Cascading Street within the Cliff Site.
- ii The Western Breakwater will be accessible via stairs and a lift from Park Square through the Sea Wall Site. From here connections are improved to the west of the Marina, including the beach, via the future Brunswick Scheme bridge.
- iii A reconfigured bridge link with a new lift and staircase will maintain a high level linear link between the multi-storey car park and the Broadwalk, whilst the new staircase will connect directly to Park Square.
- iv A new emergency access / Rapid Transport System (RTS) route would improve linkages to the west (Black Rock) and into the Marina via a new street to the south of the Cliff site.

Access, Parking and Servicing

- 4.9 Vehicular access to the Marina remains via the existing ramp into the Marina, however, pedestrian access to the Marina will be improved via a new bridge from the cliff top and as an alternative to the existing pedestrian link to the base of the cliff, connecting the Marina with the Black Rock site. A further point of vehicular (emergency services and proposed Rapid Transport System only) and pedestrian/cycle access is also proposed beneath the ramp connecting Madeira Drive to the Marina by 'knocking-through' the breakwater structure. This would create a new vehicular access route for use by the emergency services and the proposed RTS route. The emergency services welcome the introduction of this new route.
- 4.10 Within the Marina, vehicular access will be implemented via a new square-about, Harbour Square, which is intended to incorporate the concept of 'Shared Space'.
- 4.11 Parking within the proposed development is summarised in the table overleaf:

Table 6 Schedule to the Show the Provision of Car and Cycle Parking

Site	Total No. of Units	No. of Car Parking Spaces				TOTAL	No. of Bicycle Storage Facilities			TOTAL	No. of Motorbike Storage Facilities
		Residential	Residential Disabled	Commercial	Commercial Disabled		All Parking	Residential	Commercial		
Cliff Site	779	474	70	599	32	1175	1039	25	314	1064	17
Sea Wall Site	117	24	8	0	0	32	266	0		266	18
Marina Point	148	42	3	0	0	45	213	0		213	12
Quayside	222	158	24	33	2	217	330	4		334	13
Inner Harbour Site	35	0	2	0	0	2	59	0		59	1
Total	1,301	698	107	632	34	1,471	1,907	29	314	1,936 (including public realm)	61

5.0 The Development Plan and National Policy Guidance

5.1 Section 38(6) of the 2004 Act requires that the appeal be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.

5.2 The statutory development plan comprises the 'saved' Brighton and Hove Local Plan (2005) and the Regional Spatial Strategy (RSS) for the South East, the 'South East Plan', May 2009, which supersedes both Regional Planning Guidance 9 (RPG9) (2001) and the 'saved' East Sussex and Hove Structure Plan (1991 – 2011).

5.3 A number of saved policies contained within both RPG9 and the Structure Plan were relevant at the time the application was determined (12 December 2008). The South East Plan adopted in May 2009 supersedes the Structure Plan and RPG9 therefore policies contained within them are no longer applicable to the appeal.

5.4 This section of the Statement identifies a list of the planning policies and guidance documents of relevance at the inquiry. Development Plan Policies and Guidance.

South East Plan, May 2009

5.5 Relevant policies in the South East Plan include:

- SP1 Sub-Regions in the South East
- SP2 Regional Hubs
- SP3 Urban Focus and Urban Renaissance
- CC1 Sustainable Development
- CC2 Climate Change
- CC4 Sustainable Design and Construction
- CC6 Sustainable Communities and Character of the Environment
- CC7 Infrastructure and Implementation
- CC8 Green Infrastructure Networks
- RE5 Smart Growth
- H1 Regional Housing Provision 2006-2026
- H2 Managing the Delivery of the Regional Housing Provision
- H3 Affordable Housing
- H4 Type and Size of New Housing
- H5 Housing Design and Density
- T4 Parking
- T5 Travel Plans and Advice
- NRM4 Sustainable Flood Risk Management
- NRM5 Conservation and Improvement of Biodiversity

- NRM8 Coastal Management
- NRM9 Air Quality
- NRM10 Noise
- NRM11 Development Design for Energy Efficiency and Renewable Energy
- NRM12 Combined Heat and Power
- W2 Sustainable Design, Construction and Demolition
- C2 The South Downs
- C3 Areas of Outstanding Natural Beauty
- BE1 Management for an Urban Renaissance
- TSR1 Coastal Resorts
- TSR4 Tourism Attractions
- S1 Supporting Healthy Communities
- S2 Promoting Sustainable Health Services
- S3 Education and Skills
- S6 Community Infrastructure
- SCT5 Housing Distribution
- SCT6 Affordable Housing
- SCT7 Implementation and Delivery

Brighton and Hove Local Plan, 2005

- 5.6 The Brighton & Hove Local Plan was adopted on 21 July 2005. A number of Local Plan policies have been ‘saved’ until they can be replaced by the Local Development Framework (LDF). The first document to be adopted will be the Core Strategy in 2010.
- 5.7 Within the saved Local Plan, the following designations are applicable to the appeal site:
- The Asda store and adjacent Merchant’s Quay comprise the defined District Centre (Policy SR5).
 - The Brighton to Newhaven Cliff along the northern boundary of the site is designated as a Site of Special Scientific Interest (SSSI) (Policy NC2). This is also a known Regionally Important Geological Site (RIGS) (Policy NC4).
 - To the north of the site, along the cliff top, lies an indicative Greenway designation (Policy QD19).
 - The Marina lies along the defined ‘Coastal Zone’ (Policy SU7).
- 5.8 Policies relevant to the appeal include:
- TR1 Development and the demand for travel
 - TR2 Public transport accessibility and parking
 - TR3 Development in areas of low public transport accessibility
 - TR4 Travel Plans
 - TR5 Sustainable transport corridors and bus priority routes
 - TR7 Safe development
 - TR8 Pedestrian routes
 - TR11 Safe routes to school and school safety zones
 - TR12 Helping the independent movement of children

- TR13 Pedestrian Network
- TR14 Cycle access and parking
- TR15 Cycle network
- TR17 Shopmobility
- TR18 Parking for people with mobility related difficulty
- 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 disposals infrastructure
- SU6 Coastal defences
- SU7 Development within the coastal zone
- SU8 Unstable land
- SU9 Pollution and nuisance control
- SU10 Noise nuisance
- SU12 Hazardous substances
- SU13 Minimisation and re-use of construction industry waste
- SU14 Waste management
- SU15 Infrastructure
- SU16 Production of renewable energy
- 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 impacts street frontage
- QD5 Design: Street frontages
- QD6 Design: Public art
- QD7 Design: Crime prevention through environmental design
- QD10 Design: Shopfronts
- QD15 Landscape design
- QD17 Design: protection and integration of nature conservation features
- QD18 Design: Species protection
- QD19 Greenways
- QD20 Urban open space
- QD25 External lighting
- QD26 Floodlighting
- QD27 Protection of amenity
- QD28 Planning obligations
- H02 Affordable housing, Windfall sites
- H03 Dwelling type and size
- H04 Dwelling densities
- H05 Provision of private amenity space in residential development
- H06 Provision of outdoor recreation space in housing schemes
- H07 Car free housing
- H013 Accessible housing and lifetime homes
- H019 New community facilities

- HO21 Provision of community facilities in residential and mixed use schemes
- EM5 Release of redundant office floorspace and conversions to other uses
- EM9 Mixed uses and key mixed use sites
- SR1 New retail development within or on the edge of existing established shopping centres
- SR5 Town and District Shopping Centres
- SR12 Large Use Class A3 (food and drink) venues and Use Class A4 (pubs and clubs)
- NC2 Sites of national importance for nature conservation
- SC4 Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)
- NC8 Setting of the Sussex Downs Area of Outstanding Natural Beauty
- HE3 Development affecting the setting of a listed building
- HE6 Development within the or affecting setting of conservation area
- HE11 Historic parks and gardens
- HE12 Scheduled ancient monuments and other important archaeological Sites

Supplementary Planning Guidance / Documents

- SPG4: Parking Standards (2000)
- SPG5: Black Rock Development Brief (2001)
- SPG9: A Guide for Residential Developers on the Provision of Recreation Space (draft)
- SPG15: Tall Buildings (January 2004)
- SPG20: Brighton Marina Volume 1 “An Urban Design Analysis” and Volume 2 “Development Brief” (January 2003)
- SPD08 Sustainable Building Design (June 2008)

Planning Advice Notes

- PAN03 Accessible Housing and Lifetime Homes (2008)
- PAN04 Brighton Marina Masterplan (March 2008)
- PAN05 Design Guidance for the Storage and Collection of Recyclable Materials and Waste (2007)

5.9 PANs do not form part of the Local Development Framework but they have been the subject of consultation and are a material consideration.

Emerging Planning Policy and Guidance

- Core Strategy, Revised Preferred Options, June 2008 and associated documents
- Core Strategy, Proposed Amendments, June 2009 and associated documents

- Draft SPD – Brighton Marina. Until the Core Strategy is further progressed, this document is held in abeyance.
- Updated Draft SPD09 Nature Conservation and Development

5.10 The emerging Local Development Framework has not been the subject of independent examination.

Local Development Framework Evidence Base

- Housing Needs Survey (2005)
- The Brighton & Hove Retail Study (2006)
- Brighton & Hove Employment Land Study (2006) and update (2009)
- Brighton & Hove Infrastructure Capacity Assessment: 2005 - 2026
- Urban Characterisation Study (June 2006)
- Affordable Housing Development Viability (January 2009)
- Strategic Housing Market Assessment (April 2008)
- Strategic Flood Risk Assessment (March 2008)
- Green Infrastructure Network Study (2009)
- Open Space Sport and Recreation Study (2009)
- Strategic Housing Land Availability Study (2009)

National Planning Policy and Guidance

Planning Policy Guidance (PPG)

- Planning Policy Guidance 13: Transport (2001)
- Planning Policy Guidance 15: Planning and the Historic Environment (1994)
- Planning Policy Guidance 16: Archaeology and Planning (1990)
- Planning Policy Guidance 17: Planning for Open Space, Sport and Outdoor Recreation (2002)
- Planning Policy Guidance 20: Coastal Planning (1992)
- Good Practice Guide on Planning for Tourism (2006)

Planning Policy Statements (PPS)

- Planning Policy Statement 1: Delivering Sustainable Development (2005) and Planning and Climate Change – supplement to Planning Policy Statement 1 (December 2007)
- Planning Policy Statement 3: Housing (2006)
- Planning Policy Statement 6: Town Centres (2005)
- Planning Policy Statement 9: Biodiversity and Geological Conservation (2005)
- Planning Policy Statement 10: Planning for Sustainable Waste Management (2005)
- Planning Policy Statement 22: Renewable Energy (2004)
- Planning Policy Statement 23: Planning and Pollution Control (2004)
- Planning Policy Statement 25: Development and Flood Risk (2006)

Draft Planning Policy Statements (PPSs)

- Draft Planning Policy Statement 4: Planning for Prosperous Economies (2009)
- Consultation document on a new Planning Policy Statement 15: Planning for the Historic Environment (2009)

6.0 **Agreed Position**

6.1 This section of the Statement outlines the agreed position between the appellants and the LPA on the following planning matters:

- a** Principle of development and appropriateness of land use
- b** Density
- c** Height, scale and design
- d** Regeneration and the economy
- e** Residential use
- f** Use Class A
- g** Use Class B
- h** Community facilities
- i** Alternative site and options
- j** Urban design and the impact on the wider townscape
- k** Residential amenity
- l** Outdoor recreation space
- m** Public art
- n** Transport
- o** Sustainability
- p** Flooding
- q** Education
- r** Geology, ecology and nature conservation
- s** Archaeology
- t** The Brighton Marina Act 1968

(a) Principle of Development and Land Use

6.2 The mixed use redevelopment of the site, comprising residential, community, retail and commercial facilities, is acceptable.

6.3 The site is located on made ground in Brighton Marina. Development Plan policies and central Government advice emphasise the need to make effective and efficient use of land in urban areas, subject to various matters including high quality design.

6.4 BHCC Supplementary Planning Guidance, SPG20 'Brighton Marina – A Masterplan for Enhancement' identifies the Marina as a suitable location

generally for high density mixed use development. SPG15 'Tall Buildings' also identifies the Marina as one of five areas in the city, which has the potential for tall buildings. The emerging Revised Core Strategy (June 2008) and Proposed Amendments (June 2009), identifies Brighton Marina as one of the city's seven strategic locations for mixed use development including residential (Policy DA2 and Policy CP2).

6.5 The mix of uses proposed is acceptable in principle in the Marina and are consistent with its status as a designated District Centre.

6.6 The Marina is considered within the BHCC's Strategic Flood Risk Assessment (SFRA), which confirms that both the Sequential and Exception Test for development at this location is accepted. The suitability of the Marina for development, including housing, in terms of PPS25 'Development and Flood Risk' is therefore accepted.

(b) Density

6.7 Both PPS1 and PPS3 encourage sustainable development and in accordance with these national policies, higher density developments are encouraged where schemes exhibit a high standard of design, the site is well served by public transport and local services, and where a mix of dwelling types is provided and appropriate provision for social infrastructure. PPS1 promotes the efficient use of land through high density, mixed use development.

6.8 SPG20 identifies the Marina as a suitable location generally for high density, mixed use development, subject to a high quality of design.

6.9 The development needs to accord with Local Plan Policy HO4, which requires development *"to make full and effective use of the land available (in accordance with Policy QD3), residential development will be permitted at higher densities than those typically found in the locality, where it can be adequately demonstrated that the proposals:*

a *exhibits high standards of design and architecture;*

b *includes a mix of dwelling types and sizes which reflect local needs;*

c *is well served by public transport, walking and cycling route, local services and community facilities;*

d *respects the capacity of the local area to accommodate additional dwellings."*

6.10 The site is well served by public transport, including high frequency bus services and includes a District Centre.

6.11 The density of the proposed development equates to 163 dph³ based upon the areas within the application boundary where interventions are proposed. This density is lower than other approved schemes in the city and at a lower density than the approved Brunswick Scheme, which equates to an overall net density of 310 dph.

(c) Height, Scale and Design

6.12 SPG20 Brighton Marina, SPG15 Tall Buildings and PAN04 'Brighton Marina Masterplan' identify the Marina as a potential location for tall buildings.

6.13 The approved and implemented Brunswick scheme will introduce buildings at the Marina ranging from 6 to 40⁴ storeys in height.

6.14 The four tall buildings proposed are all located in the western section of the Marina. This area of the Marina differs from the eastern section both in its character and its scale.

6.15 While the four tall buildings designed as part of the proposal for the western section of the Marina are taller than any of the existing buildings on the site, it is only Marina Point that exceeds the general height of the Brunswick development.

6.16 The proposed development will comprise six new buildings which range from 3 to 28 storeys in height, and comprise 1,301 residential units within five of the buildings. The height of each building and the development associated with each is considered below:

- 1 Cliff Site (ASDA site): This new building would comprise a 3 – 10 storey building, ranging between 11.4m to 32.7m (AOD) with an enlarged ASDA superstore (3,112 sq.m increase) and 2,025 sq.m of other Class A1 – A3 retail/restaurant at ground floor level with 779 residential units and a community hall above, with a new pedestrian/cycle bridge linking the cliff to the roof of the Cliff Building.
- 2 The Sea Wall (the Needles site): The Sea Wall alongside the western breakwater and western edge of the multi-storey car park, 6-11 storey building ranging between 21.7 to 37.1m (AOD) adjacent to western breakwater of 117 residential units with stair access from breakwater to Park Square.

³ This is based on an area of the six development sites plus associated improvements to the public realm environment, comprising a total of 8 ha. This represents all areas within the red line application boundary, excluding Marina Village (except recreational space improvements outlined in Section 7 of the DAS), The Waterfront, the Leisure Sheds and West Quay.

⁴ The storey heights exclude the two storey parking base which begins at marina level (+2.0m AOD).

- 3 Marina Point (Petrol Filling Station site): This 28 storey building ranging between 9.65 to 89.5m (AOD) comprises 182 sq.m of Class A use at ground floor level with 148 residential units above.
- 4 Quayside (McDonald's site): The McDonalds restaurant; 5 - 16 storey building, ranging between 19.1 to 53.5m (AOD) with enlarged drive-thru restaurant (285 sq.m increase) and 131sqm of other Class A uses and 222 residential units above.
- 5 Inner Harbour Site (the Estate Office site): The estates office a 3-4-storey building, ranging between 12.3 to 15.7m (AOD), comprising 35 residential units.
- 6 Replacement Petrol Filling Station Site: This site lies to the eastern end of the multi-storey car park, a single storey petrol filling station at 7.23m (AOD), pedestrian footbridge and new lift and stair access.

6.17 The layout of the proposed buildings and relative building heights in relation to the Sustrans cliff top walk are set out in Plan 2 overleaf.

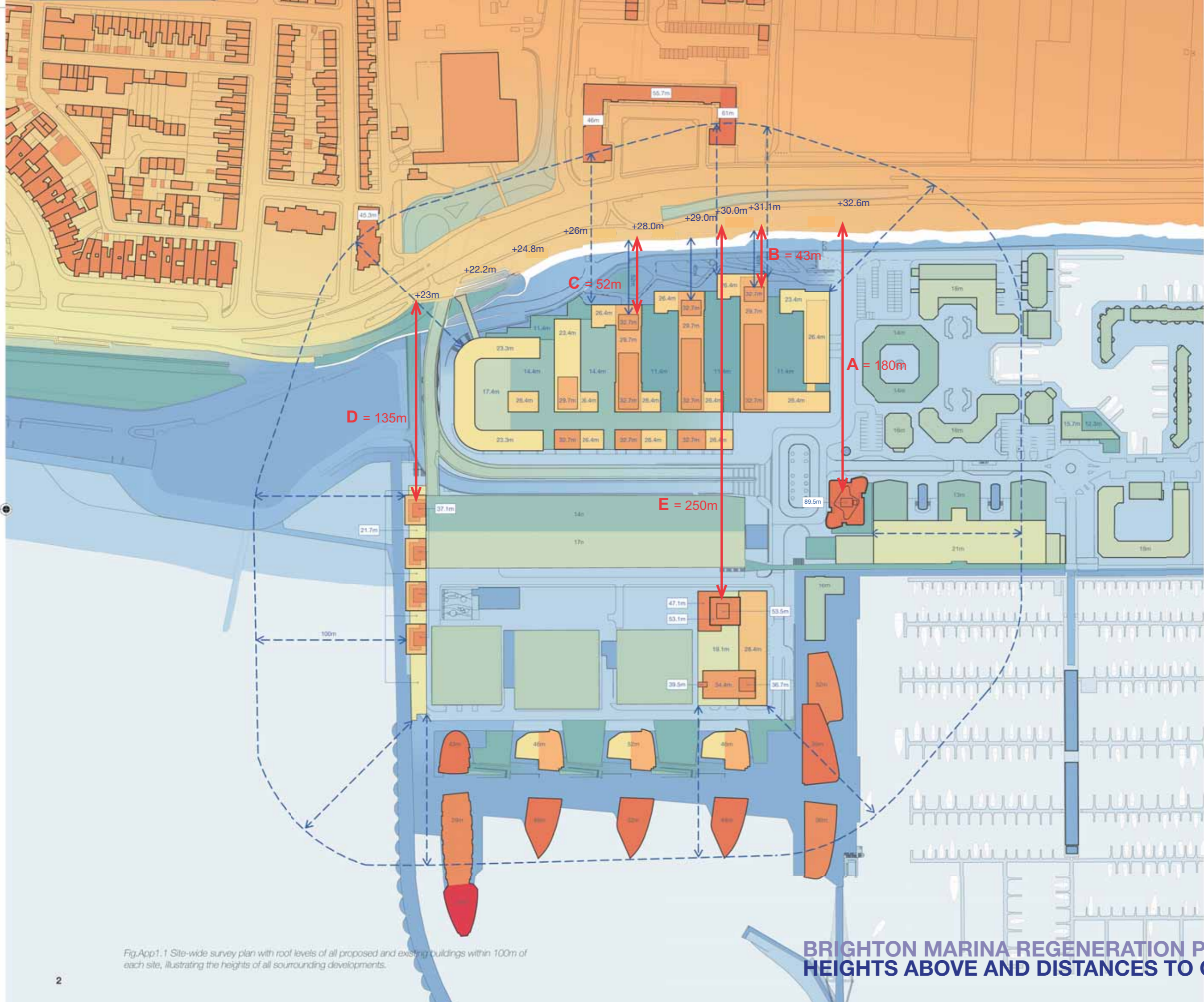
Elevation Treatment

6.18 Marina Point: would be constructed with a Kawneer aluminium curtain walling system.

6.19 The Cliff Building: The majority of the new building is faced in warm cream coloured textured reconstituted stone, with flush white pre-cast concrete inset panels. A variety of different concrete finishes are proposed: the pavilions that articulate the south elevation (white precast concrete, set back from the cream-coloured stone plane), the blocks which cantilever over the Cliff Park on the north façade (white 'ship-lapped' pre-cast panels), and the small freestanding building which contains the community centre overlooking the upper Arrival Space (terracotta coloured reconstituted stone cladding).

6.20 Sea Wall Building: The façade is constructed of smooth finished white, pre-cast concrete, with flush infill panels of textured reconstructed stone finish. On the east façade, the concrete creates a continuous wall surface punctuated by window openings and inset balconies. This elevation was designed having regard to a collaboration with artist Lars Wolter (see paragraph 6.5.6 of the Design and Access Statement, Volume 1, page 135).

6.21 Quayside Building: Generally, horizontal bands of white pre-cast concrete are proposed containing areas of full-height glazing itself divided by white pre-cast units with recycled glass fragments within the aggregate. The base of the balconies is clad in the same white reconstituted stone which is used to form the horizontal bands on the main facades. The facades of the eastern part of the tall element follow this arrangement, but incorporate white opaque glass instead of the glass aggregate reconstituted stone panels to create a similar but visually distinct surface.



- A Marina Point
89.5m AOD - 32.6m AOD
= 56.9m taller than cliff
- B Cliff Building
32.7m AOD - 31.1m AOD
= 1.6m taller than cliff
- C Cliff Building
32.7m AOD - 31.1m AOD
= 4.7m taller than cliff
- D Sea Wall Building
37.1m AOD - 23.0m AOD
= 14.1m taller than cliff
- E Quayside
53.5m AOD - 30.0m AOD
= 23.5m taller than cliff

120m +
60m +
33-60m
31-33m
29-31m
27-29m
25-27m
23-25m
21-23m
19-21m
17-19m
15-17m
13-15m
11-13m
9-11m
7-9m
5-7m
3-5m
1-3m
0m

<---> 100m distance from development
 <---> Distance from roof pavilions to top of cliff
 <---> distance (m) of highest point of building to cliff

NOTE: All levels are Above Ordnance Datum (AOD)

Fig.App1.1 Site-wide survey plan with roof levels of all proposed and existing buildings within 100m of each site, illustrating the heights of all surrounding developments.

BRIGHTON MARINA REGENERATION PROJECT HEIGHTS ABOVE AND DISTANCES TO CLIFF

6.22 Inner Harbour Building: The materials proposed are fair-faced smooth white precast concrete panels, contrasting with the brick cladding of the other buildings on the inner harbour.

6.23 Samples of materials for all buildings were submitted with the application.

(d) Regeneration and the Economy

6.24 PAN04, SPG20 and the emerging Core Strategy (Proposed Amendments, June 2009) acknowledge the existing shortcomings of the Marina, including poor environment and poor quality architecture, lack of identity and sense of place, poor public transport access and limited land uses.

Economic Regeneration

6.25 Both the Regional Economic Strategy (RES) and the South East Plan identify Brighton & Hove as a Diamond for investment and growth which has the potential to use its concentrations of people, employment, knowledge and built assets to become an economic catalyst for the region. The existing Marina currently has limited retail and office floorspace. The proposed development would provide opportunities for jobs, both during construction, and within the non-residential uses proposed, and in roles that support the residential uses.

6.26 The proposed development would generate up to 3,670 temporary jobs or the equivalent of 2,800-3,600 person years of construction work spread over 7 years. This would be accompanied by training in construction skills and a policy of local recruitment where possible. Once the development is completed there would be an increase of 312 new jobs on the site. The majority of jobs created would be in the retail and hospitality sector.

6.27 Retail is a key sector for the city economy and is identified within the Community Strategy as a sector which needs boosting. An increase in provision of such jobs, closely located to an area of high deprivation such as East Brighton, is likely to mean that people with lower level skills would stand more chance of securing employment within the sector. The appellant considers that the scheme will result in over £300M of investment in the city (see Environmental Statement Chapter 10 'Socio-Economic' page 10.141).

(e) Residential Use

6.28 Residential development at the Marina is promoted within SPG20, PAN04 and the emerging Core Strategy (Revised, June 2008 and Proposed Amendments, June 2009). PPS3 promotes the development of housing to address the growing needs of the nation and the region, and prioritises development on brownfield over greenfield land.

- 6.29 Policy H03 advises that residential proposals should incorporate a mix of dwelling types/sizes that reflects and responds to Brighton and Hove Housing Need. This policy accepts that exceptions can be made where “a mix of dwellings would be inappropriate due to the location of a site or limitations of the site itself”.
- 6.30 The 2005 Housing Needs Survey concludes that the overall level of housing need in the City is higher than the national average, and affordable housing is in particularly short supply.
- 6.31 The development proposes to deliver 1,301 residential units, of which 40% are affordable (520). Of the affordable housing units 65% are proposed as shared ownership and 35% social rented. Delivery of the affordable housing would be secured through the Section 106 Agreement.
- 6.32 The development could give rise to an increased residential population of approximately 1,950 people as set out within Chapter 10 of the Environmental Statement (Page 38-39 at paragraph 10.148 – 10.152).

Affordable Housing

- 6.33 The Local Planning Authority issued a site specific affordable housing brief (see Housing Statement Appendix A) to developers.
- 6.34 There is no policy requirement for the affordable housing to meet a certain unit size in terms of area. The Council’s Housing Department provided site specific guidance as mentioned above. The 520 affordable housing units would meet the HCA’s standards and also exceed the Housing Quality Indicator (HQI) standards. The appellant's have stated that the cost of increasing the units by 5 sq.m to meet BHCC’s area requirements would add c.£2.3m to the build costs which would make the development unviable. In addition they state that, there would also be a loss of private income of c.£5.78m.
- 6.35 Policy H02 advises that for schemes of 10 dwellings or more, the local planning authority will negotiate with developers to secure a 40% element of affordable housing. Consideration of the particular costs associated with the development site will be taken into account and the extent to which the provision of affordable housing would prejudice the realisation of other planning objectives.

Viability

- 6.36 A valuation report was undertaken by James Feltham BSc MRICS (District Valuer Service) dated 27 October 2008. It tested a number of scenarios and reached a number of conclusions (see Committee Report page 99).

(f) Use Class A

- 6.37 The development comprises the following retail provision:

- 3,112 sq.m (increase) enlarged Asda store
- 2,025 sq.m of A1-A5 uses at the Cliff site at ground level
- 182 sq.m of A1-A5 uses at Marina Point at ground level
- 285 sq.m (increase) enlarged McDonald's restaurant/Drive-thru at the Quayside Building (A3 use class)
- 131 sq.m of other A1-A5 uses at ground level within the Quayside Building
- 72.5 sq.m of A1-A5 (seasonal kiosk at the Sea Wall Building)

- 6.38 SPG20 recognises the retail potential of the Marina and its contribution to creating a vibrant mixed-use environment. It states that there should be a significant amount of additional commercial (retail and leisure) use provided at ground floor level for vitality and to sustain the role of the Marina as a District Shopping Centre.
- 6.39 The Local Plan designation for the Marina as a District Shopping Centre is indicated on the associated Proposals Map as comprising of the ASDA Superstore and Village Square area. This designation is historic as no account was taken of the spread in retail and leisure activity along 'The Waterfront' adjacent to the application site.
- 6.40 The Retail Impact Statement demonstrates that the level of 'retail' proposed cumulatively would not cause detriment to the vitality or viability of established shopping centres in Brighton & Hove. The proposed retail provision is consistent with policies SR1 and SR5 of the Local Plan, and with PPS6.
- 6.41 Guidance in PPS6 promotes positive planning for the growth and development of existing centres; and promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all. The 'A' uses proposed would support the District Centre, and would not undermine the function of the city's town centres or the Regional Shopping Centre. The 'Health Check' (September 2005) for the Marina District Centre identified that the Centre has one of the smallest number of units and only limited shopping facilities compared with alternative District Centres in Brighton & Hove.

(g) Use Class B

- 6.42 The development comprises the following office provision:
- 395 sq.m within the Cliff Building
 - 26 sq.m office unit within Marina Point

It is anticipated that an office unit comprising 118sq.m within the Cliff Site will be occupied by the proposed sports co-ordinator and the remainder will be available to local businesses.

(h) Community Facilities

6.43 The proposed development provides:

- A 342 sq.m community centre within the heart of the development within the Cliff Site.
- The change of use of two of the A1 retail units within the Octagon is proposed to create 516 sq.m GP/Healthy Living centre (class D1).
- A sports co-ordinator's office, to support the Marina's recreation function. Trolley facilities will also be provided for the storage and transport of surfing/marine equipment.
- A public viewing space at the top of Marina Point for residents and visitors to access by appointment.
- On-site recreation facilities (see section 6(l)).
- A financial contribution towards enhancing off site local recreation provision.
- Areas of new and enhanced public realm.
- A financial contribution towards enhancing local education facilities.

6.44 Existing moorings are not affected by the proposed development. Overall, there is a net gain in local community facilities.

(i) Alternative sites and options

6.45 In accordance with the Environmental Impact Assessment (EIA) Regulations (1999), the Environmental Statement has considered the alternative locations for the proposed development. Further assessment of alternative sites is not required.

6.46 As a consequence of extensive pre and post application consultation, alternative design approaches and layouts have resulted in several iterations in the design of the scheme in terms of bulk, massing, the relationship to the cliffs, the relationship with the approved Brunswick scheme and with the views from the surrounding area.

(j) Urban Design and the impact on the wider townscape

6.47 The proposed development is designed by Allies and Morrison.

6.48 The proposed development includes a 28 storey tower located at the Marina Point site, which is intended to mark the point of arrival, and provide a point of orientation to the centre of the Marina.

6.49 The impact of the proposed development on the adjacent Kemp Town Conservation Area and its numerous listed buildings is assessed within the appellants 'Townscape and Visual Impact Assessment' (TVIA) (Chapter 9 of the ES).

- 6.50 The Kemp Town Conservation Area and the former French Convalescent Home (now converted into apartments), Arundel Terrace, Chichester Terrace and Lewis Crescent comprise the extent of historic assets to be tested for impacts.
- 6.51 The methodology used for creating Accurate Visual Representations (AVRs), upon which the Visual Impact Assessment is based, was accepted by officers. The Council's Design and Conservation Officer, agreed the viewpoints in the TVIA and accepted their suitability for analysing the effects of the proposed development from representative public viewing points.
- 6.52 It is accepted that the level of redevelopment anticipated will result in varying degrees of impact on some views over an area of the town, the coast and surrounding countryside.

(k) Residential Amenity

- 6.53 Matters are considered below.

Wind

- 6.54 The impact of the location of the proposed buildings on microclimatic effects has been fully modelled and tested by the appellant and is contained within Chapter 15 of the ES (paragraphs 15.27 – 15.38, pages 10-12). The appellant commissioned a wind analysis based on wind tunnel investigations carried out at BRE (Building Research Establishment). The methodology used is robust.
- 6.55 Wind conditions around the proposed development are likely to be similar everywhere to the wind conditions found around the existing site. Throughout the year the majority of locations are suitable for all pedestrian activities.
- 6.56 Cumulatively, the proposed development and the Brunswick Scheme produce similar wind conditions around the site.

Impact on light, privacy and living conditions of existing residents

- 6.57 The appellant assessed the impact of the development on daylight levels. The methodology used by the BRE, i.e. the Vertical Sky Component (VSC) tool.
- 6.58 The appellant has only assessed residential properties which is accepted as standard practice within EIA.
- 6.59 The vast majority of windows would experience a loss of daylight to existing dwellings (in Neptune Court and the Octagon) well within BRE guidelines. Loss of daylight in all other buildings is acceptable and within guidelines.
- 6.60 Privacy would not be compromised as existing residential properties within The Octagon face away from the proposed development at the Cliff Site.

Daylight and sunlight provision to new dwellings

- 6.61 Daylight provision to new dwellings is expected to be good and daylight levels are assessed against the recommendation contained within BS8206 Part 2 'Code of Practice for daylighting'.

Sunlight and daylight in open spaces

- 6.62 All existing and proposed open spaces within the site including the courtyards on the Cliff site, the open space beside the cliff (Cliff Park), the Geo Learn park next to the Cliff site, Park Square and Harbour Square are assessed against the BRE guidelines in terms of daylight and sunlight requirements.

Solar Dazzle

- 6.63 The proposed building would not cause glare/dazzle to motorists or people in nearby buildings.

Urban Heat Island Effect

- 6.64 The net impact of the urban heat island effect is acceptable; whilst there may be a localised increase in temperature this will be small given the coastal location and will be a benefit in terms of reducing the requirement for heating and thus lowering carbon emissions associated with the proposed development. The assessment is contained within Chapter 15 of the ES (paragraph 15.118, pages 27-29) and the conclusions are robust.

Noise, odour and impact to air quality from the development

- 6.65 The council's Environmental Health Team is satisfied with the methodology and conclusions of the ES on this matter. The Construction Environmental Management Plan (CEMP), principles of which are contained in the ES, and planning conditions, are considered to satisfactorily mitigate against any potential adverse effects in relation to noise, odour and air quality. Conditions can be implemented to agree working hours.

Noise and Vibration

- 6.66 Target levels are stated for noise and vibration based on BS 5228 the appellant is committed to monitoring to ensure that these levels will not be exceeded.
- 6.67 The appellant has conducted a cumulative impact assessment in relation to noise and vibration levels within the Brighton Marina and Black Rock area arising from the proposed development, Brunswick and BIA schemes. The study concludes that the noise-sensitive elements of the proposed development would not be affected adversely by noise from existing uses (or programmed development). Nor would the use and operation of the proposed development generate noise levels that would give rise to any harmful impacts.

- 6.68 A significant portion of works would take place some distance from existing residential buildings and the Black Rock Cliffs and should not give rise to any disturbance. In the case of works taking place close to existing residential buildings or sensitive structures such as the Black Rock cliffs, any impact would be mitigated by close monitoring and the adoption of special mitigation measures which will be secured via a CEMP.
- 6.69 The proposed development will result in some noise impact along roads within and in the vicinity of the Marina. The minor impact would result whether the proposed development takes place or not. This is set out within Chapter 16 of the ES.
- 6.70 The appellant has conducted a thorough and robust assessment of noise and vibration impact arising from the proposed development. Where the risk of noise and vibration disturbance is considered to be higher, the applicant has put in place appropriate mitigation measures and will secure this via a CEMP.

Air Quality

- 6.71 The impact of the proposed development on air quality is minimal and therefore acceptable. No breaches of the Air Quality Objectives have been identified within or adjacent to The Marina from the appellant's robust assessment contained within Chapter 17 of the ES.
- 6.72 The eight receptor points assessed are appropriate for the purpose of assessing air quality. These receptors have been modelled to show the impacts of the updated traffic flows, together with boiler emissions from the Brunswick scheme and proposed development, on the occupants of the proposed development. Predicted concentrations at each receptor are set out in Table 17.11 of the Chapter 17 of the ES. They show that the air quality objectives for nitrogen dioxide and PM10 would be achieved at relevant locations across the site. The council considers that the assessment which has been conducted by the appellant is comprehensive and supported by good use of data.

Land contamination

- 6.73 The existing site accommodates a petrol filling station. A condition will be introduced to ensure further site investigations and decommissioning at the appropriate time.

Impact on Radio and TV reception

- 6.74 The appellant is committed to undertaking a reception survey on completion of the development and mitigate accordingly to ensure that the TV and radio reception of near by properties is not affected by the proposed development. This will be secured via a planning condition / s106 obligation.

Ground Conditions and Geotechnics

- 6.75 Given that the site for the Brunswick scheme shares the same made ground as the Explore Living scheme, it is accepted that the ground materials of the site are inert.
- 6.76 Natural England have determined that there would be no significant impact on the Black Rock cliffs SSSI, associated with Southern Water's wastewater treatment works, indicating that it is also unlikely that works would have a significant impact on the local ground conditions. There are no cumulative impacts foreseen concerning the quality of ground conditions as a result of realising the Explore Living, Brunswick and Southern Water scheme proposals.
- 6.77 It is accepted that care would be taken to ensure that works are scheduled such that the cumulative impact of the noise and vibration emissions arising from several activities being undertaken simultaneously would not exceed the threshold levels established for a particular location at any one time. This would be supported with monitoring throughout the transient demolition and construction phases of the development and secured by a CEMP, via a planning condition.
- 6.78 Given the distance of the Brunswick scheme, there is no cumulative impact associated with geotechnics.
- 6.79 Natural England is satisfied that with mitigation secured via planning conditions and/or obligations the impact of the proposed development on the SSSI cliff has been adequately addressed.

Private amenity space

- 6.80 All residential units have access to their own private balcony and/or shared terraces. 96% of residential units have their own private balcony.

Safety

- 6.81 The proposed development incorporates best practice and will meet 'Secured by Design' and 'Park Mark' standards, which will be secured via planning conditions.

(I) Outdoor Recreation Space

- 6.82 The proposed development incorporates a range of on-site recreation facilities and public realm.
- 6.83 Policy H06 relates to the provision of outdoor recreation space in housing schemes and seeks new residential development to suitably provide the outdoor recreation space generated by the development in accordance with standard (2.4ha of outdoor recreation space per 1,000 population). However, this policy states that "where it is not practical or appropriate for all or part of the outdoor recreation space requirement to be provided on site, contributions

to their provision on a suitable attenuating site may be acceptable.” Policy H06 considers that where it is not practical or appropriate to be provided on site contributions to their provision on a suitable alternative site may be acceptable.

- 6.84 Draft SPG9 supports the approach of policy H06 in principle but does recognise a number of exceptions where the standard need not apply.
- 6.85 At the time draft SPG9 was written, the relevant policy on outdoor recreation space was policy H05 of the Brighton and Hove Local Plan – Second Deposit Draft, the principle of which is the same as Policy H06.
- 6.86 Of relevance to the inquiry is the exception where the developer can satisfy the Council that there is suitable outdoor recreation space, which can serve the development safely and appropriately. Draft SPG9 advises that only in "very exceptional circumstances will alternative provision be considered. For example, within very high density areas on sites with no means to provide outdoor recreation space, but where the site is ideally situated in all other respects"(page 9).
- 6.87 The proposals incorporate 1,301 residential units, which when calculated against draft SPG9 equates to an occupancy calculation of 2804.5 (2 x studio, 531 x 1 bed, 682 x 2 bed and 86 x 3 bed). Based on this calculation the scheme would be required to provide 6.7 ha of outdoor recreation space by virtue of SPG9,
- 6.88 Overall, the proposed on-site recreation provision is summarised overleaf:

Table 7 Table to show the requirement for recreational open space calculated in line with Policy H06 and SPG9 and the on-site provision

Outdoor Recreation Space Requirements	Children's Play Space		Adult / Youth Outdoor Sports Facility		
	Equipped Play Space	Casual Informal Play Space			
Required Provision	7,112.5 sq.m	12,620 sq.m		47,676.5 sq.m	
On-Site Provision	Play area behind Pizza Hut	400	Geo Learn Space – where children can informally play i.e. Frisbee, kick-about, 'hang out' space (LEAP)	430	Youth sports facilities under the flyover comprising the area to the north of multi storey car park (1850 sq.m) and to the west of the Cliff site (745 sq.m)
			Cliff Park (NEAP)	1,100	
			Marina Village Recreation Facilities (Petanque, Pilates and Chess)	639	
Sub Total		400		2,169	2,595
TOTAL					5,164 (8%)

- 6.89 Surface improvements are proposed to the pedestrian ramp leading to the Marina and along the Cliff Park (1,512 sq.m).
- 6.90 East Brighton is served by a range of local recreation facilities. The appellant has suggested the improvement of some of this provision. This will be secured through the Section 106 agreement and may include:
- Madeira Drive: improving security to the promenade in the evening and night, achieved by introducing new lighting columns.
 - Manor Road Gym: financial assistance to the gym with their application for funding to the Football Foundation for new pitches. Manor Road Gym is keen to approach the Football Foundation for funding to both improve existing and introduce new football and outdoor sport facilities. To achieve this funding the organization needs to provide their own resources, which would be matched by the Foundation.
 - City College Wilson Avenue: refurbishment of existing football pitches.
 - East Brighton Park: the enhancement of the tennis court and football pitches to make them a successful venue to be enjoyed by both the Marina and Whitehawk residents. The south section of East Brighton Park currently has a grassed football pitch and a series of tennis courts. They are in a poor condition and have drainage problems. The tennis courts are also in a poor state of repair. The football pitch could be re-laid together with an improved drainage system to cope with the combination of intense use and low lying ground. The tennis courts would be resurfaced, with new perimeter fencing and other landscape improvements would greatly enhance the facility and encourage greater use.
 - Rottingdean terraced gardens: enhance the terraces by implementing a new surface treatment and new robust benches to the periphery of the space and planting new shrubs and climbers to the terraces.
 - Rottingdean Beach informal sport area: area. Currently there is a shortage of facilities for local youth within Rottingdean. This area has become a popular venue for kick about, without there being any designated area. A fenced off area could be provided including football goals and basketball hoops either end, installed on to the present surface, allowing for the flexibility of relocating if required. This could then become a popular venue for the local youth of Rottingdean village and would become their own area whilst in full view of the public realm.
- 6.91 The appellant has proposed a financial contribution, to fund the off-site opportunities identified above and an on-site recreational sports coordinator.
- 6.92 Sport England have not objected to the proposed development.

(m) Public Art

- 6.93 The appellant discussed with the LPA the development of a public art programme and a competition was held to identify a range of suitable artistic influences. These are detailed within the Public Art Statement.

(n) Transport

- 6.94 Transport matters are considered under separate cover within the SOCG prepared by Colin Buchanan and BHCC.

(o) Sustainability

- 6.95 The proposed development will incorporate a series of measures to optimise energy efficiency and minimise resource consumption. Measures include:
- i efficient use of an under-utilised brownfield site to deliver a mix of uses, including housing.
 - ii the Energy Strategy incorporates a combination of CHP, biomass boilers (300 kw) and gas fired boilers (725 kw), which would produce CO₂ savings and contribute to meeting the proposed development's annual energy demand. There would be a 46% saving in CO₂ emissions against Part L of the Building Regulations for the residual demand, significantly more than the 15% CO₂ recommended by SPG21. Overall the Site's CO₂ emissions will be 55% below the notional emission rate.
 - iii The CHP unit would provide electricity to some of the Cliff Site residential units and the new ASDA store via a private wire network. The remaining electrical demand would be met by the National Grid. Heating to all residential accommodation site-wide would be provided by a site district heating system comprising of a combination of 'waste' heat recovered from the CHP plant, a biomass boiler and gas fired boilers. Heating to the smaller retail units would also be provided by the district heating system; whilst heating to the new ASDA store would be from plant installed and maintained by ASDA. Hot water demand for both residential and retail units would also be met by the biomass boilers and CHP plant, with gas fired boilers meeting the peak load demand.
 - iv The site wide Energy Services Company would deliver energy at 5-10% below the market rates.
 - v The proposed development does not contaminate or pollute the land, air or water courses on, or in the vicinity of the Site.
 - vi The development is in accordance with Local Plan Policy SU2 which ensures that efficient use of energy, water and materials are prioritised.
 - vii The infrastructure for grey water recycling will be provided to minimise the future demand for water generated from the proposed development. Rain water will be harvested to irrigate vegetation in the new public spaces.
 - viii ecological planting will be introduced to create habitats, increase biodiversity, and minimise surface run-off.
 - ix Future proof recycling facilities will be provided for residential properties. In addition, waste generated from communal gardens will be composted and recycled within the newly generated landscape.

- x A Site Waste Management Plan (SWMP), which is in accordance with SWMP Regulations 2008, makes a commitment to minimising and recycling generated waste both during construction and operational phases of development.
- xi A Construction Environmental Management Plan (CEMP) provides information regarding the appellants' approach to waste management during demolition and construction.
- xii High environmental standards have been incorporated throughout the proposed development with "Excellent" BREEAM ratings throughout the retail parts of the scheme.
- xiii The Code for Sustainable Homes Level 4 will be achieved for the five Primary Categories of the Code (energy efficiency, CO₂ emissions, water, materials, surface water run-off and waste).

(p) Flooding

- 6.96 The appellant provided a detailed Flood Risk Assessment in accordance with the requirement of PPS25 which confirms that both a Sequential and Exception Test has been met.
- 6.97 The Council's Strategic Flood Risk Assessment confirms that a Sequential and Exception Test for the Marina has been undertaken which accepts the appropriateness of development. This is endorsed by the emerging Core Strategy (Proposed Amendments, June 2009), which identifies Brighton Marina as one of the City's seven Strategic Development Areas (DA2), suitable for providing high density, mixed use development.
- 6.98 PPS25 advocates a sustainable approach to flood risk and the appellant is committed to providing a number of measures to ensure the Marina remains defended. The Environment Agency were concerned that the existing flood defences did not provide the level required to protect the proposed development from flooding over its lifetime (as required by PPS25). Financial contributions by the appellant towards the raising and maintenance of the sea defences is not appropriate or necessary as sea defences are the responsibility of Brighton Marina Company Ltd (BMCL) and would be implemented regardless of whether the proposal is built or not.
- 6.99 The Environment Agency raises no objection to the proposed development. BHCC have conditionally withdrawn reason for refusal number 6 subject to prior agreement of suitable wording for insertion in the section 106 obligation.

Ground Water

- 6.100 The proposal does not pose a threat to current drinking water supplies.
- 6.101 Controls to prevent the contamination of ground and sea water can be implemented through the Construction Environmental Management Plan secured via planning conditions.

Drainage

- 6.102 Surface water run-off will be disposed of through a surface water drainage system and out to sea as per current arrangements. The proposal will have a positive effect on surface water drainage through the inclusion of green roofs and rainwater harvesting systems to intercept rainwater and by reducing the total amount of impermeable surfaces. Local Plan Policy SU5 has been met. Back-up pumps will be introduced in the event that rainfall is particularly heavy. In the event of pump failure, the locked basin has the storage capacity to accommodate predicted rainfall levels and dispersed into the sea on the next available tide.

Sewerage

- 6.103 The proposed development will result in a demand for the sewerage system to be upgraded. The appellant has already applied to Southern Water for this upgrade and will be responsible for the associated cost of this. The proposed development complies with Local Plan policies SU2, SU3, SU4, SU5, SU6 and SU7 and complies with PPS25 and guidance contained within both SPG20 and PAN04.

(q) Education

- 6.104 The proposed development would generate a demand for school places for new residents and in accordance with Local Plan policy QD20 a financial contribution towards the enhancement of existing educational facilities in the city is proposed.
- 6.105 Policy H021 seeks to ensure a range of community facilities are provided to meet the needs of residents, consistent with the scale and nature of the development proposed. Community facilities are considered previously at Section 6(h). This policy accepts that where it is not practical to integrate community facilities on site, in exceptional circumstances, an appropriate contribution towards provision on an alternative site is acceptable.
- 6.106 The appellant calculates that the proposed development would generate a demand for 89 primary/secondary school places. This is apparently based upon the demographic profile of existing housing at Brighton Marina using 2001 census data, although the Council has been unable to verify this. The appellant asserts that due to the proportion of 1 and 2 bed units without gardens and the potential number which may be second homes, the number of children living in the Marina is likely to be low. Applying this approach generates a child yield as set out in Table 8 overleaf.

Table 8 Child yield and age breakdown based on Council Demographer's estimate for similar scheme at Brighton Marina

	Nursery/Pre School	Primary School	Secondary School	Sixth Form	Total
Explore Living Development	Aged 0-4	Aged 5-11	Aged 12-16	17 and 18	
1,301 Units	65	58	31	15	169
Proportions	(38%)	(34%)	(18%)	(9%)	-

Source: 2001 Census. Taken from the age profile of existing residents at Brighton Marina.

- 6.107 The Council's demographer used the DfES child yield methodology which suggests that the development would generate a pupil yield of 243 primary/secondary. This summary is provided below:

Table 9 DfES Estimates of Pupil Yields

	Nursery/Pre School	Primary School	Secondary School	Sixth Form	Total
Pupil Yields	96	130	113	12	348

Source: DFES

- 6.108 The appellant and the Council do not agree on the child yield calculation generated by the proposed development.
- 6.109 The availability of secondary school places is geographically uneven across the city. Secondary schools with surplus capacity within the city are more than 7km away.
- 6.110 As of August 2009, BHCC confirm there was an oversupply of 258 primary school places in the nearest 3 primary schools, although not in all year groups, 228 of which are in Whitehawk Primary School.

(r) Geology, Ecology and Nature Conservation

- 6.111 The Brighton to Newhaven Cliffs are designated as a Site of Special Scientific Interest (SSSI). The designation is based primarily on geological considerations, but also the SSSI includes maritime cliff and associated habitats for rare and uncommon plants (hoary stock) and locally important colony for breeding seabirds and beetles. The SSSI is located partially within and adjacent to the northern boundary of the application site.

- 6.112 The beaches and water areas within the Marina and the Black Rock Beach are designated in the Local Plan as Sites of Nature Conservation Importance (SNCIs). The Black Rock SNCI comprises an area of beach of 1ha to the west of the application site, between the Marina groyne and the western breakwater. The Brighton Marina SNCI comprises the Inner and Outer Harbour.
- 6.113 Ecological effects of the proposed development have been comprehensively addressed within the appellant's Environmental Statement. The net ecological effects of the proposed development will be positive due to habitat enhancement measures and creative ideas for the integration of biodiversity proposed as part of the development.
- 6.114 Neither short snouted nor spiny seahorses were found in either the Outer or Inner Harbours. The proposed development has no impact on either specie.
- 6.115 Natural England initially raised concerns regarding the impact of the proposed development on views of the SSSI cliff. Following scheme amendments and the following commitments, Natural England withdrew its objection:
- An elevated platform centrally located in the Cliff Park to provide panoramic views of the cliff face and views towards the east and west;
 - The proposed pedestrian bridge linking the Cliff Site building to the existing pedestrian walkway;
 - Cliff Site building, offering long distance oblique views along the length of Cliff Park;
 - Geo Learn Space, located directly under the ancient cliff line – a focus for environmental and geological information and education;
 - Marina Point roof, providing long distance panorama over the rooftops towards the cliff face.
 - Public access to the cliff face in perpetuity;
 - A financial contribution of works in kind to the value of £30,000 for geological interpretation boards (secured through S106);
 - Photographic surveys of the cliff face.
- 6.116 The proposed development will offer opportunities to view the SSSI cliff.

Cliff Ecology

- 6.117 The appellant provided an assessment of the amount of light reaching all important areas of habitat affected, notably Cliff Park, Black Rock SNCI and the LEAP under the flyover. The assessment is thorough and some habitats changed to account for this.
- 6.118 In terms of biodiversity the development proposes bio-diverse green roofs, based on a mixture of coastal vegetated shingle, grassland and cliff scree (0.55ha), with an additional 0.1ha of roofspace to support native rich flower rockeries. Green walls would be located throughout the development to support native and non-native climbing areas (1,800 sq.m). New deciduous woodland/scrub would be planted on the southern edge of the Cliff Park. An

additional 0.3ha of ground level amenity planting, of which 0.2ha would be of high biodiversity value.

- 6.119 The Cliff Park at the base of the SSSI Brighton-Newhaven cliffs would contain coastal vegetated shingle and ground level, deciduous native woodland and shrub planting, and a variety of native species of ground flora. This would be secured via the wider landscape and ecology management plan. In total, 50 new trees would be planted across the Site as a whole and 0.2ha of amenity lawn created to provide an additional habitat for invertebrates, songbirds and bats. The green walls and green roofs would be secured by condition. The appellant is committed to the provision of bird and bat boxes at suitable locations.
- 6.120 In light of the above, the proposed development in accordance with PPS9, Local Plan policies NC2, NC4, QD18 and QD17 and the wider objectives contained within SPG20 (Section 8, page 76) and PAN04 (Section 8.4, page 11).

(s) Archaeology

- 6.121 The proposed development is built on made ground. There would be no archaeological impact, other than a very small area north-west of the Cliff Site.
- 6.122 Explore Living is committed to the following measures as recommended by the Council's Archaeologist:
- Programme of archaeological works to establish the potential for archaeological remains prior to commencement of development;
 - The findings to be made available to local schools, libraries and museums;
 - An on-site watching brief of archaeological remains during construction works;
 - Geo-archaeological monitoring to the cliff face.
- 6.123 The proposed development would have no direct or indirect impact on the Brighton Norton Beach deposits of national importance, north of and above the proposed development.
- 6.124 The proposed development is in accordance with Local Plan policy HE12.

(t) The Brighton Marina Act 1968

- 6.125 This Act gave the Brighton Marina Company Limited authority to construct the Marina and the recreational, residential and other facilities and road and harbour works described in the Act. Parliamentary authority was needed because the land upon which the various works were to take place involved reclaiming land from the sea.
- 6.126 Section 59(1) of the Act contains a provision restricting the Brighton Marina Company Limited's ability to "construct or erect...any work, building or structure" above the height of the cliffs. This and certain other provisions are

“for the protection of the corporation” (i.e. the Council) and do not apply if “otherwise agreed in writing between the Company and the corporation”. Section 70 of the Act specifically provides that the “provisions of the Town and Country Planning Act 1962” (the predecessor of the current Town and Country Planning Act 1990) “shall apply and may be exercised in relation to any land notwithstanding that the development thereof is, or may be, authorised or regulated by or under this Act.” The current planning regime therefore operates independently of the Act and for the avoidance of doubt the Act is not a material planning consideration.

7.0 Planning Conditions

7.1 The following planning conditions, set out in the LPA's committee report dated 12 December 2008 were agreed in advance of planning committee with the Council. These are repeated below:

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 Notwithstanding the illustrative Phasing Plan as described in Chapter 6 of the Environmental Statement, no development shall take place until a Phasing Plan identifying the proposed phasing of the enabling works, buildings, bridges and associated structures within the development (which shall include phasing of both the construction and availability of occupation of each building(s)) has been submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall ensure the Cliff Site buildings are included within the first phase of development following site preparation and enabling works and shall ensure the pedestrian bridge linking the cliff top to the Cliff Site and community hall are included in the second phase. The Phasing Plan shall also ensure the Cliff Park and Geo-Learn Space is included within a phase before the final phase. The development shall be carried out in accordance with the approved Phasing Plan unless any variation or amendment is agreed in writing with the Local Planning Authority.
- 3 With the exception of the McDonalds restaurant and the ASDA retail unit the premises for Use Class A *(A1, A2, A3, A4 and A5) hereby permitted shall not be open or in use except between the hours of 7am and midnight on Mondays to Fridays, and between 7am and midnight on Saturdays and between 8am and 3pm hours on Sundays, and public holidays.
- 4 Notwithstanding the Town and Country Planning (Use Classes) Order 1987 and its subsequent amendments, any indication of proposed uses on the plans hereby approved the following units shall be used only as follows:
 - i Cliff building, Ground floor (8 units in total), ASDA Use Class A1, 3 units Use Class A1, one unit Use Class B1.
 - ii Quayside building, ground floor (2 units) McDonalds Use Class A3.
 - iii Marina Point building ground floor (2 units) one unit Use Class A1.
- 5 Within any units used for purposes within Use Class A3 and exceeding 150 square metres in net internal floor area, alcohol shall only be sold or supplied to persons who are taking meals on the premises and who are seated at tables.

- 6 The offices (Use Class B1) shall not be open except between the hours of 07.00 and 23.00 hours Mondays to Fridays, and between 07.30 and 23.00 hours on Saturdays and between 08.00 hours and 22.30 hours on Sundays or public Holidays, unless otherwise agreed in writing with the Local Planning Authority.
- 7 The community centre in the Cliff Site shall not be open to the public except between the hours of 07.00 and 21.00 hours Mondays to Fridays, and between 07.30 and 21.00 hours on Saturdays and between 08.00 hours and 19.00 hours on Sundays or public Holidays, unless otherwise agreed in writing with the Local Planning Authority.
- 8 Loading or unloading of vehicles in connection with the non-residential uses hereby approved shall only take place between the hours of 07.00 and 19.00 hours Monday to Fridays, 07.30 and 19.00 hours on Saturdays and not at anytime on Sundays or public Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 9 Opening hours of the pedestrian bridge to be controlled by a time lock the hours of opening to be agreed by the Local Planning Authority in agreement the Sussex Police.
- 10 The development hereby permitted shall incorporate measures to ensure the development meets 'Secure by Design' standards. Each respective phase of the development (as agreed as part of the Phasing Plan under condition 2) shall not be first brought into use until evidence has been submitted to demonstrate compliance with the standard and measures. The development shall be implemented in accordance with the Secure by Design standard.
- 11 No plant or machinery associated with the development (not including during construction) shall be first brought into use until a scheme to insulate the plant/machinery against the transmission of sound/or vibration has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority before any buildings within which the plant/machinery are proposed are first occupied. The mechanical plant associated with the development shall not give rise to an increase in noise levels above -5dB LAeq in respect of the background levels expressed as LA90 measured 1m from the facade of the nearest residential premises. Measurement periods and conditions are to be agreed with the Local Planning Authority.
- 12 A scheme for the fitting of odour control equipment to the non-residential buildings shall be submitted to and approved in writing by the Local Planning Authority where commercial kitchen facilities, or similar, are proposed. The agreed odour control works shall be implemented to the

satisfaction of the Local Planning Authority before the premises it relates to is brought into use.

- 13 A scheme for the sound insulation of the odour control equipment referred to in the condition above (no.12) shall be submitted to and approved in writing by the Local Planning Authority before the premises it relates to are brought into use. The sound insulation works agreed shall be implemented to the satisfaction of the Local Planning Authority before the premises it relates to are brought into use.
- 14 No works pursuant to this permission shall commence until there have been submitted to and approved in writing by the Local Planning Authority:
- A desk top study documenting all the previous and existing land uses of the site and adjacent land;
 - A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
 - A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring.
 - Such scheme shall include nomination of a competent person to oversee the implementation of the works.
- 15 The development hereby permitted shall not be occupied or brought into use until verification has been submitted to the Local Planning Authority by the agreed competent person that any remediation scheme has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:
- As built drawings of the implemented scheme;
 - Photographs of the remediation works in progress; and
 - Certificates demonstrating that imported and/or material left in situ is free from contamination.
 - Thereafter the scheme shall be monitored and maintained in accordance with the approved remediation scheme.
- 16 No development shall take place within the application site until the appellant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.
- 17 No development shall take place within the application site until the appellant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in

accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the appellant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

- 18 All the new dwellings hereby approved shall be constructed to Lifetime Homes standards as referred to in Policy HO13 of the Brighton & Hove Local Plan to the satisfaction of the Local Planning Authority.
- 19 A minimum of 65 of the residential units within the overall scheme shall be built to a wheelchair accessible standard. Included within the 65, 10% of the affordable housing units (equating to 52 units) shall be built to wheelchair accessible standard. Details, including plans, of how the units have been built to a wheelchair accessible standard within each phase of the development agreed as part of the Phasing Plan (agreed under condition 2) shall be submitted to and approved in writing by the Local Planning Authority before 50% of the total units within a particular phase have been first occupied.
- 20 All the non-residential uses hereby permitted shall incorporate measures to ensure they are fully accessible to the disabled, including the provision of flush entrance thresholds, details of which shall be submitted to and approved in writing by the Local Planning Authority before first occupation of those uses. Reason: To satisfactory access for people with disabilities, to comply with policies HO19 and QD10 of the Brighton & Hove Local Plan.
- 21 Notwithstanding the details hereby approved, no development shall commence until details of the green walls and green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a specification for the construction, irrigation, and future maintenance. Thereafter, the development shall be carried out and maintained in accordance with the approved details.
- 22 Notwithstanding the details hereby approved, no development shall commence until details of the nesting boxes for birds and bats has been submitted to and approved in writing by the Local Planning Authority. The details shall include the number, location and type of boxes. Thereafter, the development shall be carried out in accordance with the approved details.
- 23 Notwithstanding the details hereby approved, no development shall commence until the detailed design and management of the GeoLearn Space and other equipped play facilities have been submitted to and approved in writing by the Local Planning Authority and Natural England. Thereafter, the development shall be constructed in accordance with the

approved details.

- 24 Notwithstanding the details hereby approved, no development shall commence until the detailed design of the pedestrian bridge have been submitted to and approved in writing by the Local Planning Authority, Natural England and Sussex Police. Thereafter, the development shall be constructed in accordance with the approved details.
- 25 Notwithstanding the details hereby approved, no development shall commence until a photographic survey of the Brighton-Newhaven SSSI cliffs and a copy of the pre-construction archaeological investigations report, has been submitted to and approved in writing by the Local Planning Authority and Natural England. The photographic survey shall include high resolution digital electronic and hard copies of images of the cliff face.
- 26 A strategy for the ongoing monitoring of the Brighton-Newhaven SSSI cliffs, shall be submitted to and agreed in writing by the Local Planning Authority, in consultation with Natural England. Thereafter, the agreed strategy shall be implemented and maintained in accordance with the agreed details.
- 27 Notwithstanding the details submitted as part of the application, development shall not commence until further details concerning the location and design of seating have been submitted to and approved in writing by the Local Planning Authority.
- 28 Development shall not commence until a detailed habitat management plan has been submitted to and approved in writing by the Local Planning Authority. The management plan shall be implemented in accordance with the agreed details.
- 29 No respective phase of the development (in accordance with the agreed Phasing Plan required by condition 2), shall commence until details of the proposed materials to be used within the exterior of all buildings and structures within that phase, have been submitted to and approved in writing by the Local Planning Authority. These details shall include large scale drawings and/or constructional details and samples if required, of the balustrading, roof parapet and eaves design, balcony design, surface cladding systems, windows, entrances, roof plant, and shop fronts. The development shall be carried out in accordance with these details.
- 30 No respective phase of the development as agreed in the Phasing Plan required by condition 2, shall commence until details and samples of the proposed materials to be used for the hard landscaping, highways, street furniture and amenity and outdoor recreation areas of each respective phase of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The details will include the following:

- paving and building materials, including details of colour and texture;
- boundary walls, gates, seating, fencing, refuse stores, steps, hand
- rails, raised planters, seating, pergolas and screens;
- street paving plans, to include size, direction and pattern of paving;
- siting and design of all external dishes, antennae, flues and utilities
- cabinets;
- external lighting.

- 31 No buildings shall be first occupied until details of a Design Strategy for pedestrian, cycling and general informative signage throughout the site have been submitted to and approved in writing by the Local Planning Authority and have been implemented in accordance with each respective phase of the development (of the Phasing Plan agreed as a requirement of condition 2). Any signage proposed within the site shall be in accordance with the broad principles contained in the agreed Strategy.
- 32 Development shall not commence until a Design Strategy for shop frontages, including shop signage, has been submitted to and approved in writing by the Local Planning Authority. The shopfronts and signage shall be implemented in accordance with the agreed details. Any shopfronts and signage proposed within the site shall be in accordance with the broad principles contained in the agreed Strategy.
- 33 Aviation lighting shall be installed on the Marina Point in accordance with details to be submitted to, and agreed in writing by, the Local Planning Authority prior to the commencement of building. The agreed lighting shall be installed to the satisfaction of the Local Planning Authority in accordance with advice given by the Civil Aviation Authority. The agreed lighting shall be installed on the buildings as required upon completion of the buildings in question (and during construction if recommended by the Civil Aviation Authority).
- 34 The vehicle parking areas shall not be used otherwise than for the parking of private vehicles and motorcycles belonging to the occupants of and visitors to the residential and commercial development hereby approved. The car parking area shall be clearly laid out and signed for residents, disabled users, visitors and the car club.
- 35 The development hereby permitted shall not be commenced until details of secure cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. Each respective phase of the development (in accordance with the Phasing Plan agreed as a requirement of condition 2) shall not be first occupied until the cycle parking facilities associated with that particular phase have been implemented and made available for use. The cycle parking facilities shall thereafter be retained for use at all times.

- 36 Notwithstanding the details hereby approved, no development shall commence until details of the proposed bus shelter located in the Strand have been submitted to and approved in writing by the Local Planning Authority.
- 37 Development shall not commence until an integrated car park management plan, for all sites within the terms of this permission has been submitted to and approved in writing by the Local Planning Authority. The management plan shall be implemented in accordance with the agreed details.
- 38 Notwithstanding the details submitted as part of the application, development shall not commence until further details of the 'squareabout' traffic calming on the ramp and, details of fall back signals have been submitted to and approved in writing by the Local Planning Authority and have been implemented in accordance with the respective phase of the development (of the Phasing Plan agreed as a requirement of condition 2).
- 39 Notwithstanding the details submitted as part of the application, development shall not commence until further details of the cycle routes have been submitted to and approved in writing by the Local Planning Authority and have been implemented in accordance with the respective phase of the development (of the Phasing Plan agreed as a requirement of condition 2).
- 40 Each respective building shall not be first occupied until the refuse and recycling storage facilities, dimensions as set out in chapter 14 (waste) of the ES submitted on 15/09/08, serving each building (within the particular phase agreed as part of the Phasing Plan required by condition 2) have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
- 41 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or amendments thereto, the two units in the Octagon shall be used as a D1 (a) use Medical or Health facility (excluding animal treatment) only and for no other use within Use Class 13 D1.
- 42 Prior to the occupation of the Seawall building mitigating measures against adverse wind related affects for the pedestrian cut-throughs and entrance doors shall be submitted to and agreed in writing by the Local Planning Authority, the measures shall be implemented and maintained in accordance with the agreed detail.
- 43 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping and its management, which shall include hard surfacing, means of enclosure, planting of the development and identification of all existing trees and hedgerows on the land. Any planting adjacent to the cliff must be low level and of native provenance (i.e. herbs and low level shrubs < 60cm

in height) with planting away from the base of the cliff to allow access for study.

- 44 All planting in the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting seasons with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 45 Prior to the commencement of development a Construction Environmental Management Plan, which shall include a Noise and Vibration Monitoring Strategy and a method of controlling groundwater, shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented during construction.
- 46 A Public Art Plan is to be submitted to and approved in writing with the Local Planning Authority. The agreed plan will be implemented as part of each respective phase of the approved development (as agreed as part of the Phasing Plan required under Condition 2).
- 47 A scheme to provide for and maintain public access to all viewing platforms, namely at the Cliff Site Building and Marina Point shall be submitted to and approved in writing with the Local Planning Authority.. The scheme shall provide for notice to access the viewing points at Marina Point within 48 hours of a request outside of normal business hours (i.e. Monday to Friday 9 am to 5 pm).
- 48 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:
- i Demonstration within the FRA that the improvement/protection and maintenance of existing flood defences will be provided.
 - ii Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
- 49 If during development, any visible contaminated or odorous material not previously identified is found to be present on the site, it must be investigated. The Local Planning Authority must be informed immediately of the nature and degree of contamination present. The developer shall submit a Method Statement which must detail how this unsuspected contamination shall be dealt with. The contamination shall be dealt with in accordance with that Statement.
- 50 No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has

been approved by and implemented to the reasonable satisfaction of the Local Planning Authority. Any works required to upgrade the infrastructure sufficiently to provide capacity for the new development should be undertaken prior to acceptance of the development's foul sewage. No occupation of dwellings should be undertaken prior to the implementation of those agreed foul drainage works.

- 51 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

8.0

Planning Obligations

8.1

The following Section 106 agreement heads of terms are agreed:

- 40% of the residential units as affordable housing;
- a financial contribution of £544,000 towards sustainable traffic and transport initiatives, which could go towards the Rapid Transport System or support to increased bus provision;
- a financial contribution of £100,00 for installation of Visual Messaging System (VMS) along A259;
- a financial contribution of £50,000 for the upgrade of pedestrian crossing on the A259 should the Brunswick Scheme fail to proceed;
- a financial contribution of £250,000 towards bus priority measures to include, Queens Road, North Street, Kings Road, Edward Street and Eastern Road;
- a financial contribution of £550,000 towards local junction improvements at Wilson Avenue/Roedean Road and Black Rock;
- provide a new emergency access through the western breakwater (estimated at a cost of £700,000).
- details of emergency traffic controls at Black Rock interchange and on ramps.
- enhancement of pedestrian and cyclist signage within the site;
- provision of a public transport interchange;
- a financial contribution of £70,000 towards a car club and shopmobility;
- implementation of an on-site car parking management;
- a Travel Plan to promote use of sustainable modes of transport;
- monitoring of displaced parking;
- steering group chaired by the Local Planning Authority to be set up to look at transport sustainable traffic and transport initiatives;
- a financial contribution towards off site recreational facilities and towards an associated sports co-coordinator;

- provision of a community centre located within the Cliff site building;
- a financial contribution for enhancement of education facilities in the city;
- provision of surgery/healthy living centre in the Octagon and a phased approach;
- submission and implementation of a Construction and Environmental Management Plan;
- submission and implementation of a Construction Training and Local Employment Agreement;
- implementation of the equivalent of £600,000 worth of 'artistic influence' across the public realm of the site;
- submission of a radio/TV reception survey before and after development and securing mitigation measures where required;
- submission of fall back scheme for Harbour Square;
- provision of CCTV within the development;
- a contribution of £40,000 towards a Section 106 and Conditions Coordinator within the council;
- a financial contribution £30,000 towards the provision of geological interpretation and information boards on the cliff geology at these various viewing point
- submission of details of sustainability measures including: achieving Code for sustainable Homes level 4 for residential buildings and bespoke 'excellent' BREEAM rating for the retail units;
- submission of details of public access which is to be provided and maintained to all viewing platforms of the Brighton-Newhaven SSSI cliffs in perpetuity. Access for the public to Cliff Park and the GeoLearn Space is to be maintained at all times; and
- details of operation of the site-wide Energy Services Company (ESCo) to secure membership and operation by all on-site operators.

9.0 **Matters Not Agreed**

- 9.1 The matters not agreed between the LPA and the appellant are represented in the Council's resolution of 2 September 2009 clarifying and amplifying the Council's reasons for refusal.

Appendix 1 List of Planning History at Brighton Marina

BH2008/02816: Land at and Adjacent to Eastern Breakwater Brighton Marina Brighton

Construction of development platform and erection of ground plus four storey building for retail (A1/A2/A3), office (B1), residential (C3), together with associated facilities. Current application.

BH2006/01124: Construction of engineered basement structure to create platform on Spending Beach and West Quay and associated engineering works, including formation of reinforced wave dissipation chambers. Development of residential accommodation comprising 853 flats in 11 buildings ranging from 6 to 40 storeys above structural deck including associated plant accommodation; high level viewing gallery; Class A, D1, D2 and B1 uses and associated plant; lifeboat station including relocation of floating lifeboat house and installation of communication aerials; three-storey covered car parking providing up to 491 parking spaces, 32 motorcycle spaces and 876 bicycle parking spaces; 5 visitor disabled parking spaces along proposed promenade. Alterations to vehicular, pedestrian and cycle access arrangements and creation of new routes for access and servicing to include pedestrian/cycle/vehicular access along western breakwater with associated engineering works. Alterations to pontoons and creation of replacement moorings and installation of navigation piles. Construction of openable foot and cycle bridge between West Quay and eastern breakwater and associated works. Construction of foot and cycle bridge between Madeira Drive and western breakwater and associated works. New areas of hard and soft landscaping and public realm, including children's playground and formal and informal areas of amenity space. Solar panels at roof level and wind and tidal turbines. Engineering and structural works and alterations to Marina and adjoining land associated with above. Revised application to BH2004/03673/FP refused 11/11/05. Main differences: reduction in residential units from 988 to 853; increased car parking from 176 to 496 spaces; three buildings removed and reduced in height in centre section; developed area of site reduced by approx. 33%; additional indoor and outdoor amenity space; new doctors surgery; additional sustainable measures. Revised Environmental Statement. Approved 04/07/06.

BH2005/01877/FP: Change of use of ground floor of 43 The Waterfront from retail unit to dentists' surgery. Approved 22/09/05.

BH2004/03673/FP: Construction of a structural platform over the Spending Beach and West Quay and associated engineering works. Development of residential accommodation comprising 988 flats in 11 buildings ranging from 5 to 40 storeys above the structural deck including associated plant accommodation; high level viewing gallery; Class A use and associated plant; Class D1 use and associated plant; Class D2 use and associated plant; Class B1 use and associated plant; freestanding lifeboat station including relocation of floating lifeboat house; single storey covered car park providing up to 171 car parking spaces, 12 motorcycle spaces and 1,035 cycle parking spaces. Alterations to existing vehicular,

pedestrian and cycle access arrangements and creation of new routes for access and servicing to include pedestrian/cycle/vehicular access along the western breakwater with associated engineering works. Alteration to existing pontoons and creation of replacement moorings and installation of navigation piles. Construction of an openable foot and cycle bridge between West Quay and eastern breakwater and associated works. Construction of a foot and cycle bridge between Madeira Drive and western breakwater and associated works. New areas of hard and soft landscaping and public realm. Engineering and structural works and alterations to the Marina and adjoining land associated with the above. Refused 5/12/05.

BH2000/02665/FP: Mixed use development of retail and 100 bed hotel. Approved 3/8/01.

BH2000/01643/FP: Erection of 3 storey building for retail, office, call centre, 60 car parking spaces. Approved 22/2/01.

BH1999/02870/FP: Construction of new deck and erection of 5-storey building for 24 flats, and car parking spaces. Approved 17/05/00.

BH1999/02001/FP: (the Waterfront) mixed use development (retail, bars/restaurant/hotel) approved 24/07/00.

BH1998/02472/FP: Erection of 2-storey building for restaurant, public house and staff flat (south of petrol station) approved 24/12/98.

96/1129/FP: erection of fitness centre, bowling alley, cinema extension and restaurant. Approved 7/2/97.

96/0915/OA: erection of retail. Leisure, bars and restaurant floorspace. Approved 27/08/97.

96/0914/OA: outline application for erection of doctors surgery, yacht club, marine office and information centre and motel in and upon existing multi-storey car park. Approved 27/08/97.

96/0824/FP: (land south of the Strand) Erection of 4no. 4/5 storey blocks to provide 402 flats together with 745 parking spaces. Approved 15/04/97.

96/0279/FP: Erect health and fitness club, external changes to bowling alley, alterations to access road, service areas and parking provision (amendment to **95/0142/FP**) Approved 25/6/96.

95/1292/FP Erection of 3 storey building with roof terrace containing restaurant, public house/restaurant, yacht club offices and 2 residential units (1650 sqm commercial floorspace). Approved 30/1/96.

95/0502/FP: (Promontory 6) Erection of 44x2 bed flats in 2 x 4 storey buildings with 44 car parking spaces. Approved 27/06/95.

95/0191/RM: Erection of single storey restaurant with drive-through facility and car parking spaces for 45 cars (approval of reserved matters following outline permission 94/0801/OA dated 22nd November 94) Approved 04/04/95.

95/0143/FP: Erection of single storey bar/diner at platform level Approved 04/04/95.

95/0142/FP: (Land south of cinema/car park) Erection of a night club (2230 m²), 26 lane bowling alley (2957m²), fast food sales (558m²) and high level restaurant (616m²), provision of on site parking for 168 cars plus use of 700 spaces in multi storey car park. Approved 16/05/95.

94/0802/FP: Erection of single storey public house and restaurant at platform level. Approved 13/12/94.

94/0801/OA: (Land south of cinema/car park) Erection of a night club (24,000 sqft), 26 lane bowling alley, fast food sales (5000sqft) and drive-in fast food, provision of on site parking for 284 cars plus use of 700 spaces in multi storey car park. Approved 21/12/94.

93/0856/FP: (Promontories 4 and 5) erection of 130 residential units in 3 and 4 storey buildings with 118 car parking spaces. Approved 29/03/94.

93/0690/FP: (1,2,3 Marina Way) Erection of 3 two-storey houses, block of 3 single garages, 3 open parking spaces, new vehicular crossover and pedestrian access. Approved 14/12/93.

87/974/F: Proposed petrol filling station. Approved 7/7/87.

86/1353/F & 88/1517: Erection of village square development. Approved 7/10/86.

86/1240/F engineering works to fill remaining areas of inner lagoon to form village square and housing. Approved 26/8/86.

BN85/987/RM: Erection of superstore with 724 car parking spaces (following outline consent 85/987/) approved 15/7/86.

BN85/1828/F & BN86/713/F: Engineering works to fill in area to be covered by proposed supermarket and village square. Approved 19/12/85 and 3/6/86.

BN85/987/OA: Erection of supermarket, shops, housing, village square, car parks, hotel, health sports centres and leisure centre. Approved 24/6/86.

83/105: Renewal of o/a permission 74/171. Approved 8/3/83.

74/171: Outline application for erection of a marina. Approved at appeal 19/5/74.

Appendix 2 Scheme Development

Planning Application Ref. BH2007/03454: September 2007

A1.0 PROPOSED DEVELOPMENT

A1.1 This planning application seeks planning permission for the following development¹:

- i) Demolition of the existing ASDA retail store and redevelopment to create an enlarged retail store (Class A1) of 9,090 sq.m along with 2,702 sq.m of other retail uses in Class A1-A5 both with associated plant, refuse and parking facilities. This part of the redevelopment to also include 764 residential units with associated parking, public/private amenity space, community hall and a new bridge link for pedestrians/cyclists;
- ii) Demolition of part of the eastern end of the existing multi-storey car park to create a replacement ASDA petrol filling station and pedestrian footbridge;
- iii) Demolition of the existing estates management office to create a 3 – 4 storey building comprising 35 residential units with associated private amenity space;
- iv) Demolition of the western end of the existing multi-storey car park to create a 6 – 11 storey building comprising 114 residential units with associated parking and private amenity space;
- v) Demolition of the existing petrol filling station to create a 28 storey building comprising 148 residential units and 204 sq.m of Class A1-A5 retail space with associated plant, refuse and parking facilities;
- vi) Demolition of the existing McDonald's and redevelopment to create a new 5 – 17 storey development including a Drive-Thru restaurant facility (Class A3) comprising 482 sq.m. This development also includes 148 sq.m of other Class A1-A5 retail space and 233 residential units with associated parking and public/private amenity space;
- vii) Change of use of two existing retail units (Class A1) within the Octagon development to create a GP surgery (Class D1);
- viii) Construction of a Combined Heat and Power unit (CHP);
- ix) Alterations to existing vehicular circulation, pedestrian and cycle access arrangements, areas for cycle parking and the creation of new and enhanced routes for access and servicing;
- x) A new bridge link for pedestrians and cyclists between the upper cliff and the north-western part of the Cliff Site (ASDA site), along with associated engineering works;
- xi) New areas of hard and soft landscape, green roofs and formal and informal areas of amenity space including youth facilities.

¹ NB all figures quoted are gross external area excluding associated car parking
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A1.2 The overall intention is to create a high quality mixed-use development including Class A1 – A5, C3 and D1 uses, which will collectively regenerate the Marina environment to create an enhanced and vibrant district centre.

A1.3 The Proposed Development is summarised below:

Proposed Uses and Layout

A1.4 The Proposed Development will incorporate the following accommodation:

Table A.1: Schedule of Proposed Accommodation

Use	Proposed sq.m (GEA)
Commercial (Class A1 – A5 and D1)	46,407
Residential (C3)	146,732
Total	193,139

A1.5 The Proposed Development will comprise 5 buildings ranging between 3 and 28 storeys referred to as the Cliff Site (ASDA site), Marina Point (Petrol Filling Station site), Quayside (McDonald's site), The Sea Wall (the Needles site) and the Inner Harbour Site (the Estate Office site).

A1.6 There will be residential uses at all five sites, three of which will also contain commercial uses.

A1.7 A replacement ASDA Petrol Filling Station is also proposed at the eastern end of the existing multi-storey car park.

Commercial Uses

A1.8 The proposed commercial uses and associated floor areas within each of the 5 buildings are set out in the table overleaf.

Table A.2: Schedule of Proposed Commercial Accommodation

Site:	Cliff Site	Quayside	Sea Wall Site	Marina Point	Inner Harbour Site	Other	Total	
Use	Proposed (GEA) sq.m							
Commercial	Class (A1 – A5)	11,792 (excluding service zone, parking and plant but including refuse) [ASDA store – 9,090 / 2,702 Other Retail]	630 (excluding service areas, plant and car parking) [McDonald's 482 / 148 Other Retail]	None	204 (excluding service, plant and car parking but including refuse)	None	N/A	12,626
	Community Uses (D1)	314 (excluding service, plant and car parking) [Community Hall]	None	None	None	None	524 [ground floor retail units to the north of the Octagon development]	838
	Plant, refuse and car parking areas associated with the commercial element of the scheme	30,373 [4,037 – ASDA service zone, 20,653 – car parking, 458 – public lift area, 52 – refuse for other retail and 5,173 plant]	2,142 [26 –refuse areas, 167 – plant, 1,736 - car parking, 6 – other, and 207 – seating area]	None	428 [comprising retail, plant and refuse areas]	None	None	32,943
	GRAND TOTAL	42,479	2,772	0	632	0	524	46,407

Residential Component

A1.9 The residential component of the Proposed Development, including social rented units, is set out in the tables overleaf.

Table A.3: Schedule of Proposed Residential Accommodation

Site:		Cliff Site	Quayside	Sea Wall Site	Marina Point	Inner Harbour Site	Other	Total
Use		Proposed (GEA) sq.m						
Residential	Residential (C3)	70,006 (inc. ref and all common parts)	19,943	14,058	16,488	2,757	N/A	123,252
	Plant, refuse and car parking areas associated with the residential element of the scheme	15,690 [15,407 – plant and car parking and 283 - refuse]	7,790 [125 – refuse areas, 480 – plant, 7,134 parking and 51 – bike store]	Included in the above calculation	Included in the above calculation	Included in the above calculation	N/A	23,480
	GRAND TOTAL	85,696	27,733	14,058	16,488	2,757	N/A	146,732

Table A.4: Schedule to Show the Housing Mix and Distribution

Number of Bedrooms	Tenure	1 Bed	2 Bed	3 Bed	Total	
Cliff Site	Affordable	206	257	55	518	764
	Private	119	119	8	246	
Quayside	Private	114	119	0	233	
Sea Wall Site	Private	65	43	6	114	
Marina Point	Private	48	70	30	148	
Inner Harbour Site	Private	33	1	1	35	
TOTAL		585	609	100	1294	

Open Space and Landscaping

A1.10 The Proposed Development includes provision of both public and private amenity space which can be summarised as follows:

Public Amenity Space

(a) New open space

- i) This includes the area situated at the under cliff of the Black Rock Cliffs and comprises an area of approximately (5,385 sq.m). As this area is elevated above the remainder of the Site, stairs are provided to create a link to the other open spaces. This open space is referred to as the "Cliff-Park" and incorporates considerable biodiversity based features (Policy NC6 and QD20).
- ii) The "Eco-Learn Space" (727 sq.m) situated south of the Black Rock Cliffs and adjoining Merchants Quay, incorporating the steps linking the Cliff Park with the Marina. This space will be used as an informal kick-about space by children/youths.
- iii) The Arrival Space (1,128 sq.m) at the Cliff Site, accessible from the new pedestrian/cycle bridge link and via the cascading street at the Cliff Site, provides a publicly accessible area, containing landscape, public art and seating.

(b) Reformulated / Enhanced Open Space

- i) "Park Square" (1,000sq.m) comprises the rectangular space used for road access, parking and open space to the south of the multi-storey car. This space will be enhanced to create a public square which could host a variety of formal and informal activities. This space also includes a play space to the west of Pizza Hut (396 sq.m).
- ii) The "Western Promenade" is a pedestrian route along the Western Breakwater, will be improved and made more attractive as a consequence of the "Sea Wall" development, which fronts onto it. This will provide a more attractive route to the remainder of the Western Breakwater. Steps through the Sea Wall Site also connect the Western Breakwater with Park Square, also providing a link from the Marina to the beach, facilitated by the Brunswick bridge link. Connections will also be enhanced from the Boardwalk to the multi-storey car park via a replacement pedestrian bridge.
- iii) The area under the ramps are currently under-utilised and will be enhanced through public realm improvements and public art to create an attractive and safe environment. Youth facilities will be located under the ramp to the north of the multi-storey car park (965sq.m) (sports pitches) and to the west of the Cliff Site (761sq.m). Both areas seek to encourage activity and play.

- (c) **Shared Spaces** - The principal shared space will be "Harbour Square" which will replace the existing roundabout and incorporate new vehicular arrangements and a new landscaped square, which includes seating areas.
- (d) **Provision of physical linkages to both internal and external open space** –The Site is well served by and connected to adjoining open space (see plan overleaf) and the Proposed Development seeks to link into this as well as to integrate with proposals for the adjoining Brunswick Scheme. New linkages include:
- i) A new high level bridge (and cliff viewing area) connecting into the existing off-site pedestrian network. This will provide access to the cliff top coastal path which will provide access to the open countryside and proposed South Downs National Park as well as improving connections to the heart of the Marina via the cascading street within the Cliff Site.
 - ii) The Western Breakwater will be accessible via stairs from Park Square through the Sea Wall Site. From here connections are improved to the west of the Marina, including the beach, via the proposed Brunswick Scheme bridge.
 - iii) A new bridge link from the multi-storey car park, which connects to Park Square providing a linear route further west and to the Boardwalk thus improving connectivity further east.
 - iv) The Harbour Square and Park Square will provide a sequence of linked spaces which in turn will provide a link to the proposed Brunswick Scheme bridge, which (when open) will provide a link to the Eastern Breakwater providing convenient access to a Marina perimeter walking/jogging route of some 2 km in length (See DAS).
 - v) Access through the Marina will also be improved via a new pedestrian street onto which the new ASDA store will front.
 - vi) Linkages along the Under Cliff Walk will be enhanced as a result of the new Cliff Park.

Private / Semi-Private Amenity Space

- i) **Private Balconies and/or Semi-Private Amenity Spaces** – All residential apartments have access to private balconies and/or semi-private terraces/courtyards/roof gardens. Broken down by site, this can be summarised in the table overleaf:

Table A.5: Schedule to the Show the Provision of Private and Semi-Private Amenity Space

Site	Total No. of Units	No. of units with access to a private balcony/terrace	No. of units with access to a semi-private amenity space (area sq.m)	% of units with access to a private balcony and/or semi-private amenity space
Cliff Site	764	564 (2.5 – 16.5 sq.m – terraces substantially larger)	764	100%
Quayside	233	213 (3 – 6 sq.m – terraces substantially larger)	233	100%
Sea Wall Site	114	106 (5-18 sq.m – terraces substantially larger)	114	100%
Marina Point	148	146 (3-6 sq.m some balconies substantially larger)	0	100%
Inner Harbour Site	35	30 (2-14 sq.m – terrace substantially larger)	35	100%
Total	1294	1059	1146	100%

Access, Parking and Servicing

A1.11 Vehicular access to the Marina remains via the existing ramp into the Marina, however, pedestrian access to the Marina will be enhanced via a new bridge from the cliff top. Vehicular access will be via a new square-about, Harbour Square, which incorporates the concept of 'Shared Space', this is fully assessed in Chapter 8.

A1.12 Parking within the Proposed Development is located within 4 of the 5 sites as follows:

Table A.6: Schedule to the Show the Provision of Car and Cycle Parking

Site	Total No. of Units	No. of Car Parking Spaces		No. of Cycle Storage Facilities		No. of Commercial Parking Spaces for those with Disabilities
		Residential	Commercial	Residential	Commercial	
Cliff Site	764	495	700	802	314 available within the public realm	28 (4% as per ASDA spec.)
Quayside	233	180	36	248		2
Sea Wall Site	114	27	0	192		0
Marina Point	148	46	0	71		0
Inner Harbour Site	35	0	0	26		0
Total	1294	748	736	1339	314	30

Planning Application Ref. BH2007/03454: June 2008

A1.0 PROPOSED DEVELOPMENT AND CONSIDERATION OF ALTERNATIVES

A1.1 This planning application seeks planning permission for the following development¹:

- i) Demolition of the existing ASDA retail store and redevelopment to create an enlarged retail store (Class A1) of 11,412 sq.m along with 2,056.5 sq.m of other retail uses in Class A1-A5 and 395 sq.m of office accommodation (Class B1) , a 342 sq.m community hall (Class D1), with associated plant, refuse and parking facilities. This part of the redevelopment to also include 779 residential units with associated parking, public/private amenity space and a new bridge link for pedestrians/cyclists;
- ii) Demolition of part of the eastern end of the existing multi-storey car park to create a replacement ASDA petrol filling station and pedestrian footbridge;
- iii) Demolition of the existing estates management office to create a 3 – 4 storey building comprising 35 residential units with associated private amenity space;
- iv) Demolition of the western end of the existing multi-storey car park to create a 6 – 11 storey building (Sea Wall) comprising 117 residential units with associated parking, private amenity space and seasonal kiosk 72.5 sq.m;
- v) Demolition of the existing petrol filling station to create a 28 storey building comprising 148 residential units and 182.5 sq.m of Class A1-A5 retail space with associated plant, refuse and parking facilities and a 26 sq.m office unit (Class B1);
- vi) Demolition of the existing McDonald's and redevelopment to create a new 5 – 16 storey development including a Drive-Thru restaurant facility (Class A3) comprising 555 sq.m. This development also includes 131 sq.m of other Class A1-A5 retail space and 222 residential units with associated parking and public/private amenity space;
- vii) Change of use of two existing retail units (Class A1) within the Octagon development to create a Healthy Living Centre (Class D1) comprising 516 sq.m;
- viii) Construction of a Combined Heat and Power unit (CHP);
- ix) Alterations to existing vehicular circulation, pedestrian and cycle access arrangements, areas for cycle parking and the creation of new and enhanced routes for access and servicing;
- x) A new bridge link for pedestrians and cyclists between the upper cliff and the north-western part of the Cliff Site (ASDA site), along with associated engineering works;
- xi) New areas of hard and soft landscape, green roofs and formal and informal areas of amenity space including youth facilities.

¹ NB all figures quoted are gross external area excluding associated car parking
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A1.2 The overall intention is to create a high quality mixed-use development including Class A1 – A5, B1, C3, D1 and sui generis uses, which will collectively regenerate the Marina environment to create an enhanced and vibrant district centre.

A1.3 The Proposed Development is summarised below:

Proposed Uses and Layout

A1.4 The Proposed Development will incorporate the following accommodation:

Table 5.1: Schedule of Proposed Accommodation

USE	PROPOSED sq.m (GEA)
Commercial Retail (Class A1 – A5)	39,955.7
Office (B1)	423.2
Residential (C3)	146,970.6
GP / Healthy Living Centre and Community Hall(D1)	858.6
Sui Generis	739 (not included in GEA total as the replacement petrol filling station comprises forecourt only)
TOTAL	188,208.1

A1.5 The Proposed Development will comprise 5 buildings ranging between 3 and 28 storeys referred to as the Cliff Site (ASDA site), Marina Point (Petrol Filling Station site), Quayside (McDonald's site), The Sea Wall (the Needles site) and the Inner Harbour Site (the Estate Office site).

A1.6 There will be residential uses within each of the 5 buildings, three of which will also contain commercial uses.

A1.7 A replacement ASDA Petrol Filling Station is also proposed at the eastern end of the existing multi-storey car park.

Commercial Uses

A1.8 The proposed commercial uses and associated floor areas within each of the 5 buildings are set out in the table overleaf.

Table 5.2: Schedule of Proposed Commercial Accommodation

USE / SITE	CLIFF SITE sq.m		SEA WALL SITE sq.m	MARINA POINT sq.m	QUAYSIDE sq.m	OTHER sq.m	TOTAL sq.m
Retail (A1 - A5)	Asda (ground including ATM)	8,147.9	Seasonal retail unit 72.5	Retail unit 182.5	McDonalds (including refuse) 555.4	Asda Service yard = 4104.3; Asda plant = 620; Asda Parking = 18,945.1; McDonald's parking and plant = 1871.6; Marina Point retail refuse = 4.6	
	Asda (first)	3,264.2			Retail unit (refuse 6) 131.1		
	Retail unit 1	152.5					
	Retail unit 2	148.5					
	Retail unit 3	503.8					
	Retail unit 4	407.2					
	Retail unit 5	291.7					
Retail unit 6	552.8						
Totals	13,468.6		72.5	182.5	686.5	25,545.6	39,955.7
Office (B1)	Office unit 1	89.9		Office unit 26.0		Marina Point office refuse = 2.2	
	Office unit 2	93.5					
	Office unit 3	93.5					
	Recreation Coordinator Office	118.1					
Totals	395.0		26.0		2.2	423.2	
Non-Residential Institutions (D1)	Community Centre	342.4				GP / Healthy Living Centre	516.2
						Totals	342.4
Sui Generis						Petrol Filling Station Forecourt	739.0
						Totals	
TOTALS sq.m	14,206.0		72.5	208.5	686.5	26,800.8	41,970.5

Residential Component

A1.9 The residential component of the Proposed Development, including affordable housing, is set out in the tables overleaf.

Table 5.3: Schedule of Proposed Residential Accommodation

Residential (C3)	Cliff Site	Sea Wall Site	Marina Point	Inner Harbour Site	Quayside	TOTAL
	82,481.5	14,134.6	16,819.2	2761.5	27,303.9	143,500.7
Associated Plant	3469.9	/	/	/	/	146,970.6

Table 5.4: Schedule to Show the Housing Mix and Distribution

Number of Bedrooms	Tenure	Studio	1 Bed	2 Bed	3 Bed	TOTAL	
Cliff Site	Affordable	0	208	257	55	520	779
	Private	0	79	180	0	259	
Sea Wall Site	Private	0	68	43	6	117	
Marina Point	Private	0	52	72	24	148	
Quayside	Private	2	91	129	0	222	
Inner Harbour Site	Private	0	33	1	1	35	
TOTAL		2	531	682	86	1301	

Open Space and Landscaping

A1.10 The Proposed Development includes provision of both public and private amenity space which can be summarised as follows:

Private / Semi-Private Amenity Space

- i) **Private Balconies and/or Semi-Private Amenity Spaces** – 96% of residential apartments have access to their own private balcony / terrace and in addition to this, all residential units have access to semi-private terraces/courtyards/roof gardens. Broken down by site, this can be summarised in the table overleaf as follows:

(a) New open space

- (i) Cliff Park and Geo-Learn Space (3,500 sq.m): this space is situated to the south of the undercliff walk and comprises grassed mounds, to facilitate views of the cliff and other biodiversity features, play areas and incorporates steps and a lift to connect to the Marina.
- (ii) The Arrival Space (928 sq.m) at the Cliff Site, accessible from the new pedestrian/cycle bridge link and via the Cascading Street at the Cliff Site, provides a publicly accessible area, containing landscape, public art and seating.
- (iii) The area under the ramps is currently under-utilised and will be enhanced through public realm improvements and public art to create an attractive and safe environment. Youth facilities will be located under the ramp to the north of the multi-storey car park (1,850 sq.m) (parkour and five-a-side pitches) and to the west of the Cliff Site (745 sq.m) the city's first climbing wall will be introduced. Both areas seek to encourage activity and play. These spaces will be located at a central recreation zone within the Marina, served by an on-site recreation office and sports coordinator.

(b) Reformulated / Enhanced Open Space

- (i) "Park Square" (3,282 sq.m) comprises the rectangular space currently used for road access, parking and open space to the south of the multi-storey car park. This space will be enhanced to create a public square which could host a variety of formal and informal activities. This space also includes a play space to the west of Pizza Hut (400 sq.m).
- (ii) The "Western Promenade", a pedestrian route along the Western Breakwater, will be improved and made more attractive as a consequence of the "Sea Wall" development which fronts onto it. This will provide a more attractive route to the remainder of the Western Breakwater. Steps and a lift through the Sea Wall Site also connect the Western Breakwater with Park Square, providing a link from the Marina to the beach, facilitated by the Brunswick bridge link. Connections will also be enhanced from the

Boardwalk to the multi-storey car park via a replacement pedestrian bridge and lift.

- (c) **Shared Spaces** - The principal shared space will be "Harbour Square" which will replace the existing roundabout and incorporate new vehicular arrangements and a new landscaped square, which includes seating areas, landscape/biodiversity and public art.
- (d) **Provision of physical linkages to both internal and external open space** – The Site is well served by and connected to adjoining open space and the Proposed Development seeks to link into this as well as to integrate with proposals for the adjoining Brunswick Scheme. New linkages include:
- (i) A new high level bridge (and cliff viewing area) connecting into the existing off-site pedestrian network. This will provide access to the cliff top coastal path which will provide access to the open countryside and proposed South Downs National Park as well as improving connections to the heart of the Marina via the Cascading Street within the Cliff Site.
 - (ii) The Western Breakwater will be accessible via stairs and a lift from Park Square through the Sea Wall Site. From here connections are improved to the west of the Marina, including the beach, via the proposed Brunswick Scheme bridge.
 - (iii) A new bridge link and lift from the multi-storey car park, which connects to Park Square providing a linear route further west and to the Boardwalk thus improving connectivity further east.
 - (iv) The Harbour Square and Park Square will provide a sequence of linked spaces which in turn will provide a link to the proposed Brunswick Scheme bridge, which (when open) will provide a link to the Eastern Breakwater providing convenient access to a Marina perimeter walking/jogging route of some 2 km in length.
 - (v) A new emergency access / RTS route will improve linkages to the west (Black Rock) and into the Marina via a new street to the south of the Cliff site.
 - (vi) Surface improvements to parts of the Under Cliff Walk and pedestrian ramp descending the cliff, combined with signage, steps and a lift, will help to locate and direct visitors to/from the Marina and improve the Under Cliff Walk as a key route within the Marina.

Table 5.5: Schedule to the Show the Provision of Private and Semi-Private Amenity Space

Site	Total No. of Units	No. of units with access to a private balcony/terrace	No. of units with access to a semi-private amenity space (area sq.m)	% of units with access to a private balcony and/or semi-private amenity space
Cliff Site	779	750 (2.8 – 16.5 – terraces substantially larger)	779	100%
Quayside	222	207 (2 – 11 sq.m – terraces substantially larger)	222	100%
Sea Wall Site	117	113 (3 – 16 sq.m – terraces substantially larger)	117	100%
Marina Point	148	148 (3 – 51 sq.m some balconies substantially larger)	0	100%
Inner Harbour Site	35	35 (3 – 5 sq.m – terrace substantially larger)	35	100%
TOTAL	1301	1253	1153	100%

Access, Parking and Servicing

A1.11 Vehicular access to the Marina remains via the existing ramp into the Marina, however, pedestrian access to the Marina will be enhanced via a new bridge from the cliff top and via the enhanced pedestrian link to the base of the cliff, connecting the Marina with the Black Rock site. A further point of vehicular (emergency services and proposed Rapid Transport System only) and pedestrian/cycle access is also proposed beneath the ramp connecting Madeira Drive to the Marina by 'knocking-through' the breakwater structure. Within the Marina, vehicular access will be implemented via a new square-about, Harbour Square, which incorporates the concept of 'Shared Space', this is fully considered in Chapter 8.

A1.12 Parking within the Proposed Development is located as per table 5.6 (overleaf):

Table 5.6: Schedule to the Show the Provision of Car and Cycle Parking

Site	Total No. of Units	No. of Car Parking Spaces					TOTAL	No. of Bicycle Storage Facilities			TOTAL	No. of Motorbike Storage Facilities
		Residential	Residential Disabled	Commercial	Commercial Disabled	All Parking		Residential	Commercial	Public Realm		
Cliff Site	779	474	70	599	32	1175	1039	25		1064	17	
Sea Wall Site	117	24	8	0	0	32	266	0		266	18	
Marina Point	148	42	3	0	0	45	213	0		213	12	
Quayside	222	158	24	33	2	217	330	4	314	330	13	
Inner Harbour Site	35	0	2	0	0	2	59	0		59	1	
Total	1301	698	107	632	34	1471	1907	298	314	2519 <i>(including public realm)</i>	60	

Planning Application Ref. BH2007/03454: September 2008

A1.0 PROPOSED DEVELOPMENT AND CONSIDERATION OF ALTERNATIVES

A1.1 This planning application seeks planning permission for the following development¹:

- i) Demolition of the existing ASDA retail store and redevelopment to create an enlarged retail store (Class A1) of 11,412 sq.m along with 2,056.5 sq.m of other retail uses in Class A1-A5 and 395 sq.m of office accommodation (Class B1) , a 342 sq.m community hall (Class D1), with associated plant, refuse and parking facilities. This part of the redevelopment to also include 779 residential units with associated parking, public/private amenity space and a new bridge link for pedestrians/cyclists;
- ii) Demolition of part of the eastern end of the existing multi-storey car park to create a replacement ASDA petrol filling station and pedestrian footbridge;
- iii) Demolition of the existing estates management office to create a 3 – 4 storey building comprising 35 residential units with associated private amenity space;
- iv) Demolition of the western end of the existing multi-storey car park to create a 6 – 11 storey building (Sea Wall) comprising 117 residential units with associated parking, private amenity space and seasonal kiosk 72.5 sq.m;
- v) Demolition of the existing petrol filling station to create a 28 storey building comprising 148 residential units and 182.5 sq.m of Class A1-A5 retail space with associated plant, refuse and parking facilities and a 26 sq.m office unit (Class B1);
- vi) Demolition of the existing McDonald's and redevelopment to create a new 5 – 16 storey development including a Drive-Thru restaurant facility (Class A3) comprising 555 sq.m. This development also includes 131 sq.m of other Class A1-A5 retail space and 222 residential units with associated parking and public/private amenity space;
- vii) Change of use of two existing retail units (Class A1) within the Octagon development to create a Healthy Living Centre (Class D1) comprising 516 sq.m;
- viii) Construction of a Combined Heat and Power unit (CHP);
- ix) Alterations to existing vehicular circulation, pedestrian and cycle access arrangements, areas for cycle parking and the creation of new and enhanced routes for access and servicing;
- x) A new bridge link for pedestrians and cyclists between the upper cliff and the north-western part of the Cliff Site (ASDA site), along with associated engineering works;
- xi) New areas of hard and soft landscape, green roofs and formal and informal areas of amenity space including youth facilities.

¹ NB all figures quoted are gross external area excluding associated car parking
LON2006\IR10578\Planning Statement – Appendix A

A1.2 The overall intention is to create a high quality mixed-use development including Class A1 – A5, B1, C3, D1 and sui generis uses, which will collectively regenerate the Marina environment to create an enhanced and vibrant district centre.

A1.3 The Proposed Development is summarised below:

Proposed Uses and Layout

A1.4 The Proposed Development will incorporate the following accommodation:

Table 5.1: Schedule of Proposed Accommodation

USE	PROPOSED sq.m (GEA)
Commercial Retail (Class A1 – A5)	39,955.7
Office (B1)	423.2
Residential (C3)	146,970.6
GP / Healthy Living Centre and Community Hall(D1)	858.6
<i>Sui Generis</i>	<i>739 (not included in GEA total as the replacement petrol filling station comprises forecourt only)</i>
TOTAL	188,208.1

A1.5 The Proposed Development will comprise 5 buildings ranging between 3 and 28 storeys referred to as the Cliff Site (ASDA site), Marina Point (Petrol Filling Station site), Quayside (McDonald’s site), The Sea Wall (the Needles site) and the Inner Harbour Site (the Estate Office site).

A1.6 There will be residential uses within each of the 5 buildings, three of which will also contain commercial uses.

A1.7 A replacement ASDA Petrol Filling Station is also proposed at the eastern end of the existing multi-storey car park.

Commercial Uses

A1.8 The proposed commercial uses and associated floor areas within each of the 5 buildings are set out in the table overleaf.

Table 5.2: Schedule of Proposed Commercial Accommodation

USE / SITE	CLIFF SITE sq.m		SEA WALL SITE sq.m	MARINA POINT sq.m	QUAYSIDE sq.m	OTHER sq.m		TOTAL sq.m
Retail (A1 - A5)	Asda (ground including ATM)	8,147.9	Seasonal retail unit 72.5	Retail unit 182.5	McDonalds (including refuse)	555.4	Asda Service yard = 4104.3; Asda plant = 620; Asda Parking = 18,945.1; McDonald's parking and plant = 1871.6; Marina Point retail refuse = 4.6	
	Asda (first)	3,264.2			Retail unit (refuse 6)	131.1		
	Retail unit 1	152.5						
	Retail unit 2	148.5						
	Retail unit 3	503.8						
	Retail unit 4	407.2						
	Retail unit 5	291.7						
	Retail unit 6	552.8						
Totals	13,468.6		72.5	182.5	686.5	25,545.6		39,955.7
Office (B1)	Office unit 1	89.9		Office unit 26.0			Marina Point office refuse = 2.2	
	Office unit 2	93.5						
	Office unit 3	93.5						
	Recreation Coordinator Office	118.1						
Totals	395.0			26.0		2.2		423.2
Non-Residential Institutions (D1)	Community Centre	342.4				GP / Healthy Living Centre	516.2	
Totals	342.4					516.2		858.6
Sui Generis						Petrol Filling Station Forecourt	739.0	
Totals						739.0		739.0
TOTALS sq.m	14,206.0		72.5	208.5	686.5	26,800.8		41,976.5

Residential Component

A1.9 The residential component of the Proposed Development, including affordable housing, is set out in the tables overleaf.

Table 5.3: Schedule of Proposed Residential Accommodation

Residential (C3)	Cliff Site	Sea Wall Site	Marina Point	Inner Harbour Site	Quayside	TOTAL
	82,481.5	14,134.6	16,819.2	2,761.5	27,303.9	143,500.7
Associated Plant	3,469.9	/	/	/	/	146,970.6

Table 5.4: Schedule to Show the Housing Mix and Distribution

Number of Bedrooms	Tenure	Studio	1 Bed	2 Bed	3 Bed	TOTAL	
Cliff Site	Affordable	0	208	257	55	520	779
	Private	0	79	180	0	259	
Sea Wall Site	Private	0	68	43	6	117	
Marina Point	Private	0	52	72	24	148	
Quayside	Private	2	91	129	0	222	
Inner Harbour Site	Private	0	33	1	1	35	
TOTAL		2	531	682	86	1,301	

Open Space and Landscaping

A1.10 The Proposed Development includes provision of both public and private amenity space which can be summarised as follows:

Private / Semi-Private Amenity Space

(a) Private Balconies and/or Semi-Private Amenity Spaces

- i) 96% of residential apartments have access to their own private balcony / terrace and in addition to this, all residential units have access to semi-private terraces/courtyards/roof gardens. Broken down by site, this can be summarised in the table overleaf as follows:

Table 5.5: Schedule to the Show the Provision of Private and Semi-Private Amenity Space

Site	Total No. of Units	No. of units with access to a private balcony/terrace	No. of units with access to a semi-private amenity space (area sq.m)	% of units with access to a private balcony and/or semi-private amenity space
Cliff Site	779	750 (2.8 – 16.5 – terraces substantially larger)	779	100%
Quayside	222	207 (2 – 11 sq.m – terraces substantially larger)	222	100%
Sea Wall Site	117	113 (3 – 16 sq.m – terraces substantially larger)	117	100%
Marina Point	148	148 (3 – 51 sq.m some balconies substantially larger)	0	100%
Inner Harbour Site	35	35 (3 – 5 sq.m – terrace substantially larger)	35	100%
TOTAL	1,301	1,253	1,153	100%

(b) New open space

- (i) Cliff Park and Geo-Learn Space (3,500 sq.m): this space is situated to the south of the undercliff walk and comprises grassed mounds, to facilitate views of the cliff and other biodiversity features, play areas and incorporates steps and a lift to connect to the Marina.

- (ii) The Arrival Space (928 sq.m) at the Cliff Site, accessible from the new pedestrian/cycle bridge link and via the Cascading Street at the Cliff Site, provides a publicly accessible area, containing landscape, public art and seating.
- (iii) The area under the ramps is currently under-utilised and will be enhanced through public realm improvements and public art to create an attractive and safe environment. Youth facilities will be located under the ramp to the north of the multi-storey car park (1,850 sq.m) (parkour and five-a-side pitches) and to the west of the Cliff Site (745 sq.m) the city's first climbing wall will be introduced. Both areas seek to encourage activity and play. These spaces will be located at a central recreation zone within the Marina, served by an on-site recreation office and sports coordinator.

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- (i) "Park Square" (3,282 sq.m) comprises the rectangular space currently used for road access, parking and open space to the south of the multi-storey car park. This space will be enhanced to create a public square which could host a variety of formal and informal activities. This space also includes a play space to the west of Pizza Hut (400 sq.m).
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(c) Shared Spaces - The principal shared space will be "Harbour Square" which will replace the existing roundabout and incorporate new vehicular arrangements and a new landscaped square, which includes seating areas, landscape/biodiversity and public art.

(d) Provision of physical linkages to both internal and external open space – The Site is well served by and connected to adjoining open space and the Proposed Development seeks to link into this as well as to integrate with proposals for the adjoining Brunswick Scheme. New linkages include:

- (i) A new high level bridge (and cliff viewing area) connecting into the existing off-site pedestrian network. This will provide access to the cliff top coastal path which will provide access to the open countryside and proposed South Downs National Park as well as improving connections to the heart of the Marina via the Cascading Street within the Cliff Site.
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- (iii) A new bridge link and lift from the multi-storey car park, which connects to Park Square providing a linear route further west and to the Boardwalk thus improving connectivity further east.
- (iv) The Harbour Square and Park Square will provide a sequence of linked spaces which in turn will provide a link to the proposed Brunswick Scheme bridge, which (when open) will provide a link to the Eastern Breakwater providing convenient access to a Marina perimeter walking/jogging route of some 2 km in length.
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- (vi) Surface improvements to parts of the Under Cliff Walk and pedestrian ramp descending the cliff, combined with signage, steps and a lift, will help to locate and direct visitors to/from the Marina and improve the Under Cliff Walk as a key route within the Marina.

Access, Parking and Servicing

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A1.12 Parking within the Proposed Development is located as per table 5.6 (overleaf):

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Site	Total No. of Units	No. of Car Parking Spaces				TOTAL	No. of Bicycle Storage Facilities			TOTAL	No. of Motorbike Storage Facilities
		Residential	Residential Disabled	Commercial	Commercial Disabled		All Parking	Residential	Commercial		
Cliff Site	779	474	70	599	32	1175	1039	25		1064	17
Sea Wall Site	117	24	8	0	0	32	266	0		266	18
Marina Point	148	42	3	0	0	45	213	0		213	12
Quayside	222	158	24	33	2	217	330	4	314	334	13
Inner Harbour Site	35	0	2	0	0	2	59	0		59	1
Total	1,301	698	107	632	34	1,471	1,907	29	314	1,936 (including public realm)	61

Appendix 3 Drawing Register dated 15 September 2008

List of Drawings Forming Part of Planning Application

Drawing Register: Brighton Marina Regeneration Project

Drawing No.	Size	Title	Scale	Rev.
CL10578-008	A3	Boundary of Planning Application	1:2000	/
CL10578-013	A3	Site Location Plan	1:12,500	/
-	(SW)	<u>Existing Plan Drawings</u>	-	-
SW_00_A_07_010	A1	Existing Ground Level Plan	1:1000	P5
-	(SW)	<u>Existing Section/Elevation Drawings</u>	-	-
SW_-0_A_07_030	A1	Existing Sections AA & BB	1:1000	P5
SW_-0_A_07_031	A1	Existing Sections CC & DD	1:1000	P5
SW_-0_A_07_032	A1	Existing Sections EE & FF	1:1000	P5
SW_-0_A_07_033	A1	Existing Sections GG & HH	1:1000	P5
-	(SW)	<u>Site-Wide Plan Drawings</u>	-	-
SW_00_A_07_100	A1	3.1m AOD Level Plan (<i>formerly Ground Level Plan</i>)	1:1000	P9
SW_01_A_07_101	A1	8.4m AOD Level Plan (<i>formerly First Floor Level Plan</i>)	1:1000	P9
SW_00_A_07_110	A1	Ground Level Red Line Plan GP Surgery / Healthy Living Centre	1:200	P6
SW_00_A_07_120	A1	Masterplan Showing Future RTS Route	1:500	P3
SW_00_A_07_121	A1	Masterplan plan and section through ramps	1:200	P2
SW_00_A_07_131	A1	Future Masterplan Ground Floor Level Plan	1:1000	P2
SW_00_A_07_132	A1	Future Masterplan 6.6m AOD level plan	1:1000	P2
SW_00_A_07_135	A1	Future Masterplan Roof Level Plan	1:1000	P2
SW_RF_A_07_199	A1	Roof Level Plan	1:1000	P9

Drawing No.	Size	Title	Scale	Rev.
(SW) Site-Wide Section/Elevation Drawings				
SW_-0_A_07_300	A1	Sections AA & BB	1:1000	P8
SW_-0_A_07_301	A1	Section CC & DD	1:1000	P9
SW_-0_A_07_302	A1	Section EE & FF	1:1000	P8
SW_-0_A_07_303	A1	Section GG & HH	1:1000	P8
SW_-0_A_07_330	A1	Future Masterplan Sections 1 and 2 (north-south)	1:1000	P1
SW_-0_A_07_331	A1	Future Masterplan Sections 3 and 4 (east-west)	1:1000	P1
(S1)	Cliff Site	General Arrangement Drawings		
S1_00_A_07_010	A1	Existing ASDA ground floor site plan	1:500	P1
S1_RF_A_07_012	A1	Existing ASDA roof plan	1:500	P1
S1_0_A_07_030	A1	Existing ASDA store elevations east, west and south	1:200	P1
S1_0_A_07_031	A1	Existing ASDA store north elevation	1:200	P1
S1_00_A_07_040	A1	Existing ASDA ground and first floor internal layouts	1:200	P1
S1_00_A_07_100	A1	Ground Floor Plan	1:500	P12
S1_01_A_07_101	A1	First Floor Plan	1:500	P12
S1_02_A_07_102	A1	Second Floor Plan	1:500	P10
S1_03_A_07_103	A1	Third Floor Plan	1:500	P9
S1_04_A_07_104	A1	Fourth Floor Plan	1:500	P10
S1_05_A_07_105	A1	Fifth Floor Plan	1:500	P11
S1_06_A_07_106	A1	Sixth Floor Plan	1:500	P10
S1_07_A_07_107	A1	Seventh Floor Plan	1:500	P10
S1_08_A_07_108	A1	Eighth Floor Plan	1:500	P9
S1_09_A_07_109	A1	Ninth Floor Plan	1:500	P9
S1_RF_A_07_110	A1	Roof Plan	1:500	P8
S1_-0_A_07_200	A1	South Elevation	1:200	P9
S1_-0_A_07_201	A1	West Elevation	1:200	P9
S1_-0_A_07_202	A1	North Elevation	1:200	P11
S1_-0_A_07_203	A1	East Elevation	1:200	P11
S1_-0_A_07_300	A1	Lengthwise Section AA	1:200	P11
S1_-0_A_07_301	A1	Lengthwise Section BB	1:200	P10
S1_-0_A_07_302	A1	Lengthwise Section CC	1:200	P10

Drawing No.	Size	Title	Scale	Rev.
S1_-0_A_07_303	A1	Lengthwise Section DD	1:200	P11
S1_-0_A_07_304	A1	Cross Section EE	1:200	P10
S1_-0_A_07_305	A1	Cross Section FF	1:200	P10
S1_-0_A_07_306	A1	Cross Section GG	1:200	P10
S1_-0_A_07_307	A1	Cross Section HH	1:200	P9
S1_-0_A_07_308	A1	Cross Section JJ	1:200	P9
S1_-0_A_07_309	A1	Cross Section KK	1:200	P9
S1_-0_A_07_310	A1	Cross Section LL	1:200	P9
S1_-0_A_07_311	A1	Cross Section MM	1:200	P8
S1_-0_A_07_312	A1	Cross Section NN	1:200	P9
S1_-0_A_07_313	A1	Cross Section OO	1:200	P8
S1_-0_A_07_314	A1	Cross Section PP	1:200	P10
S1_-0_A_07_315	A1	Cross Section QQ	1:200	P8
S1_-0_A_07_400	A1	1 bed (smallest)	1:25	P6
S1_-0_A_07_401	A1	1 bed (average) (<i>formerly called 1 bed (typical)</i>)	1:25	P6
S1_-0_A_07_402	A1	2 bed (smallest)	1:25	P6
S1_-0_A_07_403	A1	2 bed (average) (<i>formerly called 2 bed (typical)</i>)	1:25	P6
S1_-0_A_07_404	A1	3 bed (average) (<i>formerly called 1 bed (smallest)</i>)	1:25	P6
S1_-0_A_07_405	A1	2 bed (largest) (<i>formerly 3 bed (largest)</i>)	1:25	P6
S1_-0_A_07_406	A1	3 bed largest (<i>formerly 4 bed</i>)	1:25	P6
S1_-0_A_07_407	A1	1 bed largest (<i>formerly Wheelchair Housing unit 1 bed (smallest)</i>)	1:25	P6
S1_-0_A_07_408	A1	2 bed wheelchair (largest) (<i>formerly Wheelchair Housing unit 1 bed (largest)</i>)	1:25	P6
S1_-0_A_07_409	A1	2 bed wheelchair (smallest) (<i>formerly Wheelchair Housing unit 2 bed (smallest)</i>)	1:25	P6
S1_-0_A_07_410	A1	2 bed wheelchair (average) (<i>formerly Wheelchair Housing unit 2 bed (largest)</i>)	1:25	P6
S1_-0_A_07_411	A1	Flat type - Wheelchair Housing unit 3 bed	1:25	P6
S1_-0_A_07_800	A1	Bay Study: South Elevation	1:50	P4
S1_-0_A_07_801	A1	Bay Study: North Elevation	1:50	P5
S1_-0_A_07_802	A1	Bay Study: Internal Courtyard Elevation	1:50	P4
S1_-0_A_07_900	A1	Footbridge	1:100	P5

Drawing No.	Size	Title	Scale	Rev.
(S2) Sea Wall Site		General Arrangement drawings		
S2_00_A_07_100	A1	Lower Ground Floor Level Plan	1:200	P9
S2_01_A_07_101	A1	Upper Ground Floor Level Plan	1:200	P9
S2_02_A_07_102	A1	First Floor Level Plan	1:200	P9
S2_03_A_07_103	A1	2nd Floor Level Plans	1:200	P8
S2_04_A_07_104	A1	3rd - 4th Floor Level Plan	1:200	P8
S2_05_A_07_105	A1	5th Floor Level Plan	1:200	P8
S2_06_A_07_106	A1	6th Floor Level Plan	1:200	P7
S2_07_A_07_107	A1	7th Floor Level Plan	1:200	P7
S2_08_A_07_108	A1	8th Floor Level Plan	1:200	P7
S2_09_A_07_109	A1	9th Floor Level Plan	1:200	P5
S2_RF_A_07_110	A1	Roof Plan	1:200	P8
S2_01_A_07_121	A1	Upper Ground Floor Plan + context incl Brunswick	1:500	P2
S2_0_A_07_200	A1	West Elevation	1:200	P9
S2_0_A_07_202	A1	East Elevation	1:200	P9
S2_0_A_07_204	A1	North & South Elevation	1:200	P9
S2_0_A_07_300	A1	Cross Sections	1:200	P9
S2_0_A_07_301	A1	Cross Sections	1:200	P6
S2_0_A_07_400	A1	One bed (Average) <i>(formerly 1 bed (smallest))</i>	1:25	P5
S2_-0_A_07_401	A1	1 bed (largest) <i>(formerly 1 bed (average))</i>	1:25	P5
S2_-0_A_07_402	A1	2 bed (largest) <i>(formerly 2 bed (smallest))</i>	1:25	P5
S2_-0_A_07_403	A1	2 bed flat <i>(formerly 2 bed (average))</i>	1:50	P5
S2_-0_A_07_404	A1	3 bed flat (penthouse) <i>(formerly 3 bed)</i>	1:25	P5
S2_-00_A_07_800	A1	Bay Study West elevation 1	1:50	P5
S2_-00_A_07_801	A1	Bay Study West elevation 2	1:50	P5
S2_-00_A_07_802	A1	Bay Study East elevation 1	1:50	P4
(S3) Marina Point		General Arrangement drawings		
S3_00_A_07_010	A1	Existing PFS Ground Plan and North Elevation	1:200	P2
S3_00_A_07_100	A1	Ground Floor Plan	1:200	P10
S3_01_A_07_101	A1	Floor Plans	1:200	P8
S3_04_A_07_104	A1	Floor Plans	1:200	P7

Drawing No.	Size	Title	Scale	Rev.
S3_18_A_07_109	A1	Floor Plans	1:200	P4
S3_26_A_07_127	A1	Floor Plans	1:200	P4
S3_RF_A_07_129	A1	Roof Plan	1:200	P8
S3_-0_A_07_200	A1	Elevation South	1:200	P10
S3_-0_A_07_201	A1	Elevation North	1:200	P10
S3_-0_A_07_202	A1	Elevation East	1:200	P10
S3_-0_A_07_203	A1	Elevation West	1:200	P10
S3_-0_A_07_300	A1	Sections	1:200	P8
S3_-0_A_07_400	A1	1 bed	1:25	P5
S3_-0_A_07_401	A1	2 bed	1:25	P5
S3_-0_A_07_402	A1	3 bed maisonette - lower	1:25	P5
S3_-0_A_07_403	A1	2 bed maisonette - upper	1:25	P4
S3_-0_A_07_404	A1	3 bed maisonette - lower	1:25	P5
S3_-0_A_07_405	A1	3 bed maisonette - upper	1:25	P
S3_-0_A_07_800	A1	Bay Study - East/West Elevation	1:50	P4
(S4) Quayside		<u>General Arrangement drawings</u>		
808 – 4	A1	Existing McDonald's Elevations	1:500	/
S4_00_A_07_010	A1	Existing McDonald's Plan and Elevation	1:200	P1
S4_00_A_07_100	A1	Ground Floor Plan	1:200	P10
S4_01_A_07_101	A1	First Floor Plan	1:200	P9
S4_02_A_07_102	A1	2nd Floor Plan	1:200	P9
S4_03_A_07_103	A1	3rd Floor Plan	1:200	P9
S4_04_A_07_104	A1	Fourth Floor Plan	1:200	P9
S4_05_A_07_105	A1	Fifth Floor Plan and roof garden	1:200	P10
S4_06_A_07_106	A1	6th and 7th Floor Plans	1:200	P8
S4_08_A_07_108	A1	8th and 9th Floor Plans	1:200	P8
S4_10_A_07_110	A1	10th to 11th Floor Plans	1:200	P8
S4_RF_A_07_112	A1	12th to 13th Floor Plans	1:200	P5
S4_RF_A_07_114	A1	14th to 15th Floor Plans	1:200	P5
S4_RF_A_07_117	A1	Roof Plan	1:200	P9
S4_RF_A_07_120	A1	Quayside roof plan and section showing Brunswick context	1:500	P1

Drawing No.	Size	Title	Scale	Rev.
S4_-0_A_07_200	A1	North Elevation	1:200	P9
S4_-0_A_07_201	A1	South Elevation	1:200	P9
S4_-0_A_07_202	A1	East Elevation	1:200	P9
S4_-0_A_07_203	A1	West Elevation	1:200	P9
S4_-0_A_07_300	A1	Section A	1:200	P9
S4_-0_A_07_301	A1	Section B	1:200	P8
S4_-0_A_07_302	A1	Section C	1:200	P8
S4_-0_A_07_303	A1	Section D	1:200	P8
S4_-0_A_07_400	A1	1 bed (average)	1:25	P4
S4_-0_A_07_401	A1	1 bed (smallest)	1:25	P4
S4_-0_A_07_402	A1	2 bed (average)	1:25	P4
S4_-0_A_07_403	A1	2 bed (smallest)	1:25	P4
S4_-0_A_07_404	A1	2 Bed Wheelchair Housing unit	1:25	P4
S4_-0_A_07_405	A1	1 Bed Studio (average)	1:25	P1
S4_-0_A_07_800	A1	Bay Study - North elevation	1:50	P4
S4_-0_A_07_801	A1	Bay Study - West elevation	1:50	P4
S4_-0_A_07_802	A1	Bay Study - East elevation	1:50	P4
S4_-0_A_07_803	A1	Bay Study - South courtyard elevation	1:50	P4
(S5)	Inner Harbour Site	General Arrangement Drawings		
S5_00_A_07_010	A1	Existing Site and Elevations	1:200	P3
S5_00_A_07_100	A1	Ground Floor Plan	1:200	P10
S5_01_A_07_101	A1	First to Third Floor	1:200	P7
S5_RF_A_07_104	A1	Roof Plan	1:200	P9
S5_-0_A_07_200	A1	Elevations North & South	1:200	P9
S5_-0_A_07_201	A1	Elevations East & West	1:200	P8
S5_-0_A_07_300	A1	Section AA, BB and CC	1:200	P5
S5_-0_A_07_400	A1	Flat type - 1 bed (smallest)	1:25	P4
S5_-0_A_07_401	A1	Flat type - 1 bed (average)	1:25	P4

Drawing No.	Size	Title	Scale	Rev.
S5_-0_A_07_402	A1	Flat type - 2 bed	1:25	P4
S5_-0_A_07_403	A1	Flat type - 3 bed	1:50	P4
S5_-0_A_07_800	A1	Bay Study - South Elevation	1:50	P4
(S6)	Replacement Filling Station drawings	General Arrangement		
S6_00_A_07_100	A1	Ground Floor Plan	1:200	P6
S6_RF_A_07_101	A1	Roof Plan	1:200	P6
S6_-0_A_07_200	A1	South Elevation	1:200	P5
S6_-0_A_07_201	A1	East Elevation	1:200	P5
S6_-0_A_07_300	A1	Section AA	1:200	P5
(S7)	Multi Storey Car Park	General Arrangement Drawings		
XB005_AM_S7_-0_A-07_200	A1	North Elevation	1:200	P2
XB005_AM_S7_-0_A-07_202	A1	South Elevation	1:200	P3
XB005_HYSW_XXC_01	A1	MSCP – Level 1-2 (Existing) Sheet 1 of 2	1:200	/
XB005_HYSW_XXC_02	A1	MSCP – Level 1-2 (Existing) Sheet 2 of 2	1:200	/
XB005_HYSW_XXC_03	A1	MSCP – Level 3-4 (Existing) Sheet 1 of 2	1:200	/
XB005_HYSW_XXC_04	A1	MSCP – Level 3-4 (Existing) Sheet 2 of 2	1:200	/
XB005_HYSW_XXC_05	A1	MSCP – Level 5-6 (Existing) Sheet 1 of 2	1:200	/
XB005_HYSW_XXC_06	A1	MSCP – Level 5-6 (Existing) Sheet 2 of 2	1:200	/
XB005_HYSW_XXC_07	A1	MSCP – Level 7-8 (Existing) Sheet 1 of 2	1:200	/
XB005_HYSW_XXC_08	A1	MSCP – Level 7-8 (Existing) Sheet 2 of 2	1:200	/
XB005_HYSW_XXC_09	A1	MSCP – Level 9 (Existing) Sheet 1 of 2	1:200	/
XB005_HYSW_XXC_10	A1	MSCP – Level 9 (Existing) Sheet 2 of 2	1:200	/
HG 5384_A-A	A1	Existing Elevation Section A-A	1:100	/
HG 5384_D-D	A1	Existing Elevation Section D-D	1:100	/
HG 5384_K-K_1	A1	Existing Elevation Section K-K 1 of 3	1:100	/
HG 5384_K-K_2	A1	Existing Elevation Section K-K 2 of 3	1:100	/
HG 5384_K-K_3	A1	Existing Elevation Section K-K 3 of 3	1:100	/
HG 5384_L-L_1	A1	Existing Elevation Section L-L 1 of 3	1:100	/
HG 5384_L-L_2	A1	Existing Elevation Section L-L 2 of 3	1:100	/
HG 5384_L-L_3	A1	Existing Elevation Section L-L 3 of 3	1:100	/
XB005_HYSW_XXC_11	A1	MSCP – Level 1-2 (Proposed) Sheet 1 of 2	1:200	P3
XB005_HYSW_XXC_12	A1	MSCP – Level 1-2 (Proposed) Sheet 2 of 2	1:200	P3
XB005_HYSW_XXC_13	A1	MSCP – Level 3-4 (Proposed) Sheet 1 of 2	1:200	P3

Drawing No.	Size	Title	Scale	Rev.
XB005_HYSW_XXC_14	A1	MSCP – Level 3-4 (Proposed) Sheet 2 of 2	1:200	P4
XB005_HYSW_XXC_15	A1	MSCP – Level 5-6 (Proposed) Sheet 1 of 2	1:200	P3
XB005_HYSW_XXC_16	A1	MSCP – Level 5-6 (Proposed) Sheet 2 of 2	1:200	P3
XB005_HYSW_XXC_17	A1	MSCP – Level 7-8 (Proposed) Sheet 1 of 2	1:200	P3
XB005_HYSW_XXC_18	A1	MSCP – Level 7-8 (Proposed) Sheet 2 of 2	1:200	P3
XB005_HYSW_XXC_19	A1	MSCP – Level 9 (Proposed) Sheet 1 of 2	1:200	P3
XB005_HYSW_XXC_20	A1	MSCP – Level 9 (Proposed) Sheet 2 of 2	1:200	P3

Landscaping Proposals

LN00125_200-001-PL	A1	Composite Landscape Plan	1:750	E
LN00125_200-002-PL	A1	Cliff Park	1:200	C
LN00125_200-003-PL	A2	Geo Learn Space	1:200	C
LN00125_200-004-PL	A1	Harbour Square	1:200	H
LN00125_200-005-PL	A0	Under Flyover	1:200	D
LN00125_200-006-PL	A2	Arrival Space	1:200	C
LN00125_200-007-PL	A0	Cascading Street	1:200	C
LN00125_200-008-PL	A0	Palm Drive and Inner Harbour	1:200	F
LN00125_200-009-PL	A0	Park Square	1:200	E
LN00125_200-0010-PL	A2	Cliff Site Area	1:200	B
LN00125_200-0011-PL	A3	Sea Wall Roof Top	1:200	B
LN00125_200-0012-PL	A2	Quayside Roof Top	1:200	C
LN00125_200-0013-PL	A0	Car Park and Access Ramp	1:200	C
LN00125_200-0014-PL	A1	Roof Plan Identifying Recreational Space	1:750	F
LN00125_200-0015-PL	A1	Quayside Environmental Improvements	1:200	C
LN00125_200-0016-PL	A2	Village Square	1:200	/
LN00125_200-0017-PL	A1	Habitat Creation	1:750	A
LN00125_400-001-PL	A3	Landscape Detail, Harbour Square, paving plan and cross-sections	varies	D
LN00125_400-002-PL	A3	Section of Cliff Park and Geo-Learn Space	1:500	C
LN00125_400-003-PL	A3	Section through Geo-Learn Space	1:200	C
LN00125_400-004-PL	A3	Section through climbing area underneath the flyover	1:200	C
LN00125_400-005-PL	A3	Section through the RTS and sports courts underneath the flyover	1:200	C
LN00125_400-006-PL	A3	Landscape Detail – Harbour Square – Paving cross-sections	1:250	C
LN00125_400-007-PL	A3	Section through Harbour Square Environs (w-e)	1:250	C
LN00125_400-008-PL	A3	Section through Park Square (s-n)	1:250	/
LN00125_400-009-PL	A3	Section through Parkour under flyover	1:200	/