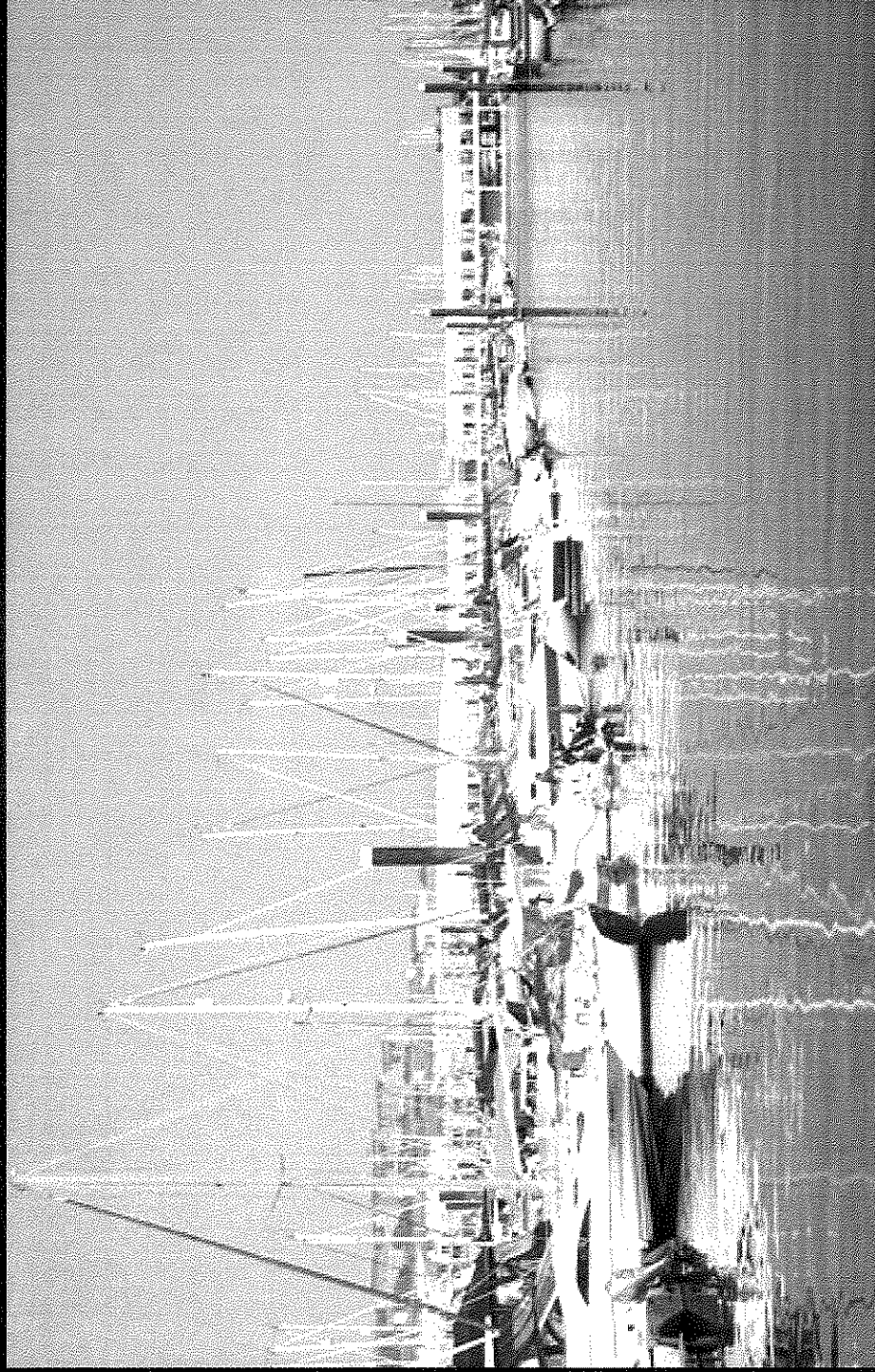


**CREATE THE JEWEL IN THE CROWN
BRIGHTON MARINA RESIDENTS' ASSOCIATION
PROOF OF EVIDENCE – OCTOBER 2009**



Proof of Evidence on behalf of the Brighton Marina Residents' Association
Planning Inspectorate Ref APP/Q1445/A/09/2102148
Local Planning Authority Ref BH2007/03454

In Respect of Land at Brighton Marina

Appeal by Explore Living (No1) Ltd & X-Leisure (Brighton I) & X-Leisure (Brighton II) Ltd

My name is Peter Frederick Martin BSc FIA IMC.

I am a Fellow of the Institute of Actuaries and hold the Investment Management Certificate. I also hold an honours degree in Mathematics.

I am not a lawyer.

I have been a property owner at the Brighton Marina since 1992.

I am Chairman of the Brighton Marina Residents' Association and present this proof of evidence on behalf of the Brighton Marina Residents' Association (BMRA).

The BMRA represents the interests of the residential property owners of Brighton Marina.

There are over 800 residential properties all of whom are members of the Association. We are collectively the largest private stakeholders by virtue of the purchase of our properties.

We are an active organisation but receive no funding from other sources. We have received no professional advice in forming this proof of evidence.

Peter Martin BSc FIA IMC
Chairman – Brighton Marina Residents' Association

5 October 2009

Index

1	Introduction	4
2	The Environs of Brighton Marina	5
3	Planning History and the Height Restriction	6
4	Housing	15
5	Design and Location of the Cliff Building	17
6	Strategic Views	18
7	SPGBH15 – Tall Buildings	22
8	Lack of Open Space and Lack of Green Space	24
9	Inadequate Community Facilities	26
10	Harbour Square	28
11	Multi-Storey Car Park	29
12	Car Park Management	29
13	Transport Assessment	31
14	Microclimate	34
15	Emergency access and egress at the Eastern End of the Marina.	36
16	Summary of Objectors	37
17	Summary	39

Proof of Evidence on behalf of the Brighton Marina Residents' Association
Planning Inspectorate Ref APP/Q1445/A/09/2102148
Local Planning Authority Ref BH2007/03454

List of Documents appended

BMRA Doc A	Extracts from Widdecombe Report 1975 (CD10/2)
BMRA Doc B	Extracts from V H Loney Report 1966
BMRA Doc C	Extracts from Open University T241 Course <i>A case study of the Brighton Borough and the Brighton Marina</i>
BMRA Doc D	Press Clippings
BMRA Doc E	Letter from Minister of State 1975
BMRA Doc F	Extracts House of Lords Minutes of Evidence 28 November 1967
BMRA Doc G	Extracts House of Commons Minutes of Evidence 8 May 1967
BMRA Doc H	House of Lords Special Report 1968
BMRA Doc J	Brighton Corporation Leaflet 69/70
BMRA Doc L	Marina 74 Newsletter, Marina Information Sheet 1974
BMRA Doc M	Marina Aerial Views and Plans
BMRA Doc N	Extracts D Hodges Proof of Evidence 1974
BMRA Doc O	Extracts Car Park Management Plan
BMRA Doc P	Opinion Clive Newberry QC
BMRA Doc R	Extracts Statement of Case Brighton Marina Co 1974
BMRA Doc S	Extracts of Offices Report – Brunswick Development 2006
BMRA Doc T	Primary Care Trust Correspondence
BMRA Doc U	'Big Splash' Letters
BMRA Doc W	Guides Dogs for Blind Campaign against shared spaces
BMRA Doc X	Extracts from Microclimate report

1. Introduction.

1.1 Brighton Marina is one of the largest Marinas in Europe and is located within one of the most sophisticated of all seaside towns – Brighton.

1.2 Brighton Marina was created first and foremost to be a Marina. This is its primary purpose - to be a first class yachting harbour of international repute.

1.3 The Marina was not created to be a housing development with ancillary moorings. It was intended to be a Marina with ancillary residential accommodation.

1.4 The Marina also promised a whole host of recreational amenities of a substantial nature, within the Marina, for the people of Brighton and beyond.

1.5 The BMRA are not against development per se and the western end of the Marina needs some further development (ie tidying up).

We would welcome development which enhances, is appropriate and is sympathetic.

Sadly this is not the case for the present application.

1.6 The Marina has the potential to be one of the crown jewels of Brighton if appropriately developed but this proposal does not achieve this.

1.7 This application is a missed opportunity, is fundamentally inappropriate and the appeal should be dismissed.

2. The Environs of Brighton Marina

- 2.1 To the immediate west of the Marina, is Blackrock. This is a breakpoint where the coast changes and where the man made terraces give way to the beauty of the natural chalk cliff.
- 2.2 The Marina is immediately below and beneath the precious White Chalk Cliffs of Sussex which average about 70 and 80 feet at Kemptown and gently rise to around 110 feet just past Marine Gate.
- 2.3 The Cliffs are a magnificent backcloth of white chalk as they bend back from Blackrock and down to Rottingdean to the East and then sweep out again towards and beyond Newhaven to Seaford.
- 2.4 The undercliff walk is one of the most lovely of Brighton's natural seaside features and is unique on this section of the coast. It has been enjoyed by generations. A kilometre or so is within the Marina.
- 2.5 To the West of the Marina is the world famous and eminent Kemp Town Estate, a Grade 1 Conservation area and the 'Regents Park by the Sea'.
- 2.6 To the East we have the Area of Outstanding Natural Beauty which is now to become the South Downs National Park.
- 2.7 The Brighton Marina is located in a special unique setting, in one of the most beautiful spots on the South Coast.

3. Planning History and the Height Restriction

- 3.1 We outline below brief salient aspects of the Planning history of the Brighton Marina which highlight the importance of Height as a protective measure.
- 3.2 As can be seen the importance of restricting height rings clear as a bell. The cliff height restriction being in the very DNA and fabric of the Marina.
- 3.3 Importantly the constant refrain of nothing above cliff height by the Brighton Corporation and the Brighton Marina Company over such an extended period in our views creates a legitimate expectation upon which the residents of Brighton Marina and others should be able to rely.
- 3.4 The aspect of Height in planning and its restriction for the Brighton Marina was not ill-considered and arose in order to preserve this most beautiful spot on the south coast.
- 3.5 To preserve strategic views, to protect visual amenity and not harm the character of the environs of Brighton in the neighbourhood of the site.
- 3.6 This shows a considerable degree of foresight and the considerations underlying this are timeless. They are just as relevant in 2009 and beyond. This is a special unique spot.
- 3.7 The location and siting of Brighton Marina has not changed. Kemptown to the West and its heritage and conservation status remains, the White Cliffs of Sussex and the Sea continue.
- 3.8 Our buildings will last longer than we do and will last for generations. We need to be mindful of this.

Public Inquiries

- 3.9 The Marina has been subject to two major public inquiries. Reports in 1966 by Loney and in 1975 by Widdecombe. The latter lasting three months. The recommendations of these public inquiries were accepted by both Secretaries of State.
- 3.10 These public inquiries are material planning considerations and both highlighted the importance of a height restriction in order to protect visual amenity.

Proof of Evidence on behalf of the Brighton Marina Residents' Association
Planning Inspectorate Ref APP/Q1445/A/09/2102148
Local Planning Authority Ref BH2007/03454

- 3.11 David Widdecombe QC in his inquiry report dated 13 March 1975 to Rt Hon Crossland, Secretary of State for the Environment recommended (BMRA Doc 1):

"150. Height of buildings. To give effect to my recommendations as to the height of buildings on the promontories in the locked basin (para 62), I consider that a condition should be imposed that the height of such buildings should not exceed 15m (49ft). In my view it is not necessary to impose a height restriction on the other buildings of the marina as was done in 1966, because a height restriction now exists in the Brighton Marina Act (s (59)1)).

- 3.12 As can be seen above in para 150 - Widdecombe refers directly to the height limit imposed by the 1968 Brighton Marina Act in his recommendation.

Thus the Marina Act and its height restriction was a material consideration for a public inquiry and was relied upon in its conclusion.

It is clear that Widdecombe thought that a cliff height restriction would be necessary throughout the Marina. He did not do explicitly so because he made clear and stated reliance on the existing cliff height restriction within the Brighton Marina Act.

- 3.13 *"136. The height of the buildings on the locked basin promontories should be reduced for visual reasons."*

Widdecombe was clearly convinced that protection of visual amenity was required and in order to do so a height restriction was needed.

- 3.14 *"62. The taller blocks would approach the height of the cliff top and be relatively close to it. I think this would be very disturbing visually for people walking or driving along the cliff top and would create unfortunate effects in some more distant views. I think the maximum height which should be permitted for these blocks to make these more visually acceptable is about half the cliff height, say 15m (49ft), which would allow four storeys"*

Paragraph 62 is as highly relevant in its conclusions today as it was in the 1970s (BMRA Doc A).

It is instructive to note that at this time, Widdecombe was dealing with buildings which approach the cliff top. The current application with its tall blocks and towers exceeds the Cliff height in the most dramatic fashion. Beyond 'unfortunate effects in distant views' as well as 'very disturbing' (in the extreme).

3.15 We reiterate – the location of the Marina has not changed, nor have the White Cliffs of Sussex nor the Kemp Town conservation area.

3.16 We also note that Widdecombe also chose to give prominence to the 1968 Marina Act in his historical background to his report [BMRA Doc A]

“13. And subject to the general restriction that no work building or structure shall be higher than the cliff face immediately to the north thereof (s 59 (1)).”

3.17 V H Loney report (1966 Public Inquiry) stated the following (BMRA Doc B):

“154. In the first place, none of its buildings would exceed the height of the adjoining cliffs”.

This was the first public inquiry held. Loney was the inspector and he highlights the height of the cliffs and that these would not be exceeded.

This was material and integral in his findings and conclusion.

Loney also makes reference to the conditions, which were acceptable to the Applicants (ie Brighton Marina Co) with regard to their revised planning application in October 1965:

Condition 2 “No building shall be of a height greater than the level of the cliff-top to the immediate north of the site of the building.” [BMRA Doc B]

Brighton Corporation and the Cliff height restriction

3.18 July 1965 – An outline application was made for the development of a site at Blackrock.

The main objection to the Scheme unveiled in June 1965 were the concerns over a 250ft high block of flats (24 storeys). [BMRA Doc C]

Only after being given assurance by the developers that no building on the site will project above the top of the cliffs was the application approved in principle by the Brighton Corporation.

3.19 Evening Argus 23 July 1965 Councillor Duneney says [BMRA Doc D]

“the Planning Committee had been assured that none of the buildings would be higher than cliff height”.

3.20 Also on 29 January 1971 Outline Planning permission was granted by the Brighton Corporation for another application. [BMRA Doc C].

We highlight the first condition imposed, which was in respect of height:

Condition 1 "No building shall be of a height greater than the level of that part of the cliff top which is immediately north of the site of the building.

3.21 In the House of Commons Committee Minutes of Evidence 8 May 1967 [BMRA Doc G] there is a quote from the press handout by the Brighton Corporation dated 10 February 1967.

...."In particular, there may be instanced that the conditions that no building shall be of a height greater than the level of the cliff top immediately to the north of the site of the building."

**Ministerial Planning Permission 29 September 1966 : Anthony Greenwood
Minister of Housing and Local Government**

3.22 The Minister accepted the results of the Loney public inquiry and recommendation. [BMRA Doc D]

This resulted in

Condition 2 "No building shall be of a height greater than the level of that part of the cliff-top which is immediately north of the site of the buildings

3.23 We also refer to paragraph 3 of the letter from the Minister in his conclusion (as evidenced in House of Lords Minutes of Evidence 28 November 1967) [BMRA Doc F – pages 10&11]

"The onshore development would not be unduly obtrusive in appearance or an warrantable intrusion on the local scene, whether from the land or from the sea."

This was clearly achieved by being below the Cliffs. [BMRA Doc M – has an array of press cuttings and plans which show the Marina's early plans.]

3.24 The present application is obtrusive and intrudes on the local scene. Section 6 of our proof of evidence examines this in more detail.

Ministerial Planning Permission 30 May 1975

3.25 The Minister of State accepted and implemented the recommendation of the Widdecombe public inquiry [BMRA Doc E – page 9] and imposed a height restriction as follows:

Condition 5 "No building hereby permitted on any of the promontories in the locked basin shall exceed a height of 15 metres (49ft)

3.26 This condition rings true today and the current residential development at the Marina which is low rise - has clearly followed this principle.

The Brighton Marina Bill

In the Parliamentary session of 1967-68 the Brighton Marina Company Limited promoted a bill authorising the construction of the Marina works and the Brighton Marina Act was given Royal assent on 10 April 1968.

House of Commons Committee 8 May 1967 [BMRA Doc G]

3.27 Harold Marnham QC appeared as counsel for the promoters of the Bill (Brighton Marina Co Ltd).

Page 9 Marnham refers to the Ministerial planning conditions which resulted from the Loney public inquiry (1966)

"(2) No building shall be of a height greater than the level of that part of the cliff-top which is immediately north of the site of the buildings (As I have said, between 15 and 90ft)."

House of Lords Select Committee Minutes of Evidence 28 November 1967 The Brighton Marina Bill [BMRA Doc F]

3.28 Marnham QC says on page 7, again highlighting and placing emphasis:

"Just to give you the headings, they thought all detailed plans should be approved by the corporation and that there should be a maximum height of buildings, buildings should not rise above the cliff tops".

3.29 (page 8) Marnham QC recounts the history of the Marina - as he was

"anxious to establish that this was not an ill-considered scheme, nor one which was planned in haste. It evolved over a period of years..."

Clearly this applies to the cliff height restriction.

Special Report – Select Committee of the House of Lords 1968
The Brighton Marina Bill [BMRA Doc H]

3.30 The House of Lords Select Committee published a special report. On page 4 they stated:

“All the works proposed on the foreshore will be below the level of the cliffs to the north which will ensure that they do not interfere with the character of the environs of Brighton in the neighbourhood of the site.”

We note and would reiterate the reasons given for the cliff height restriction. To ensure that the works do not interfere with the character of the environs of Brighton in the neighbourhood of the site.

3.31 In 2009 the siting and the location of the Marina have not changed. The character of the environs in the neighbourhood of the site have not changed.

3.32 The conclusions of the House of Lords have patently just as much relevance today as in 1968.

Brighton Marina Act 1968 [CD 10/1]

3.33 The Bill received Royal Assent

59 (1) The Company shall not construct or erect, to the south of the cliff face, any work, building or structure to a greater height than the height, at the time of such construction or erection of that part of the cliff face which lies immediately to the north thereof.”

There is no conditionality.

3.34 We make reliance on the advice that Kemp Town Society have received from Clive Newberry QC [BMRA Doc P.]

“7. The height limit contained in the Act is clearly a material planning consideration...It clearly represents (at minimum) the considered view of Parliament and the Council at that time of the Act.”

Leaflet "Brighton Corporation Bill 1969/70"
published by the Brighton Marina Co Ltd [BMRA Doc J]

3.35 This leaflet was published by the Brighton Marina Company and was promoting the Brighton Corporation Bill of 1969/70 with regard to the road system. This describes a number of aspects of the Marina and page 3 states

"No building in the project will come above the level of the cliff"

Marina 74 – magazine published by Brighton Marina Co [BMRA Doc L.]

3.36 This is one of a series of magazines published by the Brighton Marina Company in their campaign to promote the 1974 scheme.

We highlight the section on Page 3 concerning the height of the buildings.

"The Height of the Buildings.

"...scheme has been designed within the height limit imposed by the 1968 Brighton Marina Act and which cannot on any account be exceeded. This requires no buildings be higher than the cliff."

D Hodges MBE FRIBA – Proof of Evidence 22 Oct 1974 [BMRA Doc N]

3.37 David Hodges was the architect for the Marina scheme proposed in 1974. In his proof of evidence for the Widdecombe public inquiry he says under 21.31

"(15) The buildings in each group vary from three to eight storeys and all are within the height limit imposed by the Brighton Marina Act."

Thus he accepts that there as a fundamental principle that that there is a cliff height limit which is imposed by the Act and he designed the scheme within this clear constraint.

Marina Information Sheet [BMRA Doc L]
published by the Brighton Marina Company July 1974

3.38 Front page

*"Here are some **facts** from the Brighton Marina Company would wish to be made know concerning the main aspects of the Marina".*

3.39 Page 3

“The Height of the Buildings.

“...scheme has been designed within the height limit imposed by the 1968 Brighton Marina Act and which cannot on any account be exceeded. This requires no buildings be higher than the cliff.”

So it was stated in the clearest and most unequivocal terms by the Brighton Marina Company that the Cliff height restriction was a FACT, which was imposed by the 1968 Brighton Marina, which CANNOT BE EXCEED and IS A REQUIREMENT.

No conditionality. No time-limit.

Summary

3.40 All of the above clearly demonstrate that the Marina was subject to a long and carefully considered process which culminated in the 1974 masterplan which governs in many ways the current development of the Brighton Marina as it stands today.

3.41 There were many planning applications over the 60s and 70s, the details of which all differ but this one aspect of cliff height restriction is repeated again and again.

3.42 The overriding theme is to protect visual amenity, protect the local character and the local environs in the neighbourhood of the site.

3.43 We would draw attention to [BMRA Doc M]. Here there are some extracts from a number of documents which show aerial views in the main of some of the early plans of the Marina.

It can be seen there are pointedly buildings below cliff height and there is the striking and pleasing feature of the unspoilt cliff and coastal view.

3.44 The location of the Marina has not changed, nor have the white cliffs of Sussex nor even the Kemp Town conservation area.

3.45 The Marina is located in a special unique setting, in one of the most beautiful spots on the South Coast.

Proof of Evidence on behalf of the Brighton Marina Residents' Association
Planning Inspectorate Ref APP/Q1445/A/09/2102148
Local Planning Authority Ref BH2007/03454

3.46 Also what can be more unequivocal, more clear than the Brighton Marina Company stating as a **FACT** in 1974 that the

"height limit IMPOSED by the Brighton Marina Act and which CANNOT on any account be exceeded. This REQUIRES no building be higher than the cliff."

3.47 The considerations to protect the strategic views, not to impose of the Kemp Town conservation areas and so forth are manifestly material planning matters and are just as valid today as they were in the past and we believe even more so now.

3.48 We would strenuously argue that these considerations are best safeguard by keeping the built environment below the cliffs to the north.

3.49 This principle has been carefully considered over an extended period of time and was accepted by two inspectors following extensive public inquiries and by two secretaries of state.

3.50 The appellant by proposing a built environment above the height of the cliffs fails to protect visual amenity, protect the local character, protect strategic views and the local environs.

3.51 We echo reason 1 for Planning Refusal by the Brighton & Hove City Council for the application being considered which refers to HEIGHT.

1. The proposed development, by reason of design, siting, layout and **HEIGHT**, would be unacceptable, overly dominant and would fail to preserve the setting of views of strategic importance, in particular views into and out of the Kemp Town Conservation Area, the Sussex Downs Area of Outstanding Natural Beauty and the Cliff. The proposal would therefore fail to comply with policies QD1, QD2, QD3, QD4, HE3, HE6, HE11 and NC8 of the Brighton and Hove Local Plan policies CC1, CC6, CC8, C2, C3, HO4 and BE1 of the South East Plan, PPS1 and PPG15.

4. Housing

- 4.1 We have examined the Housing Assessment submitted by Explore Living [CD2/12]. It is clear from this report that the applicant is not fulfilling the BHCC policies re housing needs.
- 4.2 There is no 'pepper potting' of the affordable housing and all of the affordable is all in the Cliff site. Policy is abundantly clear that these must be 'pepper potted'.
- 4.3 1 bed flats are 5 sq m below the council's minimum standard.
- 4.4 The applicant asserts that that this 'extra floor area' is unnecessary.
- This is untenable in our view and will not lead to a successful, sustainable and socially cohesive development.
- 4.5 The mix of flats proposed clearly goes against the councils stated housing needs ie there are too many 1 bed and too few 3 bed flats.
- 4.6 The applicant states that it is difficult to sell three bed flats. We very much disagree and we are the view that there is a general shortage of precisely this type of accommodation in and without the Marina.
- 4.7 We are aware that the Council has stated that there is a great need for more affordable family sized units (ie 3 bedrooms) and that there are far too many 1 and 2 bed flats. The development proposed should reflect this requirement. It does not.
- 4.8 There are, in our view, not enough 3 bed flats in the private sale areas as well.
- 4.9 We would disagree with the assertion that the cliff flats have some of the best views in the development given the, at best, aspects of the Cliff or the Multi-storey car park.
- 4.10 The split of social rent/buy proposed falls significantly short of the council requirement of 55/45.
- 4.11 The residential development proposed in the Cliff site will produce a visually restricted and claustrophobic environment for residents.
- 4.12 The proposals do not comply with the Council's policies and that if they were to proceed would create in our view a stigmatised 'ghetto' of undersized, tiny affordable flats for social renting etc with very poor views and too many lacking any sunlight.

4.13 Planning reason for refusal 2:

"The proposed dwellings within the Cliff Building would not provide good quality accommodation by reason of a preponderance of single aspect dwellings and shaded courtyards, the size of units, coupled with their poor relationship to the cliff, ramps and access road, giving rise to cramped and unsatisfactory living conditions, contrary to policies QD1, QD3 QD27 and HO4 of the Brighton and Hove Local Plan and PPS 1 and PPS 3."

4.14 Planning reason for refusal 3

"The proposed development with its preponderance of one and two bed units and its affordable housing tenure mix, fails to respond adequately to identified housing needs within the City contrary to policies HO2, HO3 and QD3 of the Brighton and Hove Local Plan. Furthermore, the disposition of affordable units within the proposed development would not counter social exclusion or foster the creation of cohesive sustainable communities contrary to PPS 3, in particular paras 9, 10 and 12 and PAN 04 in particular paras 3.2, 13.3 and 16.0, of the Brighton Marina Masterplan."

4.15 We also are aware that the South East Plan published in May 2009 [CD7/1] reduced the housing requirement for Brighton. Consequently the housing shortfall previously identified is now less.

5. Design and Location of Cliff Site

5.1 The Ministerial Planning Permission of 1975 [BMRA Doc E] agreed that there was a considerable advance in design as proposed by the 1974 scheme in comparison to the 1966 proposals considered by Loney at his public inquiry.

In the 1966 - buildings were proposed (as per the Cliff Site) next to the Cliffs. [BMRA Doc M].

5.2 The advance in design in 1974 was that development should be located away from the cliffs and preferred from a planning point of view

(page 4 paragraph 19.)[BMRA Doc E]

5.3 The 1975 Minister in his response to Widdecombe also, pointedly, noted the overwhelming weight of the evidence which favoured the removal of the buildings from the cliff. Page 2 para 7 [BMRA Doc E]

5.4 The Cliff Site building proposed in this 2008 application - by being next to the Cliff given its mass, bulk and height is therefore a retrograde design step from that what was achieved in 1975.

6. Strategic Views

6.1 We draw attention to QD4 from Brighton & Hove Local Plan 2005 [CD8/1] which says:

*"In order to preserve or enhance strategic views, important vistas, skyline...
Development that has a detrimental impact and impairs a view, even briefly,...
by wholly obscuring it or being out of context with it, will not be permitted"*

6.2 The excessive height of buildings proposed and the impermeable nature of the Cliff Site block will lead to a catastrophic loss of strategic views, vistas, skyline, panoramas which are of great importance to Brighton and are wholly contrary to SPG15 Tall Buildings. [CD8/8]

6.3 This is manifestly the case from the Palace Pier looking east along the cliffs and seven sisters.

6.4 This will also be the case from the views along the coast from Rottingdean for instance, the undercliff walk towards the Marina and the coastal roads.

6.5 The views from the cliff tops looking south will be lost – panoramic sea views are currently enjoyed.

6.6 Within the Marina – there will be a loss of cliff views facing north. The Marina is one of the view areas whereby the public can freely enjoy the cliffs in panoramic view.

6.7 The buildings on the western breakwater and the MacDonald's site will totally disrupt the established strong east-west visual flow within the marina through to the outside.

6.8 We refer to the applicant's Ch 9 : Townscape and Visual Impact Assessment 2008. [CD2/10.3]

As can be clearly from the Applicant's own report - in their own words - there are a plethora of adverse impacts which are substantial in nature involving loss of cliff views, panoramas, sea, sky and vista. Thus it cannot be reasonably disputed that this application does not have an adverse impact which is not insubstantial.

6.9 **View C4** – End of Palace Pier (page 66)

"The loss of the cliff view is a substantial consequence of the development"
"The development obscures a substantial element of the cliffs"
"while unfortunately obscuring a certain amount of cliff"

6.10 **View C6** – Marine Parade (page 74)

"The loss of cliff views is acknowledged"
"The level of impact is substantial"

6.11 **View C9** – Roedean Café along marine Drive (page 86)

"This is a substantial impact on the view"
"Adverse effect of blocking distant views towards Brighton and Shoreham"

These demonstrate that the views of sea/sky and the curving sea space towards Brighton and Palace Pier are obliterated.

6.12 **View C10** – Marine Drive – Cliff Top Walk opposite Roedean School (page 90)

"The impact is substantial.....adverse in the way it curtails distant coastlines"

6.13 **View T30** – Arundel Terrace (page 150)

"There is an adverse impact". "It is a substantial impact"

6.14 **View M32** – Cliff Top Walk south of Marine Gate (page 178)

"Impact is substantial" "eradicates...a view of the sea" "reduction of sea views"
"the development fundamentally changes the view"

The view is drastically changed from sea and sky and open vista to the Cliff site super block. This is clearly adverse.

6.15 **View M33** – Top of Entrance footpath into the Marina (page 182).

The view from here is open vista, sky and the Marina in panorama. The impact is more than 'substantial'. *"impact of complete change"*.

There is the loss of the continuing cliff face and the horizon of the sea. As can be seen views of sea/sky and water are obliterated.

6.16 **View M34** – Bottom of Ramp (page 184).

"The top of this image has been manipulated to ensure that the top of the tower is included."

This shows the 28 storey tower at the foot of the ramp.

The Tower dramatically changes the view on entry through the Marina down the car ramp and the tower become the dominating feature and dominates the eye.

6.17 **View M35** – SW Corner of Multi-Storey Car Park (page 186)

"The Impact is substantial"

The cliff face view to the north and open vista are obliterated. We note that the Applicants says

"loss of a full view of the Cliff"

"there is a remaining glimpse of the cliff through the tree-scape"

Presumably future generations will no doubt express gratitude for being allowed the luxury of a glimpse through the trees.

6.18 **View C40** – Marine Parade (page 200)

"The Impact is profound and obviously substantial"

As can be clearly seen the distant views of the white cliffs of Sussex are obliterated by the Cliff site building.

6.19 **Ch 9. Conclusion** (page 216)

12.8 "Existing views through and above the Marina to east towards the Roedean Cliffs and to the west towards Brighton and Hove seafront and Shoreham are compromised, through the loss of distant views".

"a rather unique coastal view from the end of the end of the Palace Pier....adverse impact"

6.20 Clearly the applicant materially fails to comply with policy QD4 and the development should therefore not be permitted.

Proof of Evidence on behalf of the Brighton Marina Residents' Association
Planning Inspectorate Ref APP/Q1445/A/09/2102148
Local Planning Authority Ref BH2007/03454

6.21 Finally we note with interest the Rule 6 Statement from the Brighton Marina Company (30 August 1974) (page 6) [BMRA Doc R.]

“the (1974) project was reappraised to achieve a design which impinged upon the natural features of the coast as little as possible.”

The present 2008 application clearly does impinge upon the natural features of the coast in a meaningful, material, substantial and adverse manner.

It is a retrograde step in design.

7. SPGBH Note 15 Tall Buildings – Supplementary Planning Guidance [CD 8/8]

7.1 Para 1.4 defines Tall buildings as buildings of 18m or taller (approximately 6 storey).

7.2 6 Storeys is below the cliff height at the Marina. The Cliff can accommodate buildings of some 7/8 storeys with modern construction.

7.3 When the SPG15 was adopted it was accepted that the Height Restriction in the 1968 Brighton Marina applied and hence buildings could be Tall at the Marina but they would be bounded by the Height Restriction.

Recall the Height restriction was accepted as a fact and could not be exceeded in any circumstances as per the Marina information sheet. [BMRA Doc L]. Also Widdecombe in his report and conclusion relied on this height restriction.

7.4 Para 8.2.1 of SPGBH15. This states areas are possible for taller development and may be appropriate. Recognises limitations due to conservation areas and other planning constraints.

Possible for Taller or May be appropriate. This policy does not mandate tall buildings nor say that Tall buildings will be appropriate in themselves.

7.5 Para 8.3.1 Here it is stated that the cliffs are able to mitigate to a certain extent.

Mitigate to a certain extent.

7.6 Para 8.3.2 This says Tall buildings will need to have regard to their visual impact, composition when viewed along the coast. Particular sensitivities given the relative proximity to Kemp Town.

Also recognises that Marina has the least developed transport services and infrastructure of all the areas.

This has not been resolved by the applicant.

7.7 Para 3.5.3 Here is listed as a Key policy "QD4 Design – strategic impact".

"In order to preserve or enhance strategic views, important vistas, skyline... Development that has a detrimental impact and impairs a view, even briefly,... by wholly obscuring it or being out of context with it, will not be permitted"

We note that SPGBH15 underlines 'even briefly'. This is a clear and

unambiguous emphasis.

7.8 This application therefore fails to comply with SPGBH15.

The buildings are self evidently very tall and not mitigated by the cliff.

Views are far more than briefly impaired.

No sensitivity to the proximity of Kemp Town.

Coast views are obscured.

8. Lack of Open Space & Green Space

8.1 It is clearly desirable and a requirement that open space should be provided within the Marina.

8.2 It is not acceptable that the Explore propose that this be provided off site.

8.3 We note that it is admitted by the developers in their papers that this application will therefore not comply with policy in respect of provision of outdoor recreational space. [Planning Statement CD2/11. SP4]

8.4 This is neither acceptable nor desirable.

8.5 The Marina is already deficient in green space.

This is confirmed in PAN04, [CD8/12], page 20. This was as a result of the loss of a playground next to Asda petrol station, when the Waterfront development was built.

As residents we have been deeply disappointed that X-Leisure has, pointedly, failed to provide, over many years, the replacement playground required by the S106 attaching to the Waterfront development circa 2000.

8.6 We reject the assertion that the East Brighton Park is close by and such proximity negates the need for green space within the Marina.

The very tip of this park is just over 500m metres away and is only accessible by a not inconsiderable journey through the Marina, up a steep incline and across a very busy road and junction. It would not be safe for children crossing the main road at Marine Drive.

8.7 We also find it bizarre that off site facilities in Rottingdean – say 1 hours walk – such as a terraced garden, which is to be repaved, can be considered an acceptable suitable recompense for such lack of space and amenity for the future residents of the Marina.

8.8 The application was rightly rejected on the ground of lack of green and open space and clearly failing to comply with policy.

8.9 The Council's policies seek to provide for amenity space and outdoor recreation space on site in order to meet the needs of residents. The scheme does not make adequate provision on site in terms of its quantitative and qualitative provision.

Proof of Evidence on behalf of the Brighton Marina Residents' Association
Planning Inspectorate Ref APP/Q1445/A/09/2102148
Local Planning Authority Ref BH2007/03454

8.10 Further the off site contribution is considered inadequate to meet the needs of the future occupiers of the development.

8.11 The quantum of outdoor recreational space is 5164 sq metres or 10% of total site. [CD 3/1.1 page 139]

8.12 Assuming a population of say 2 per flat then we have enough outdoor space of around 4 foot by foot for each new resident. On sunny days the outdoor space will become very crowded and just about standing room only.

Even then are the roof top and Cliffside play areas likely to be used?

8.13 On top of this will be visitors and other users of the Marina.

8.14 We also note that the Sussex Police expressed concerns about the shortage of facilities for older teenagers within the Marina. An informal sports area in Rottingdean by the Applicant seems hardly adequate in response.

[Planning Officers Report 12 December 2008. CD3/1.1]

8.15 Planning Reason for Refusal 4

"The applicant has failed to demonstrate that the proposed development would result in a scheme with adequate design and provision of outdoor amenity and recreational space. The proposal is therefore contrary to the requirements of policies QD1, QD2, QD3, HO4 and HO6 of the Brighton and Hove Local Plan and PAN04 in particular paras 3.2, 8.4, 12.1, 12.2, 12.3 and 13.3 of the Brighton Marina Masterplan."

8.16 We would also wish to point out that when the Marina was first mooted from 1965 or so onwards there were promises made of great recreational venues for the people of Brighton and beyond to be within the Marina.

There were to be at various time dolphin pools, shark pools, cycloramas, ice rinks, marinadromes, swimming pools, spa, ski slope, tennis and squash courts.

These aspirations may have been grand and visionary. But at least there was a spirit of aspiration. They have been gradually whittled away to the point now the applicant will only provide a very limited range of open and outdoor space within the Marina in what we regard as 'left over space' in the least desirable areas, in shade and suffering from wind tunnel effect.

It does some curious and more than disappointing that X-Leisure, who are a leisure business, have seemingly so little aspiration and interest in providing leisure and recreational facilities in the Marina in this application.

9. Inadequate Community Contributions

[Planning Officers Report 12 December 2008. CD3/1.1 – pages 150, 151, 152, 136, 137]

9.1 It is an accepted principle that Developers should make adequate contribution towards infrastructure in major developments such as proposed by the Applicant.

9.2 This is necessary for a sustainable and successful development.

9.3 In terms of Education the contribution proposed is dramatically below what is required by the Council.

BHCC demanded £1,549,389. The applicant offers a very limited amount of £594,000. This is £1m below what is required. [page 152]

9.4 We would point out that this would mean a cumulative shortfall for Education of £2.3m from both the Brunswick and Explore scheme's combined.

[Brunswick only offered £0.3m compared to the £1.6m required by the Council. BMRA Doc S – Planning Officers report 30 June 2006]

9.5 There are no primary schools proposed within the Marina.

9.6 Secondary schools within surplus capacity within the city are more than 7km away [page 151]. This is clearly not desirable nor travel by sustainable means.

The two nearest schools to the Marina, Longhill High and Cardinal Newman Catholic are oversubscribed and Cardinal Newman is a selective school. [page 151]

There is additional pressure on secondary schools following the closure of Comart (East Brighton College of the Media Arts).

9.7 Nursery schools places nearest to the Marina are generally oversubscribed [page 151].

9.8 In terms of policing the Applicant is making Zero (£0.00p) contribution towards the contribution required by the Police Authority of £508,691. This is not acceptable. [page 136 & 137]

9.9 The applicant made much about the potential provision of a GP surgery within the Marina.

However we attach correspondence with the Primary Care Trust [BMRA Doc T] which shows that what is proposed area within the Octagon falls woefully short of what they require to develop the facilities required by modern day general practice.

We note the Primary Care Trust also raised issues around access in and out of the Marina.

9.10 PPS1 – This states that there is an obligation to ensure that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities (paragraph 5).

The applicant for the reasons set above has failed PPS1. [CD4/1.1]

9.11 We echo Planning Reason for Refusal 5

“The applicant has failed to demonstrate that educational facilities would be provided to meet the needs of the residents of the proposed development. The proposal would therefore be contrary to the objectives of policy HO21 of the Brighton and Hove Local Plan”



TOWN HALL,
BRIGHTON, 1

EAST SUSSEX COUNTY COUNCIL

BRIGHTON BOROUGH COUNCIL

APPLICATION

by

THE BRIGHTON MARINA COMPANY

Inspector: David Widdicombe QC

Assessor: S W Midwinter, REBA, JRTPI

may be desirable which lie ahead, I think it would be wise to give consideration to approving the original application with all its detail. The modified application is on a suitable basis for an outline permission, in my view.

9. I was informed that if the modified application was granted, the Borough Council and the County Council had agreed a procedure whereby the Borough Council, who are the authority which will determine applications for approval of reserved matters will consult the County Council on all such applications. Further, the Borough Council gave an undertaking at the inquiry that they would refer all applications for approval of reserved matters to the Department so that they can be considered for call in.

10. In the rest of this Report I will be considering both the original and the modified applications. There is no need to distinguish between them except in relation to certain aspects of the visual impact.

Historical Background

11. The concept of a marina at Brighton goes back to the early 1960s. Other sites were at first considered, but in 1965 the Black Rock site was chosen, and early in 1966 an application by the Brighton Marina Co Ltd for outline planning permission for a yacht harbour, marina club, restaurants, public houses, casino, ice rink and recreational facilities, shops, hotels, boatels and residential units was the subject of a local inquiry. The Inspector (Mr V H Loney, ANIBA, HPTI) recommended approval and by letter dated 29 September 1966 the Minister of Housing and Local Government granted permission subject to conditions, and with an exclusion which is not now relevant.

12. The 1966 scheme differed from the present proposal in several important respects. All the buildings were located on reclaimed land at the foot of the cliff, there was no inner non-tidal basin and no spine. Its content can be compared with the content of the present proposal by reference to the Document EHC 1A.

13. The Company then promoted a private Act of Parliament, which passed into law as the Brighton Marina Act 1968, on 10 April 1968. The Act authorises the harbour works of the marina, and contains general authority for supporting development, including buildings, within defined limits of deviation (s 40) and subject to the general restriction that no work building or structure shall be higher than the cliff face immediately to the north thereof (s 59(1)). The Act does not confer planning permission, the need for which is expressly reserved (ss 40(1), 70). The present scheme complies with the requirements of the Act.

14. In 1968 the Brighton Borough Council (then the highway authority) promoted a private Act of Parliament to authorise the construction of the Black Rock interchange, a gyratory traffic system to which the marina could be linked. The proposal for the Bill was defeated at a town meeting in December 1968, but at a subsequent poll held in January 1969 the voting was 15,042 in favour and 9,022 against. However, the first roads Bill was defeated in Parliament on 17 March 1969. A second roads Bill was upheld at a town meeting in November 1969, and at a subsequent poll held in December 1969 the voting was 9,461 in favour and 5,422 against. The Bill passed into law as the Brighton Corporation Act 1970 on 23 July 1970.

demonstrated to my satisfaction that when viewed from a point two-thirds of the way out on the Palace Pier there is not a great deal of difference between the original scheme and the revised version in terms of impact on views of the cliffs.

58. The third issue under this head is whether the buildings on the promontories in the locked basin are objectionable from a visual point of view. The Company's proposal is to build five promontories in the locked basin, with car parking and flats above, of varying height from four storeys to eight storeys. They emphasize that the inter spaces between the promontories are considerable, varying between 90m (295 ft) and 150m (492 ft). The buildings comply with daylighting standards.

59. The Borough Council do not object to the buildings on the promontories, but the County Council claim that they are objectionable on visual and architectural grounds, and also that the residential density proposed is too great.

60. In particular the County Council say that the buildings on the promontories conflict with the idea of retaining an area of water to mark the separation of cliff and buildings. They tend to reassert the link between the spine and the cliff. In any event, say the County, the gap between the end of the buildings on the promontories and the cliff is too narrow. There will be a curious "slit" effect, when seen from the foot or the top of the cliffs.

61. In my view one of the chief justifications for the promontories is that they break up what would otherwise be a very large and unrelieved expanse of moorings. The County Council accept the validity of this point, but say that it could be achieved by the promontories without any buildings on them, or with minimal buildings. They suggest tree planting on the promontories. However, in my opinion, the County's idea is impracticable. The Company made it clear that they could not be expected to build the promontories without some form of development on them to make them economic and I accept the inevitability of that. Further, I doubt very much whether trees could be induced to grow on the promontories, or indeed anywhere else on the marina. There are few if any trees on Brighton sea-front or coast-line, and certain experiments which were referred to in growing trees on exposed sites have yet to be shown to succeed.

62. The conclusion I have come to is that the promontories with some buildings on them are a very desirable feature of the scheme. They break up the moorings and serve to form a sequence of views into the several basins for users of the Undercliffe Walk. I go with the County Council only in so far as I consider that the buildings proposed on the promontories are too high, and I note that Sir Hugh Casson, Sir James Richards and Mr Marshall all had reservations about the height of these buildings. The taller blocks would approach the height of the cliff top and be relatively close to it. I think this would be very disturbing visually for people walking or driving along the cliff top and would create unfortunate effects in some more distant views. I think the maximum height which should be permitted for these blocks to make them visually acceptable is about half the cliff height, say 15m (49 ft), which would allow four storeys. I would then see no objection to the gap between the ends of the buildings and the cliffs.

Conclusions

130. My conclusions have largely been stated in the course of this Report, but I can summarise them as follows.

131. My general conclusion is the same as that of Mr V H Honey in 1966, namely that the marina is a bold, imaginative and attractive scheme. It will keep Brighton in the forefront of Britain's holiday resorts, and make a notable contribution to its status as a leisure, conference and residential town.

132. There is an urgent need for more yacht and boat moorings on this part of the coast and the marina is fully justified to meet this need. The principle of the marina at Black Rock is not open to doubt, and I accept that some supporting development is necessary in order to make it viable.

133. The general layout of the marina now envisaged with a locked basin and a tidal basin, and with the development located away from the cliffs, represents a considerable advance in design from the scheme approved in 1966, and is generally to be preferred from a planning point of view.

134. The uses proposed in the application are all acceptable in principle, and also in the location indicated for them in the zoning plan (including those not expressly mentioned in this Report).

135. The only element of the scheme which is unacceptable, is the amount of the residential accommodation proposed. This is excessive having regard to the restricted nature of the site. It should be substantially reduced in order to achieve acceptable standards both for residents and for the public.

136. From a visual point of view the buildings proposed in the original application are generally acceptable in respect of their bulk and disposition, save for the residential buildings envisaged on the spine. Although the site calls for bold, strong buildings, the proposals for the spine are too rigid and uniform, and are also too inflexible having regard to the possible time scale of the development, and the risk that the residential element may never be completed. The height of the buildings on the locked basin promontories should be reduced for visual reasons.

Conditions

137. In this section of the Report I consider what conditions should be imposed if planning permission is granted on the modified application. The modified application itself sets out in the scheme the various uses proposed zone by zone and in some cases the floor space or area proposed in terms of a maximum amount. Where the application expresses an area as a maximum I consider that it is lawful to reduce the amount in the planning permission itself, rather than to do so by the imposition of a condition; and I think certain other variations of the application, provided they do not affect the substance of what is applied for, can be made in the grant of permission. I shall specify such items in this section. The conditions themselves I have considered from the point of view of content and legal validity, but I have not attempted the detailed drafting. The Company, the Borough Council and the County Council submitted a document (EMC 25) setting out 15 possible conditions and defining their respective attitudes to each of them. I shall refer to this document where necessary.

in fact
no,
accepted
Borough
d better
was not
is that
notable
The
good
wing
in any
that it
he
proposed
are
view
53
s.
detailed
53.
y
ason

is little point in requiring approval for the initial package of entertainments unless control over subsequent changes is maintained. The Company emphasised the importance of allowing the entertainments operators (probably EMI Ltd) the maximum discretion; I recognise that this is important, particularly in the entertainments field, but it is also important that uses of value to the locality, such as a swimming pool or ice rink, should not be lightly abandoned. The safeguard of an appeal to the Secretary of State should be included in any condition.

(d) The application (item A8) sets out a list of particular entertainments to be covered by the permission. All of these may be acceptable, but I consider that the decision on them should be reserved for the detailed stage, when the scheme of entertainments is settled. Accordingly I recommend that the planning permission should merely be for "An Entertainments Centre comprising up to 40,876 m² (440,000 ft²) of space (gross)" subject to the conditions referred to above for settling the contents. I take the view that such a variation of the application is lawful, being in effect a reservation of the details for subsequent approval.

146. Boatyard This is referred to in item C1 of the schedule to the application. It is necessary to word any planning permission to take account of the fact that there is no industrial development certificate in respect of this use, so industrial floor space must not exceed 464 m² (5,000 ft²). The proposed conditions 12 and 13 of BMC 25, which are agreed, should be imposed in my view, so as to confine the boatyard to marina uses and to protect amenities.

147. Offices The area of this use is stated in item E1 of the schedule to the application "not exceeding 929 m² (10,000 ft²)". All that is needed by way of condition in my view is a limitation to marina uses on the lines of condition 11 of BMC 25.

148. Life saving and marine safety I think it is necessary to supplement any common law liability which there may be in respect of these matters by a condition, and I endorse a condition on the lines of condition 14 of BMC 25.

149. Use of boats I think it is necessary to prevent the use of boats kept at the marina as permanent residences, and for certain other uses, and I therefore endorse a condition on the lines of condition 15 of BMC 25.

150. Height of buildings To give effect to my recommendation as to the height of the buildings on the promontories in the locked basin (para 62), I consider that a condition should be imposed that the height of such buildings should not exceed 15m (49 ft). In my view it is not necessary to impose a height restriction on the other buildings of the marina as was done in the planning permission in 1966, because a height restriction now exists in the Brighton Marina Act 1968 (S 59(i)).

Recommendations

151. i. I recommend that the proposed modifications of the application be accepted.

ii. I recommend that planning permission be granted for the construction of a main and ancillary development in the location shown on drawing OAD1/01/-SK525 and in accordance with the zoning schedule and plan accompanying the application, subject to the amendments to the schedule and to the conditions referred to previously in this Report.

iii. If the modified application is not accepted, I recommend that the original application be refused, without prejudice to a further application in terms of the permission I have recommended above.

I have the honour to be

Sir

Your obedient Servant

DAVID WIDDICOMBE, QC

BMRA Doc 2.

(B)

BRIGHTON COUNTY BOROUGH COUNCIL

APPLICATION

by

THE BRIGHTON MARINA COMPANY LIMITED

Inspector:- V. H. Lowry, A.R.I.B.A., M.T.P.I.

Engineering Assessor:- Mr. W. H. Norris, B.Sc. M.I.C.E., M.I.Mun.E.

Date of Inquiry:- Tuesday, Wednesday, Thursday and Friday, 25th, 26th, 27th and 28th January, and Tuesday, Wednesday, Thursday, Friday and Monday 1st, 2nd, 3rd, 4th and 7th February 1966.

File No:- P2/902/220/2

two other alternatives had been suggested by the council - one at Greenway Bottom, Sean, and another at Black Rock.

January 1965 - outline application made to construct a Marina at the Ovingdean. Subsequent investigation, however, had led to the conclusions that the site was far from the town centre to render its use an economical proposition, and that as it would, of necessity, involve a large area of cliff-top land, strong opposition on the part of the community grounds might well be expected. The proposal had therefore been abandoned.

June 1965 - outline application made for the use of a site at Black Rock. In dealing this application to the Minister the council had stated that they desired to make it subject to certain conditions. An inquiry had been fixed for November 1965.

Subsequent to the submission, however, further consideration had been given to the details of the proposals, particularly in view of certain conditions suggested by the council. The maximum heights had been reduced so that none would rise above the adjoining cliffs; the proposed hovercraft base had been omitted by reason of feared excessive noise; the plan for the site had been revised as the result of the general approval given by the Principal Road Engineer, Ministry of Transport, to the council's proposals for road improvements in the vicinity of the site; and, to avoid the siting of buildings in the vicinity of the Black Rock swimming pool, the entire project had been moved about 100 yards east of the latter.

October 1965 - these revised proposals had been the subject of a further outline application which had been referred to the Minister with a recommendation that approval be given subject to certain conditions. The inquiry into the matter had been postponed to the present time.

The conditions referred to, which were acceptable to the Applicants were as follows:-

- (1) To the submission to and approval by the council before the erection of a building is commenced of satisfactory details of:-
 - (a) the proposed siting, design and external appearance of the building;
 - (b) the proposed means of access to the site of the Marina and to the site of the said building from existing public highways.
- (2) No building shall be of a height greater than the level of the clifftop to the immediate north of the site of the building.
- (3) The building operations shall be commenced not later than three years from the date of the grant of outline planning permission.
- (4) Except with the permission of the local planning authority or the Minister of Housing and Local Government on appeal, the land and buildings indicated on Plan No. 65/2031 shall be used only in accordance with the accommodation schedule submitted with the application, a copy of which is annexed hereto.
- (5) No Dutch or other auctions shall take place on the shop premises.
- (6) Each unit of residential accommodation shall be occupied only as a single dwelling unit.
- (7) The car parking accommodation on Plan No. 65/2031 and listed in the schedule of accommodation shall be completed and available for parking motor vehicles before the works are occupied and thereafter maintained as a car park.

153. It was firmly maintained that the Marina would have no detrimental effect upon the visual amenities of the immediate locality.

154. In the first place, none of its buildings would exceed the height of the adjoining cliffs whilst most, if not all, of this development would be hidden by the latter from any residential development or public thoroughfare immediately behind the site.

155. The adjoining buildings to the north-west consisted of the frontage development Kemp Town. This was admitted to be attractive and of architectural merit, although its character had changed over the years and most of its houses had been converted into flats. Its juxtaposition with the application site, however, together with the screening of the latter by the cliffs, would ensure that little more than the harbour itself would be visible from these properties and then only at an oblique angle.

156. Immediately to the rear of the application site the area was one of mixed development - (see Land Use Map - Plan 'X') - being mostly residential but with considerable areas of industry and a large garage and petrol station, the whole dominated by three gasometers, and presenting an appearance which was far from attractive.

157. The highest residential building in this sector was a modern block of flats known as Marine Gate. Its architectural character would, when viewed from the sea, be likely to blend well with the buildings of the Marina, whilst the view of the outer limits of the harbour which would be obtainable from its upper floors might well enhance the value of the accommodation concerned.

158. It was true that the buildings of the Marina would screen the sea from the first 1,000 yards or so of the Undercliff Walk, but it had to be remembered that the latter was about 4 miles long. Further, to compensate for this loss, the general public would have the full use of the whole of the new harbour walls for walking and sight seeing.

159. It was contended, therefore, that the Marina would add to, and not detract from, the visual amenities of the coast line. Situated where proposed, the harbour would act as a stop to the main length of beaches, to the west, and would provide a scene of interest and colour for the benefit of visitors and local inhabitants alike.

160. The Marina itself would be unlikely to give rise to any undue degree of noise, whilst the cliffs would act as a baffle and contain any sound emanating from it.

161. With regard to on-shore traffic noise and disturbance, it had to be stressed that the Marina accesses would be below ground whilst the new and improved surface road pattern was part of a larger scheme for the town which would have to be carried out whether or not the Marina was built. The council would be giving further evidence on this aspect of the matter.

162. The effect, if any, on amenities likely to arise as the result of the drainage of the harbour had already been discussed.

163. The applicants were convinced that their scheme would give the town a very much needed increase in amenity. A seaside resort of Brighton's magnitude needed a continual expansion in facilities if it was to continue in its present role. This was an opportunity to provide it with a harbour, which was the one feature it lacked.

(c) Support

164. The local authority fully supported the proposal and so, no doubt, did many thousands of the inhabitants of the town although, as was usually the case, it was principally the objectors who took the trouble to write to the Minister or voice their opinion at an inquiry.

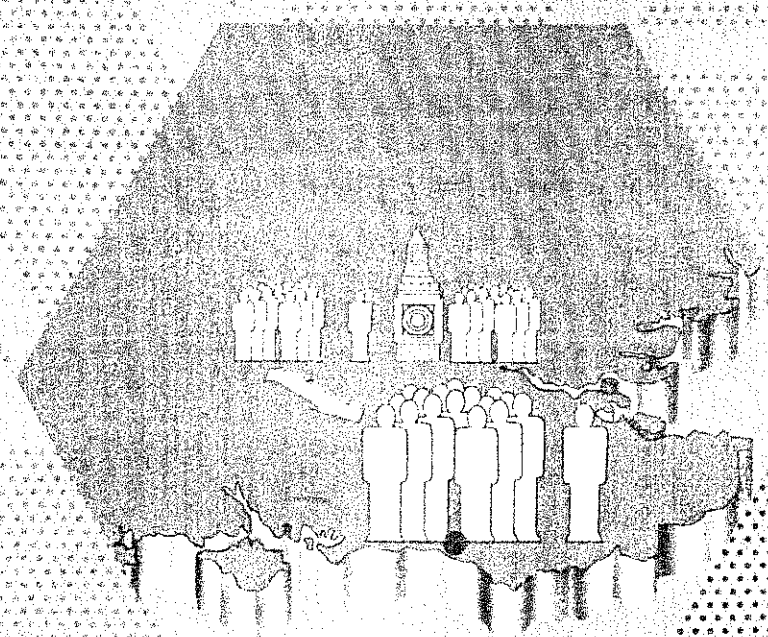


BMA Doc 3.



A Local Government System

A case study of Brighton Borough
and the Brighton Marina



Whatever the reasons, the developers announced on 15 January 1965 that they were now considering alternative sites to the east of the one in front of the Regency terraces because of objections to the proposed site. For a brief period a site farther along the coast at Ovingdean was considered, but by 18 February 1965 the site at Black Rock was being surveyed.

change of site

New plans were being drawn up and these were presented at a press conference on 10 June 1965. The Marina was now to cost £11 million and the *Evening Argus* reported that 'Cr Stanley W. Theobald, consultant to the scheme, explained yesterday that all the previous Riviera-style attractions would still be provided at Black Rock.' Some 22½ acres would be reclaimed from the sea to make a 78 acre site. The cross-channel ferry was not now to be included but a hovercraft terminal would be provided. The scheme now included:

new plans

Moorings for 1750 boats, dinghy hard, sportsdrome with ice rink seating 2000, entertainments centre with dance hall, rollcurling lanes and restaurant, 1000 seat cinema and small news theatre, oceanarium, 2 hotels (50 and 100 beds), several restaurants including tea room, night club and casino, 2 public houses, special fisherman's wharf, 21 shops and residential units, 19 studio units and 38 three-bedroom houses, 36 luxury foreshore houses (two bedrooms), 151 duplex flats and a 24 storey block of 96 two-bedroom flats.

The breakwaters enclosing the harbour would be 1500 ft and 5100 ft long. One perhaps significant statement reported was,

One of the buildings which would pop [*sic*] slightly above the cliff top was a 24-storey block of 92 flats, which would provide the Marina's dominating feature. A super luxury hotel would also be slightly visible, but Cr Theobald said the flats would 'stick out like a lighthouse' to let visitors know where the Marina was.

Evening Argus 11 June 1965

The cross-channel ferry was dropped, apparently because of possible traffic congestion, although the hovercraft was announced as being capable of carrying 500 passengers and forty cars to the continent. For the first time it was publicly mentioned that Shell-Mex & BP Ltd were assisting the Marina Company with promotion of the project.

There were immediate objections to the plan for buildings projecting over the cliff top. 215 residents of Roedean district objected as the 250 ft block would actually be some 160 ft *above* the cliffs. The Regency Society asked for a public inquiry and the Rottingdean Preservation Society objected on the grounds of loss of amenity, traffic noise and the height of the flats.

Fears were again expressed that the Marina was simply a cloak to allow huge-scale property development along the seashore. Councillor Theobald replied, 'For a Marina to be economically viable, there must be support for ancillary ventures.' He also stressed that there would be plenty of opportunities for people to object and for the plans to be modified.

The planning committee had been presented with the new plans and had on 6 July 1965 welcomed them in principle, but resolved that outline planning permission would be granted (after the minister had seen the plans and objections) only if siting, design and external appearance were approved, and if satisfactory car-parking and access arrangements were provided. In addition, no building was to rise above the cliff top. They asked the full council for permission to:

1. Continue discussions;

On 18 December the council gave permission for certain preliminary work to start in January 1971 on access ways. The Marina Company undertook to take the financial risk that planning permission might not be given for the scheme as a whole and the council was satisfied that the proposed preliminary works were advantageous to the town in themselves.

preliminary work

On 5 January 1971 it was announced that the Secretary of State, Mr Peter Walker, did not wish to 'call in' the plans for his decision in the circumstances, where no objections had been received and where the council were giving further consideration to the heights and density of the development.

Formal outline planning permission was then granted by the planning committee on 19 January 1971 subject to a number of conditions. Among these were:

- 1 No building shall be of a height greater than the level of that part of the cliff top which is immediately north of the site of the building.
- 2 Each part of the site and each building [indicated on the submitted plan] shall be used for the purpose stated in respect of it in the accommodation schedule submitted with the application, and for no other purpose.
- 3 The extent of permissible car parking shall be determined by the local planning authority in the light of the detailed land uses proposed.
- 4 Each flat shall be occupied as a single dwelling unit only and shall be self-contained before it is occupied for human habitation.
- 5 The total office accommodation to be provided shall be less than 10 000 square feet in extent.
- 6 The density of development for this site shall be in accordance with details to be submitted to and approved by the local planning authority before works commence.

The reasons given for condition 6 were 'to protect the amenities of the locality and because insufficient information was afforded in the outline application which is the subject of this permission.'

In March 1971 the *Daily Telegraph* reported that the costs had now been estimated at £40 million. In May, a new water-flow model of the harbour was built and tested, because of the changes in the design of the scheme.

In July there were changes in the Spey financial companies' arrangements: Spey Westmoreland bought out the 35 per cent Spey Investment share. Mr David Evans announced on 23 August 1971 that work was about to start. About the long delays and opposition Mr Evans said, 'Although we were very bitter at the time the delays have, in many ways, been a God-send. . . . If there had been no objections to the Marina we would not be building the sea walls with pre-cast concrete blocks, which is a much better method than the one we originally intended to use.'

One condition still to be satisfied was that the council needed to be sure that the Marina Company had the resources to carry the scheme through *before* starting. However, in September the council's consultants, Deloitte & Co., reported favourably on the Marina Company's finances and it looked as though the long battle over the Marina was over.

Early in 1972, however, a new attack on the Marina began, sponsored by a body called the 'Brighton Environmental Committee'. They distributed 15 000 leaflets and held a public meeting on 18 February 1972. Their main objection was that the new plans bore little if any resemblance to the plans presented to public and parliament when the planning permissions were being considered. They were particularly concerned that the new plans

new opposition

Battle of Black Rock

OVER the years many have speculated on the origins of Black Rock's strange name. The most persistent myth says the rock face was stained black with coal after a gasworks was built on top of the cliff in the 1830s. Yet according to local geographer and historian Geoff Mead, who teaches at the University of Sussex, the name Black Rock precedes the gasworks by 180 years. It first appeared on a map in 1664 as Black Rock Down.

He said: "There is also a hard tale about Regency buxers from Brighton going out to practise black magic there. It's a nice story." The local history expert, backed up by a 1932 book, Sussex Geology, says the true origins of the name comes from stones called sarsens which were mixed up with all the rubble in the cliff and are very dark-grayish/red against the pale chalk. He said: "In the past, there might have been huge great boulders in the cliff, making it look much darker than now."

When Henry Cohen's plan for a marina was given approval there was enormous opposition from Kemp Town people who said it should not be at Duke's Mound, situated below some of the finest Regency squares and gardens in the country. In 1865 the council decided to move the site along to Black Rock, a geologically interesting place where the Downs bit fits into a series of stark chalk cliffs. Residents there were also furious and staged a war which became known as the Battle of Black Rock. Yet eventually the scheme was approved provided no building projected above the cliffs, a condition that applied to all subsequent developments.

The towering girl at Black Rock may look like part of the magnificent Seven Sisters range, but it is actually some 84 million years younger. As it soars above Auld supermarker today, the rock face is split by a vertical crack. To the right, the gleaming chalk is 85 million years old. To the left, the greyer, rougher cliff is believed to have been around for only 150,000 years.

According to local historian and geographer Geoff Mead, the precipice is unique: "That stretch of cliff is the only section in the country where you can see this sharp transition. It's in all the standard geology books." One hundred and fifty thousand years sounds like forever, but to geologists this stretch of cliff is still in its infancy - and it throws up all sorts of clues to the landscape of the South Downs and



BLACK ROCK: Photograph held at Booth Museum of Local History

Brighton. John Cooper, geologist and keeper of Brighton's Booth Museum, believes today's Black Rock Cliff was once the start of a sweeping bay reaching all the way back to Brighton Racecourse.

Tens of thousands of years ago, during the last ice Age, all of Brighton would have been underwater, now straitened by Reachy Head.

The Bay of Brighton would have stretched from the marina, through east Brighton and Queen's Park and on to the Hanover area before flattening out around the Old Steine.

The steep climb up Albion Hill and Southover Street is now the only remainder of the shape of this ancient bay

discover the existence of dinosaurs.

The geologist found a huge fossilised tooth at a site near Cuckfield and realised nothing like it had ever been seen before. He identified it as being like an elephant's tooth - reptilian and herbivorous but gigantic, said Mr Cooper. "He called it the tooth of an iguanodon, which was the first time the concept of a dinosaur was used."

"One of Mammell's parrot-like interests was the Black Rock cliff site - he called it The Elephant Beds. He found lots of tusks there from arctic elephants and woolly mammoths. Fossils of cattle and an arctic horse were also found, as well as rhinoceros and hippopotamus bones."

New geological finds were exposed every time there was a landslide, but modern sea defences have scoured the cliff so it is unlikely to crumble in quite the same way again.

Decades before Black Rock cliff was declared a Site of Special Scientific Interest in 1951, work on a huge cliff wall began. Five hundred men were brought from all over the country to construct the wall. Now stretching from Black Rock back to Kemp Town, with a further stretch past Rottingdean, the wall was built in a bid to avert the unemployment of the early 19th century Depression era as well as to protect the land from the sea.

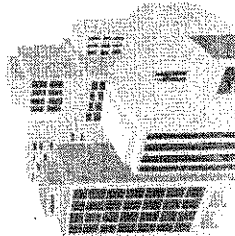
Between 1929 and 1933 the underground path was built, which is as much a sea defence as the route for a leisurely stroll.

BMRA Dec 14

Centre Operations Limited

Where standards begin with excellence

- ★ Contract Cleaning
- ★ Shopping Centre Specialists
- ★ Health & Leisure Centres



1000-1000-1000-1000

It is now more than five years since plans for the Brighton Marina were made public. Here, Tony Gwyn-Jones summarises the controversies which have raged round the giant project ever since and traces its story from the winter of 1963 when it was first announced.

Background to a vital local issue

OCTOBER, 1963: Plans for a \$9 million Marina, to be the "most revolutionary" in the world and to include provision for moorings for small craft and a heliport, are announced by Henry Cohen and associates.

The scheme, prepared by Mr. Derek Head of the Brighton firm of Overton and Purves, acting on behalf of the developers, would provide berths for 3,000 boats, and apart from the harbour would comprise a heliport and hovercraft station, tiers of flats, an hotel, restaurants, shops, clubs, a conference hall, swimming pools, a bowling alley, car parks and a variety of facilities, and a casino.

In his report outlining the developers' plans, Mr. Head says that the need for such a yacht "resort" is "absolutely unquestioned" in support of this, he says: "It is estimated that 19,000 yachts of 14ft. upwards are produced annually for the home market, and boat-builders elsewhere of the fact that unless harbours for these craft are provided they will have to stop building boats."

Mr. Head explains: "Apart from limited marina facilities at Newhaven, there are no sailing harbours between Dover and Chichester. Yachts are not welcome in Sheerness as this water is reserved for purely commercial use."

OCTOBER 29, 1963: Brighton Planning Committee ask the town council to approve the scheme in principle.

OCTOBER 30, 1963: Sir Robert McAlpine and Sons, Ltd. are announced as the developers.

NOVEMBER, 1963: Brighton Council approve the project in principle—without debate.

DECEMBER 4, 1963: Representatives of the Marina architects and contractors' organisations are asked to take on the project begin a preliminary survey of the scheme.

JUNE, 1964: It is announced that the Marina will include an ice rink and multi-purpose entertainment centre.

SEPTEMBER 13, 1964: Brighton Council endorse the scheme and the developers announce plans which form outline the original scheme.

As set from numerous hotels, restaurants and dance halls, initial plans reveal such features as a skid slope, a casino, bowling alley, tennis and squash courts, and a multi-story hotel.

Plans for a hovercraft station and a heliport are scrapped, because of the noise problem, but a Channel jet ferry to Dieppe has been added.

Following there are no suggestions the inquiry is not called on the project will start in 1964.

SEPTEMBER, 1964: Architect and town planner Sir William Holford, who lives in Kemp Town, protests that the proposed site for the Marina will destroy many of the town's existing assets, in a letter to The Times, he suggests that the Marina would be better sited immediately east of Black Rock Pool, "where it would not affect existing amenities."

SEPTEMBER 24, 1964: Brighton Civic Society urge that the Planning Committee's recommendation for a provision in the scheme be referred back until.

The Town Map has been reviewed, and revisions agreed, to bring it up to date and in line with town planning principles, as set out in the Buchanan Report.

The principle of pedestrian and traffic segregation has been applied to the residential areas and adequate noise routes have been agreed.

The traffic capacity of the residential and crucial portions of the town has been calculated, and steps taken to preserve the unique historical and architectural value of the environment.

The principle of linking over beaches and waterfront as a substitute for free access and enjoyment of those areas by the general public has been approved or rejected as a separate issue in the Council Charter.

SEPTEMBER, 1964: If the Marina is developed as envisaged, it could bring the town an annual rate revenue of £500,000, says the chairman of the Planning Committee (C. Ivan Dodeney).

SEPTEMBER 25, 1964: The Town Council give their Planning Committee four-fold authority to press on. The planners receive permission to:

Forward the application to the Ministry of Housing and Local Government, with plans and drawings.
Pursue negotiations with developers.

Help to promote a Parliamentary Bill for the scheme.

SEPTEMBER, 1964: The Regency Society of Brighton and Hove announce opposition to the scheme over the choice of the site.

OCTOBER 1, 1964: The Minister of Housing and Local Government decides to hold a public inquiry into the scheme.

OCTOBER, 1964: Prof. Marcus Cawthra, of Sussex University, joins the ranks of those in opposition and claims that the Marina will do "irreparable and aesthetically harmful" to the town.

JANUARY, 1965: Because of objections to the siting of the Marina, its developers are considering an alternative site to the west of the original one. Sites under the cliffs, east of Black Rock and at Ovingdean Gap are among those being considered.

FEBRUARY, 1965: A site at Black Rock is being considered as an alternative home for the Marina now that the promoters have dropped the idea of using Ovingdean Gap as an alternative to their original one at Kemp Town.

JUNE, 1965: Plans for the building of the Marina on a new 70-acre site within the cliffs at Black Rock are shelved by the promoters. After having surveyed several alternative sites, the promoters have decided that the only one to meet all requirements is at Black Rock.

They also announce that they are subcontracting a Brighton-France hovercraft service for their original cross-Channel jet ferry idea.

JULY, 1965: Objections to the scheme are received from residents in the Rodden district of Brighton. Their main objection concerns the 250ft. high black cliffs.

AUG. 1965: Brighton Planning Committee approve in principle the new site at Black Rock after being given assurances by the developers that no building on the cliff will project above the top of the cliffs there.

JULY 23, 1966: Brighton Council grant outline planning permission for the Marina to be built on a site at Black Rock.

JULY 29, 1966: Kemp Town Labour Party oppose the scheme, such an attempt to utilise public beaches for private enterprise and development would lead to an unwelcome precedent being established, they say.

AUGUST 5, 1965: The Minister of Housing, Mr. Richard Crossman, has decided to deal personally with the planning application for the Black Rock scheme.

OCTOBER 7, 1965: Mr. Crossman decided to hold a public inquiry into the scheme on November 24.

OCTOBER, 1965: In leading the campaign to make the project meet objections from critics, the promoters decide to drop their plan to have a cross-Channel ferry and a hovercraft terminal.

NOVEMBER, 1965: The Ministry agree to postpone the inquiry to allow a revised plan to be submitted by the promoters.

JANUARY 24, 1966: On the eve of the public inquiry, Shell-Ox and B.P. Ltd. previously stated to be "very heavily committed" with the project, say they will not give financial backing to the project. The £15 million Allied Land and Investment Company are named as the backers.

JANUARY 25, 1966: A request for a three-month adjournment of the public inquiry is made in its

should become part owner of the Marina.

MARCH 14, 1967: The Commons Act, the Marina Bill, a Second Reading by 99 votes to 42. Moving the Second Reading, Cr. Dennis Hobden, M.P., for Kemp Town, says it will not mean a loss of Brighton's heritage, but the coming of a heritage for future generations.

APRIL, 1967: The Association of Land and Property Owners, the National Federation of Property Owners and Brighton Home and District Property Owners' Association, withdrew their opposition to the scheme following a negotiated agreement with the sponsors on compensation terms.

APRIL, 1967: Mr. Cohen gives an assurance that his company will assist for costs against the owners/occupiers of houses in Rifle Butt Road and Hillside Cottages, Brighton, if they pursue their objections to the Bill at the Parliamentary Committee stage.

MAY, 1967: Four Brighton residents are now the only petitioners opposing the Bill.

MAY, 1967: A Commons Select Committee refuse to grant the Marina promoters compulsory purchase powers as sought in the Bill.

MAY, 1967: Brighton Council are being asked to seek compulsory purchase powers for houses in Rifle Butt Road and Hillside Cottages, following the Commons Select Committee's decision to restrict the compulsory powers for compulsory purchase rights.

MAY, 1967: Brighton Corporation are prepared to buy houses in Riflebutt Road before obtaining powers of compulsory purchase which would be given in the Bill to the Ministry of Housing.

MAY, 1967: Brighton Corporation will permit the council, as well as the Marina Company, to negotiate for the properties.

JUNE, 1967: Mr. Hector Hughes, Q.C., Labour M.P. for Aberdeen North, who lives in Brighton and is an opponent of the scheme, tables a motion in the Commons to delay the Bill for six months—a parliamentary device for killing a Bill.

JUNE, 1967: Mr. Henry Cohen makes two major concessions to the House of Lords—first, a guarantee to pay an independent valuer to check an independent valuation of the houses, and secondly, to pay out the real estate within two years of the Bill getting Royal Assent, instead of three years.

JUNE 27, 1967: The Bill gets through its Third Reading in the Commons.

JULY 31, 1967: The Bill is given an unopposed Second Reading in the House of Lords—and it is agreed that the promoters should be allowed to re-introduce it in the next Parliamentary session.

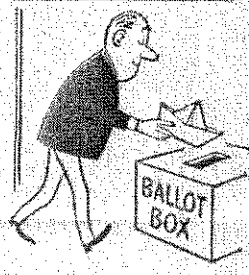
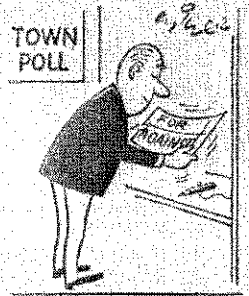
OCTOBER, 1967: Brighton Tory councillor Mr. Danny Sheldon says he is to press for a Bill inquiry into an article in The Times which alleges that a "critical stage" of the Marina scheme the public was misled and vital information withheld.

The article alleges that its author was told at a press conference, vital correspondence was not disclosed and a widely inaccurate statement was made at a Brighton Council meeting. And it claims that if the "critical" extent of the commitment of the backers had been clear to the public, the whole project would have been stopped in its tracks.

NOVEMBER, 1967: Brighton Town Council, at a special meeting to discuss a public letter to the Marina project which asserted in The

MARCH, 1967: Home Civic Society join those objecting to the project on the grounds that:

- Plans for dealing with the large additional flow of traffic are inadequate;
- The acquisition by private interests of a piece of the town shore is sure to lead to undesirable repercussions elsewhere;
- The size of the township needed to give economic support to the Marina is quite inappropriate to the locality.



BATTLE STATION AS MARINA POLL NEAR

Continued from p. 1

February 12, 1968: The Bill gets through the Lords Select Committee in only half the time expected. And Mr. Cohen predicts: "All being well, we'll start in June."

FEBRUARY, 1968: In a special report on the Marina project, the Select Committee of the House of Lords say: "We are convinced that this is not an ill-considered scheme, and one which was planned in haste."

MARCH 14, 1968: The original Bill gets its Third Reading in the House of Lords—despite a bid by Labour peer Lord Marchmont to "kill" it by moving an amendment to postpone it for six months. His amendment was defeated by 67 votes to 33.

MARCH 15, 1968: Mr. Cohen calls a board meeting to discuss the Marina starting date. He says that their target is still June.

MARCH 20, 1968: Mr. Hector Hughes, M.P., tables his most impudently motion to reject the Bill in the Commons. He asks for consideration in six months—a Parliamentary device for wrecking the Bill.

MARCH 26, 1968: Twelve residents of Riflebutt Road and a letter of support to Mr. Hughes in his attempt to have the Bill rejected.

APRIL 1, 1968: The Bill is over the last hurdle. The Commons agree to all 99 Lords' amendments.

APRIL 10, 1968: The Bill receives the Royal Assent.

MAY 6, 1968: The Marina Company, in a new offer to residents of Riflebutt Road, say that if they agree within a year they are prepared to give them the valuation price of their properties. If they move after a year and within two valuations, plus 15 per cent, plus compensation, if they stay, the company will pay for valuation.

JULY, 1968: Mr. Cohen says that the scheme may now include an indoor Mediterranean-style beach with weather conditions to match and a fitness centre for 1,000 people, and other conventional entertainment. Initially included are nine out.

JULY 31, 1968: The Marina Company are given the Government green light to begin work on the harbour section of the scheme.

DECEMBER, 1968: Brighton Council threaten to call a town poll if the mayor does not agree to put back the time of the town meeting which will approve or reject the draft of the Corporation Bill to enable the council to construct approach roads for the Marina.

DECEMBER 20, 1968: The scheme again receives a setback. At the three-hour town meeting a corporation proposal to promote the Bill to enable the building of access roads to be thrown out. Brighton Planning Committee chairman Ald. Leonard Knowles warns: "Without these roads there will be no Marina."

DECEMBER 20, 1968: The mayor calls a new poll on January 15 to seek the support of electors for the promotion of the Bill to enable access roads to be constructed. His move follows the £19-151 defeat of the Bill proposal at the town meeting.

February 12, 1968: The Marina project is "absolutely unquestioned" in support of this, he says: "It is estimated that 19,000 yachts of 14ft. upwards are produced annually for the home market, and boat-builders elsewhere of the fact that unless harbours for these craft are provided they will have to stop building boats."

February 12, 1968: The Marina project is "absolutely unquestioned" in support of this, he says: "It is estimated that 19,000 yachts of 14ft. upwards are produced annually for the home market, and boat-builders elsewhere of the fact that unless harbours for these craft are provided they will have to stop building boats."

February 12, 1968: The Marina project is "absolutely unquestioned" in support of this, he says: "It is estimated that 19,000 yachts of 14ft. upwards are produced annually for the home market, and boat-builders elsewhere of the fact that unless harbours for these craft are provided they will have to stop building boats."



MARINA PLANS GET GO-AHEAD

EVERYTHING is now set at "Go" for Brighton to have the multi-million pound Yachting Marina on the 34-acre site under the Black Rock Cliffs.

Lawyers are working against the clock to finish the final draft of the Parliamentary Bill that must be before the House by November if work on the magnificent man-made harbour is not to be delayed.

This week, the Minister of Housing and Local Government, Mr Anthony Greenwood, approved of the report of his Inspector, Mr V. H. Loney—who described the plans for the 1,750 berth Marina, as "bold, imaginative and at the same time"—and granted planning permission.

This means that within the next eight to ten years, Brighton will have the finest yachting facilities in the country, and a harbour, a facility the town has always lacked, at no expense to the rate-payers.

On the contrary, the rates will receive an increase in income. The estimates vary from £200,000 up to nearly double that figure.

Objections

To make the £3.8 million harbour viable on the shore below the cliffs, a village of hotels, flats and boatels will be built. There will be a fishermen's wharf, public houses on the harbour side, an oceanarium and other recreational facilities at a total cost of £6 to £7 million to the developers.

The Inspector and the Ministry have taken seven months to study the information given to them of the 10-day Public Inquiry. The Minister was strongly opposed by several groups of people in Kemp Town. In all there were 200 objectors.

The Brighton Marina Company's scheme was backed by the Planning Committee and the Council, who are enthusiastic supporters of it.

The Minister said the objections to the proposal "are not so substantial as to justify him withholding planning permission."

Mr Greenwood gave a warning about the "grossly overloaded" portobello outfall sewer which would have to serve the on-shore development and said there was a risk of pollution from boats in the harbour which would be difficult to overcome.

He stressed that both problems are for the public health authorities, and that he expects them to take all possible steps to deal with them. Mr Greenwood pointed out that they should bear in mind his predecessor's statement that pollution of the beaches must be stopped.

Mr Greenwood also made these conditions:—

1. The means of access to the site, the design and external appearance of the buildings shall be agreed by the local planning committee.

2. No building should be higher than the cliff-tops.

3. The scheme must be started within the next six years.

4. Each part of the site and each building shall be used for the purpose stated in the application for planning permission.

5. No Dutch or other auctions shall be allowed in the shops.

6. Provision for parking 3,600 cars must be agreed with the planning authority before work on the site begins.

Mr Greenwood accepted that there is an increasing demand for more yachting facilities and that a new harbour and ancillary buildings would not be an economic proposition unless they were accompanied by other revenue-making developments.

★ ★ ★

Town would gain £200,000 a year in rate income

THE Inspector, Mr V. H. Loney, told the Minister in his report WHY he felt the marina was needed.

He said he had come to the conclusion that because of the ever-increasing demand for moorings and the need to provide new harbours such as the proposed marina, was now urgent, and would intensify in the future.

The Inspector gave the following points for giving Brighton the green light to go ahead.

1. From the point of view of the yachtsmen, the location of the present site would be a good one, from virtually every aspect.

2. On the balance of the evidence given at the inquiry the present marina plan, as a whole, was likely to be an asset to the town—as a holiday resort, and a financial benefit to it.

[At the inquiry the Borough Treasurer, Mr E. Morgan, said he estimated that Brighton would gain well over £200,000 a year in rate-income].

3. The offshore development would be so situated that it would not be unduly obtrusive in appearance, or an unwarrantable intrusion upon the local scene, whether from the land or from the sea.

extra traffic generated by the marina. Mr Loney's report says:

"The neighbouring residential development would in any event suffer noise from increasing traffic in the future, and the additional flow from the marina would not necessarily render unbearable an otherwise tolerable nuisance."

"The evidence as to the likely traffic generation of the marina was conflicting. In any event, provision could be made in a new traffic plan for the town to accommodate in perhaps ten years' time such extra traffic without undue additional trouble, disturbance, or expense."

Solution

The Inspector said he agreed with the experts that it was a problem quite capable of a successful solution.

imaginative and attractive scheme.

He said he approved the scheme subject to conditions suggested by the Brighton Corporation.

The project is the brainchild of Mr Henry Cohen, a Brighton businessman, who said: "After working on the scheme for three and a half years, I am absolutely delighted to get the go-ahead."

Further tests

"About £50,000 has already been expended on the various tests, and further tests will start at once. We estimate the harbour will take about two and a half years to build, and the work on the shore which will follow, about another four and a half years to complete."

"We are backed by the Allied Land Investment Co., who are to finance the scheme."

"We hope to get the Royal Assent to the Parliamentary Bill by next July, and work on the site will begin shortly after that."

He concluded that all the

BRIGHTON CLASHES WITH No highway on line A MINISTER

WHEN a deputation from Brighton Town Council went to see the Minister of Housing and Local Government (Mr. Richard Crossman) in Whitehall about financial assistance for the town he talked incessantly and they could barely get a word in edgewise.

The scene in the Ministry on July 8, was described by Ald. Leonard Knowles at the council's meeting last night.

Nearly the whole of the time was spent on the few observations by the Minister on what he thought Brighton should do, said Ald. Knowles. "It was extremely difficult to get a word in edgewise."

At one stage the Minister had said Brighton was a very wealthy town.

"I ventured to point out that this could scarcely be so, as 18 per cent of the population were either jobless or retired, compared with a national average of 12 per cent," the alderman added.

The interview was completely unsatisfactory in every shape and form from Brighton's point of view.

PLANNING

The deputation, which included the Mayor (Ald. Dudley Baker) and members of the Planning Committee, saw Mr. Crossman primarily with a view to ascertaining what financial assistance might be available to Brighton, so that the council could plan realistically to meet the problems of traffic and transportation in the next 20 to 25 years.

The Planning Committee reported that it was apparent from this interview that no qualified financial assurances will be forthcoming, and that no approval of any major scheme for Brighton could be expected from the Minister unless a comprehensive development plan for the town was submitted to him in which such schemes could find their place.

The committee advised the council that the survey preparations for

He wouldn't let deputation get a word in

a comprehensive plan for the town were well ahead.

The survey of land use was practically complete. The transportation survey for Brighton and surrounding areas was in progress but could not be completed in its entirety in much less than two years.

DISCUSSION

"So that important developments of the council and of private enterprise may not be suspended or frustrated, it is imperative that no time be lost in the preparation of a preliminary comprehensive plan for discussion with the officers of the appropriate Ministries," said the committee report.

"To that end it will be necessary for the borough surveyor to obtain additional assistance, and the committee expect to receive at least a preliminary outline of his recommendations in four months' time."

The report added: "When this preliminary report is before the committee we will be better able to advise the council whether outside planning consultants should be employed."

DIVISION

After a lively debate and a division, the council carried by 42 votes to 21 a recommendation that the borough surveyor be instructed to prepare and submit at the earliest practicable date a preliminary comprehensive plan for Brighton.

The council also agreed to authorise an expenditure of £5,000 on obtaining additional assistance for the preparation of the plan. Planning Committee chairman Cr. Ivan Dudeney told the council that in view of the decision of the Minister, they had three courses open to them.

- 1. "We could do just nothing, submit all our schemes as usual, and have a head-on crash with the Minister. I have no doubt who would win that."
 - 2. "We could spend £5,000 and instruct the borough surveyor to prepare a preliminary plan."
 - 3. "We could call in a firm of consultants to prepare a plan which could well cost the town £100,000."
- He added: "We have got to prepare some kind of plan so that the Minister can see where the circulation and flow of the town's traffic lies."

DEPUTATION

Cr. Dudeney said that the deputation went to the Minister chiefly because, in seeking grants and loan facilities for some small projects in the town recently, they were "at the Minister's mercy."

"But the Minister insisted on

dealing with the whole of the town and said we would have to produce a comprehensive plan and submit it to him," he added.

Cr. Dudeney warned that the first phase of the new town hall scheme might not go through at all if the plan wasn't prepared for the Minister.

"If we don't produce this plan and show the Minister we are prepared to get a more free flow of traffic in the town I am afraid that some of the major projects will go through," he said.

NO NOTICE

Further describing the interview with Mr. Crossman, Ald. Knowles, who opposed a preliminary plan, said: "I have been on many deputations to Ministers and have served under one during the war, but never before have I known a Minister who took less notice of a deputation who had been to see him."

Ald. Knowles added that the Minister stayed overnight with Lord Cohen when he visited Hove earlier this week. They had conversations about Brighton that night and the following morning before the Minister's return to London.

"At the meeting of the Planning Committee the following day Lord Cohen stressed no fewer than four times that the Minister had said that he would not approve any major development in Brighton until they had an overall plan," added Ald. Knowles.

The alderman said he could not support the committee's recommendation because the Minister had talked in London of the need for Brighton to have a plan like the one for Liverpool, where outside consultants were called in.

DETAILED

"What he had in mind for Brighton was clearly a detailed overall plan—not the £5,000-worth done by our offices inside a period of four months," he said.

"This would not satisfy the Minister. I have no doubt it would satisfy our reasonable requirements, but it seems to me that the Minister's requirements in this matter are unreasonable."

"I am not talking like this about him because I am on the opposite side of the political fence. It is merely that he has said this."

Ald. Knowles added that if they went again to the Minister to ask him to "think again" about the future of Brighton they must do the talking.

DOWN DRAIN

"We must put our point of view the next time instead of having to listen to the Minister for a considerable time talking of something about which he knows very

little, nothing, and of which we know nothing."

Ald. Knowles had a further deputation who opposed the recommendation, said it would be "throwing £5,000 down the drain." The Minister had categorically stated that he would approve no more schemes for Brighton until they had prepared a comprehensive plan.

He added that Lord Cohen had said that he recently on July 8 Monday night the Minister had reiterated what he had said to the deputation in Whitehall.

"I think the preliminary plan proposal is just a sop to the Minister which will get us nowhere at all," said Mrs. Watson-Miller.

Cr. Walter Clouf thought the £5,000 would be well spent. "He will have to see our point of view," he added. "We are an old town and if you took on with a comprehensive development of Brighton you would have to put a bomb on the lot."

Cr. Stanley Dession said: "You mustn't get excited because the Minister doesn't agree with us. It has happened before, and even now Brighton isn't alone in this."



MR. CROSSMAN—he just talked

I feel sure that in the end the Minister will have to accept the fact that Brighton, in common with many other towns, is doing its best. Its new schemes will have to progress despite the words used at interviews and in private discussions."

But, he said, it was necessary that they should have a plan and he hoped the council would support it.

CONTINUED ON PAGE 19.

A BRISTOL and LONDON RAILWAY to bypass Brighton Town Council's railway line into a rather better (called last night).

Cr. Ivan Dudeney, chairman of the Planning Committee, moving a recommendation that no approval be made for the Minister's plan covered at the present time, said the cost would be astronomical.

There were no venturers who had in the Council, and the problem of diverting any part of the main flow from the London Road to the northern end of the tunnel between Hartington Road and Elm Grove, involving crossing Hartington Road and Lewes Road, would be extremely difficult to solve.

Cr. Sheldon, moving that the matter be referred back for further consideration, said the line had "every ingredient" for turning into a highway. "There was tunnel and a flyover (the viaduct over Lewes Road). The scheme is possible," he said.

A seven-bedroomed house at No. 152 Marine Parade, on Brighton seafront, was sold by auction yesterday for £12,500 with vacant possession. The auctioneers were Graves, Son and Pitches.

Tomorrow-minded people

Save £4

per heater

by installing Unit Plan Electric Central Heating

TODAY Seeboard offers a special out-of-season reduction of £4 per heater complete with installation. Order now and be sure of having your central heating ready before next winter's rush and save money into the bargain. Unit Plan Central Heating runs on half-price off peak electricity—is easy to install... and you can add it to room by room. Easy payment terms if you wish.

ASK Seeboard SOUTH EASTERN ELECTRICITY

For further details at your ELECTRICITY showroom... or post this coupon today.

To: South Eastern Electricity Board, 10 Queen's Gardens, HOVE, 3, Sussex.

Please send me further information by post.

I would like someone to call with information about the special summer rates of Unit Plan Central Heating.

TICK WHICH IS APPLICABLE

NAME _____

ADDRESS _____

URGENT!

'YES' TO THE MARINA

BRIGHTON Town Council last night granted outline planning permission for a marina, including a yacht harbour, hovercraft base, restaurants and public houses, to be built on a site east of Black Rock swimming pool and south of the Lancelotti Walk, below Marine Drive.

Cr. Ivan Dudeney, chairman of the Planning Committee, said the principle of the scheme was exactly the same as that which had come before the council earlier. The only difference was a new site and a different list of objectives.

'HARMFUL'

Cr. Danny Sheldon, unsuccessfully moving a resolution back for further information, said the scheme would be harmful to Kemp Town residents.

He said the council had to be satisfied that the expenditure would be paid for by the corporation. "I feel there is insufficient information to pass the application for outline planning permission," he said.

Cr. Charles Jermy said the proposed siting of the marina had caused a "great deal of consternation" in the locality.

The Brighton Marina Company, Ltd., had a nominal capital of £1,000,000—of which only 20 per cent had been issued for cash. One was held by one director and the other paid-up share by another director. 885 shares had been allotted to one of the directors as reimbursement for expenses incurred by him on behalf of the company.

Cr. Jermy said the nominal capital of a company was not necessarily the limit of its financial resources but could a project of this magnitude be successfully carried out by a company with backing of this kind.

Cr. Dudeney said the project had rested on the company providing adequate financial backing and giving an assurance that they

would be able to carry out the scheme.

Many thousands of pounds had already been spent on the scheme.

"I feel sure that the council have no fears that this is a project that will go on, and it two had been issued for financial backing in the right quarters," he said.

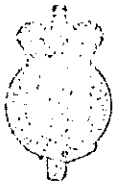
A BILL

Cr. Dudeney said the Planning Committee had been assured that none of the buildings would be higher than cliff-top level.

The cost to the council would run into hundreds, not thousands, of pounds. The major cost would come in connection with the promotion of a Bill in Parliament.

A copy of the application, plans and drawings will now go to the Minister of Housing and Local Government.

More council debates and decisions are reported on Page 25.



Department of the Environment
2 Marsham Street London SW1

Direct line 01-212
Switchboard 01-212 3434

SMEN 000 E



The Louis De Soissons Partnership
3 Park Square Mews
Upper Harley Street
LONDON
NW1 4PP

Your reference

Our reference ^{SE2} 1902/220/2 P.T. H

Date 30 MAY 1975

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971
APPLICATION BY BRIGHTON MARINA COMPANY LIMITED
REFERRED UNDER SECTION 35

1. I am directed by the Secretary of State for the Environment to say that consideration has been given to the report of the Inspector, Mr David Widdicombe QC, who held a local inquiry into your client's outline application for planning permission for the construction of a marina in accordance with the drawings and particulars listed in a schedule attached to the application and to include an entertainment complex 1450 residential units, 17,500 m² of shopping and exhibition space including service and storage areas, parking spaces for 1648 cars, a hotel of 500 bedrooms, and moorings for 20:7 boats on land east of Black Rock Swimming Pool and south of Undercliffe Walk, Brighton. The Inspector was assisted by Mr S W Midwinter RIBA, RETPI who acted as assessor.

The Secretary of State directed in pursuance of Section 35 of the Town and Country planning Act 1971 that the application be referred to him for decision instead of being dealt with by the local planning authority.

2. At the inquiry your client, without withdrawing the original application, submitted a modification of it in the form of a zoning plan (OADI/01-SK703) and a schedule dated 21 November 1974 listing the buildings, structures and works to be constructed in each zone. The zoning plan shows no details of the siting of the buildings. All the plans, with the exception of the location plan OADI/01-SK525, submitted with and forming part of the original application were in the case of the modified application, to be regarded as submitted for information purposes only; these plans indicate generally the height, location and mass of the buildings. Details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site were to be reserved matters.

3. Nobody appearing at the inquiry objected to this modification of the application and the Inspector was of the opinion that the modification did not substantially alter the nature of the application and that it could lawfully be accepted.

4. As the modification does not increase the amount of development proposed in the marina but makes your client's intentions clearer, by providing more information about the development proposed to be included in the marina, the Secretary of State agrees that the application should be treated as modified in the manner proposed.

5. A copy of the Inspector's report is enclosed. His conclusions are contained in the body of his report and are summarised in paragraphs 131 to 136 which are quoted in full in paragraph 19 of this letter.

6. The Inspector considered that the visual impact of the buildings could be divided into three issues:-

i. whether the change from the 1966 scheme, which had the buildings located at the base of the cliff, to the present proposals which deliberately site the buildings away from the cliff, was objectionable in principle;

ii. if the siting of the buildings away from the cliff was not objectionable in principle, whether the particular buildings now proposed were objectionable because of their bulk, scale and disposition; and

iii. whether in any event some or all of the development on the promontories in the locked basin should be omitted as visually objectionable.

7. On the first issue the Inspector noted that the overwhelming weight of the evidence favoured the removal of the buildings from the cliff; he was convinced that the revised layout was a great improvement on the original scheme, but he recorded that your client recognised and the two local authorities stressed that at the detail stage great attention must be given to achieving an acceptable visual design for the roofs of the buildings.

8. On the second issue the Inspector said that in his view the key factor was the scale of the site; he agreed with the experts who stressed the need for bold strong buildings, but concluded that your client's proposals for the residential buildings on the spine had serious defects from a visual point of view. The plans indicated a rigid uncompromising framework which the Inspector thought would be visual unsatisfactory and he was even more concerned about the inflexibility of the submitted scheme. With your client's stated intention that the residential blocks would be built only as and when demand materialised, there was a possibility of long time lags between the construction of buildings and there could be no certainty that the full development would ever be completed. With a formal arrangement such as was proposed the interim stages would present an unfinished and unbalanced appearance for an indefinite period and perhaps for ever. He thought it was possible to visualise an arrangement which would in no sense seek to be 'romantic', as represented by the fishing village example put forward by an objector, but which nevertheless would be far less formal, less rigid, less regular and less repetitive than the scheme proposed.

9. The buildings envisaged for the public zone at the western end of the marina appeared to the Inspector to be acceptable in scale and layout. In particular the hotel was a strong building, not part of a formal group and acceptable in its context.

10. On the third issue the Inspector concluded the promontories with some buildings on them were a very desirable feature of the scheme, since they would break up what would otherwise be a very large and unrelieved expanse of moorings, but he considered that the height of the buildings should be limited to a maximum of about 1

11. The Inspector saw no planning objection to the proposed uses in the exhibition and chandlery area but he agreed with the local authorities that the exhibition area should be strictly limited to boating and marine displays; other possible uses should be excluded by condition so that express permission would have to be obtained, and the chandlery area should be controlled by a condition to prevent the area from being used for general shopping.

12. The Inspector saw no planning objection to the shopping proposals. The area proposed was not large - 3,000m² (32,300 ft²) for the main centre - and well below the 4,646m² (50,000 ft²) mentioned in the Department's Circular 17/72. Shopping was

desirable on general grounds as a way of keeping the marina alive out of season. He concluded that the gross floor space of the supermarket would need to be between 1,600 (19,370 ft²) and 2,100m² (22,600 ft²); he saw no planning objection to the specialised shops or to the small amount of shopping at the east end of the Spine but he considered the main shopping was best located in the public zone at the west end.

13. With regard to the proposed residential development, the Inspector concluded that the space on the spine and promontories was not sufficient to provide satisfactory residential conditions for so many dwellings and that there should be a substantial reduction in the total number. In view of the high degree of bustle and activity likely to be generated by yachtsmen and visitors there was a particular need for the residents to have adequate if not ample provision of private and secluded open space for relaxation. In addition the dwellings should be significantly separated from the main circulation corridors, the road and the promenade, to insulate them from the possible noise and disturbance. For visitors, much greater freedom of movement was necessary on and off the promenade so that they might walk, sit, stand, play, shop and watch the boating activities without interfering with the residents in any way. He recommended that the gross floor space of the units of residential accommodation should not exceed 47,250m² (508,600 ft²) on the spine, 31,500m² (339,100 ft²) on the promontories in the locked basin and 6,300m² (67,800 ft²) on the floating promontories. He considered that the division of these figures into dwelling units was a matter for the detailed stage but average figures of the kind used at the inquiry would give a maximum of 450 dwellings on the spine, 300 on the locked basin promontories and 100 on the floating promontories, a total of 850.

14. How the reduced residential element was accommodated on the site was a matter for consideration at detailed stage but it seemed to the Inspector that as well as being separated from the promenade and the road the flats might with advantage be more separated from the public zone at the west end; he was in agreement with the suggestions that the westernmost block of flats should be eliminated and that if it were possible to vary the width of the spine it might allow for the creation of a group of residential buildings and possibly even a 'plazza' at the east end of the spine. Other possibilities which should be explored were the placing together on the south side of the spine of both the promenade and service road, leaving the north side of the spine for the residential development, and the widening of the promenade.

15. Reduction in the amount of residential accommodation would have certain consequential advantages - it would reduce the traffic generated, probably eliminate the overload forecast for certain roads, and if the height of the blocks on the spine were reduced would make them less visible from Roedean Crescent. Further it might help to protect the conservation areas on the eastern sea-front of Brighton.

16. The Inspector took the view that the starting point for an assessment of the impact of marina traffic on the road system must be that the principle of a marina had been approved and he decided that the supporting development asked for by your client did not add to the basic marina traffic a burden of traffic which would cause such a deterioration in traffic conditions as to warrant a refusal of planning permission. He had no reason to think that any road junction would be overloaded to an extent amounting to a planning objection.

17. The Inspector did not accept the arguments that there was under-provision of car parking or that there should be less car parking provision. He thought your client's provision had struck about the right balance. But consequent upon his

recommendation to reduce the residential accommodation he recommended a reduction in the provision of car parking on the spine and promontories from 2,553 to a figure based on the same principle used to arrive at the figure of 2,553, and that the permission for this car parking should read "Car parking on the spine and promontories on a scale appropriate for the requirements of the residential accommodation and the moorings".

18. The Inspector saw no reason on planning grounds to interfere with your client's decision to exclude dinghies from the marina.

19. The Inspector summarised his conclusions as follows:-

"My general conclusion is the same as that of Mr V H Loney in 1966, namely that the marina is a bold, imaginative and attractive scheme. It will keep Brighton in the forefront of Britain's holiday resorts, and make a notable contribution to its status as a leisure, conference and residential town

There is an urgent need for more yacht and boat moorings on this part of the coast and the marina is fully justified to meet this need. The principle of the marina at Black Rock is not open to doubt, and I accept that some supporting development is necessary in order to make it viable.

The general layout of the marina now envisaged with a locked basin and a tidal basin, and with the development located away from the cliffs, represents a considerable advance in design from the scheme approved in 1966, and is generally to be preferred from a planning point of view.

The uses proposed in the application are all acceptable in principle, and also in the location indicated for them in the zoning plan (including those not expressly mentioned in this Report). The only element of the scheme which is unacceptable, is the amount of the residential accommodation proposed. This is excessive having regard to the restricted nature of the site. It should be substantially reduced in order to achieve acceptable standards both for residents and for the public.

From a visual point of view the buildings proposed in the original application are generally acceptable in respect of their bulk and disposition, save for the residential buildings envisaged on the spine. Although the site calls for bold strong buildings, the proposals for the spine are too rigid and uniform, and are also too inflexible having regard to the possible time scale of the development and the risk that the residential element may never be completed. The height of the buildings on the locked basin promontories should be reduced for visual reasons".

20. The Inspector next considered what conditions should be imposed if planning permission was granted on the modified application. He considered that, where the application expressed an area as a maximum, it was lawful to reduce the amount in the planning permission itself, rather than by the imposition of a condition; and that certain other variations of the application, provided they did not affect the substance of what was applied for, could be made in the grant of permission. In his opinion the floor area maximum for the residential accommodation could be varied by the grant of planning permission for a reduced amount.

21. The Inspector thought the standard condition for approval of reserved matters should be extended by adding the internal road and footpath layout its design and means of construction (including emergency access and egress), and (for avoidance of doubt) the size of shopping units, the number of residential units, the amount of car parking to be provided on the spine and promontories and the treatment of roof tops. He also thought it was necessary to add a condition requiring an overall or master plan on the lines of that suggested by the Borough Council and agreed by the County Council, showing the general height, location and mass of the works and buildings proposed. Application for approval of details for any part of the development would then have to conform to the master plan or any subsequent variation of it.

22. In the Inspector's view, with a development of this size longer time limits imposed under section 42 of the 1971 Act should be allowed.

23. The Inspector considered there should be a condition requiring a general phasing plan for the development but he did not recommend the adoption of a condition suggested by the Borough Council aimed at securing the provision of entertainment facilities in step with the residential development.

24. Your client's stated intention was that the promontories in the locked basin should not be built until all the residential development on the spine had been completed and further demands for residential accommodation at the marina justified their construction. The Inspector accepted that there must be buildings on the promontories to make them an economic proposition and he kept this in mind in reaching his figure for the residential accommodation which could be permitted on the promontories. He regarded these northern promontories as an important feature of the scheme breaking up the large expanse of moorings into basins, and he was not fully satisfied with your client's explanation for the postponement of the promontories. He considered that the question of the phasing of the promontories should be explored in greater depth at the stage of approval of the phasing plan, which he had recommended should be required, and in the light of the revised figures for the amount and disposition of the residential accommodation recommended. At that stage it could be decided whether, for instance, there should be a condition prohibiting the occupation of the spine flats until at least some of the promontories and promontory flats had been built. He concluded that at the detailed stage every effort should be made to commit your client to the building of the promontories.

25. The Inspector also recommended that a condition should be imposed prohibiting the use of any part of the development, including the car parking facilities, until the relevant internal roads and emergency access and egress had been completed; that another condition should require the approval of the local planning authority to a scheme of management for the public car park at the West end of the marina; and that, if there were any doubt about whether a comprehensive plan for the buildings of the Entertainment Centre could be insisted upon at the approval of the details stage then a condition should be imposed now to require the entertainment to be provided in a single building or complex of buildings.

26. The modification to the planning application listed the following entertainments in the Entertainments Centre:

a Caribbean Garden and swimming pool, a squash club, a danceteria, a cyclorama, a multi-purpose auditorium, a public swimming pool and any other purpose within Class XVI, XVII or XVIII of the Town and Country Planning (Use Classes) Order 1972, a night club and casino, and, in a water area within the centre, a floating entertainment area for exhibition, entertainment and catering.

The Inspector recommended the imposition of a condition requiring the submission of a scheme or schemes of entertainment uses which would include a swimming pool (this was agreed by your client) and that any change in the scheme of entertainment use should require consent. He considered however that while all the entertainments listed might be acceptable a decision on them should be reserved for the detailed stage when the scheme of entertainments was settled. He did not consider that a condition which would require the whole of the proposed entertainment area to be used for entertainment should be imposed. He did recommend the imposition of conditions relating to the use of the boatyard and office accommodation, the provision of life-saving equipment, and the prevention of the use of boats as permanent residences.

27. The Inspector recommended that:-

- i. the proposed modifications of the application be accepted;
- ii. planning permission be granted for the construction of a marina and ancillary development in the location shown on drawing OAD1/01--SK525 and in accordance with the zoning schedule and plan accompanying the application, subject to the amendments to the schedule and to the conditions referred to previously in his Report;
- iii. if the modified application be not accepted, the original application be refused, without prejudice to a further application in terms of the permission recommended above.

28. The Secretary of State agrees generally with the Inspector's conclusions (except as indicated in paragraphs 30-38 below) and accepts his recommendation.

29. All representations have been considered and the points made have been carefully weighed. It has been decided that the proposals as modified are acceptable in principle on planning grounds.

30. The Secretary of State agrees in particular with the Inspector's conclusions that the general layout proposed for the Marina with the development located away from the cliffs is to be preferred, that the site needs bold strong buildings but that the present proposals for the buildings on the spine are visually unsatisfactory and that the height of the buildings on the promontories in the locked basin should be reduced. Any revised scheme put forward when seeking approval of details should take these views into account.

31. It is noted that the Inspector's recommendation that the number of residential units should be reduced was based on the conclusion that more consideration had been given to the architectural or design features than to the general suitability of the site for housing. Bearing in mind the physical restrictions of the site, and the evidence given on behalf of your client that the number of residential units is not critical to the commercial viability of the scheme, it is considered that the Inspector's conclusion was well founded and that the reductions in residential accommodation he proposes are reasonable. It is considered however that in addition to the imposition of maximum floor areas for residential accommodation, it is necessary at this stage to impose a limit on the numbers of residential units. The Inspector's views about the importance of the northern promontories are noted but it is not considered that the desirability of breaking up the otherwise open expanse of moorings is so overriding to make it reasonable to attempt by conditions to ensure that the promontories will be built.

32. The Inspector did not think it was necessary or desirable for him to decide whether a condition requiring the provision of accommodation for employees could lawfully be imposed because your client and the two local authorities intended to conclude an agreement under section 52 of the Town and Country Planning Act 1971, but he added

that in his view one way or the other adequate provision for the accommodation of employees at the marina should be secured. The Secretary of State agrees it is desirable that such provision be made but he does not consider that it would be proper to impose a condition for that purpose.

33. The Inspector agreed with the Borough Council that the site is unsuitable for local authority housing. In the Secretary of State's view, however, this should not preclude consideration of any scheme of residential development which will ensure that the site can make a useful contribution to the general housing needs of the Borough, including the provision of accommodation for permanent occupation at moderate rentals.

34. The Secretary of State agrees that, in consequence of the reduction in residential accommodation, the provision for car parking on the spine and promontories should be proportionately reduced and reflected in the planning permission. The number of moorings for which planning permission was sought in the original application was 2047 but the number of moorings listed in the modification dated 21 November 1974 total 2281 which includes 220 moorings which can be provided only if the promontories in the locked basin are not built. As the planning permission provides for construction of the promontories it cannot also provide for an alternative form of development in place of parts of the permission that may not be implemented.

35. Careful note has been taken of the various points made in the discussion at the inquiry on shopping, including the effect the marina shopping was likely to have on the shops in the central area, and the possible benefit of reducing traffic and congestion. It is noted that the Inspector shared the view of the Economic and Development Consultant specialising in the assessment of shopping requirements, that there was no evidence to suggest that the impact of a supermarket of the size proposed could have any of the wider adverse consequences described in Development Control Policy Note 13 as constituting a valid planning objection. It has been decided, therefore, that even with a reduced number of residential units a super-market having a maximum floor space of 2,000m² (21,520 ft²), which would be required to meet the range and quality of goods likely to be required by residents, visiting yachtsmen and other visitors is acceptable.

36. It is agreed that a condition should be attached to the planning permission to require the submission of a plan showing the general height, location and mass of the works and buildings. The terms of the agreed condition submitted at the inquiry are not considered to be suitable and their interpretation is not clear. The condition requiring the details of the reserve matters to conform to such a plan seems unnecessary and difficult to justify; your client will be bound by the detailed approvals.

37. The proposal that a phasing plan should be required has been considered, but such a condition is regarded as too restrictive and unjustifiable on planning grounds. The progress of the development will depend upon many factors, and with development on this scale which will be spread over many years it is considered that your client must be free to develop in accordance with the needs of the time.

38. The Secretary of State agrees that the content of the Entertainment Centre is important, and he regards it as desirable that it should cater for local residents as well as for visitors and that it should include active as well as passive entertainment. He notes that your client is prepared to include a swimming pool and some potentially unprofitable uses provided that the centre as a whole is profitable. The principal facilities to be provided will be shown in the application for approval of details of reserve matters, and the submission of a scheme of entertainment uses does not therefore appear to be necessary.

39. All the conditions recommended by the Inspector have been carefully considered. Some of them however seek a degree of control over the use of the Marina and associated buildings which goes beyond what can reasonably be imposed by conditions attached to planning permission; others are unnecessary because the limitation it is sought to impose is contained in the planning permission itself, and others are matters of inter management; such conditions have not therefore been imposed. This applies to the suggested condition which would attempt to regulate the work in the boatyard; the soundproofing and ventilation requirements of the boatyard are matters for consideration at the detailed approval stage.

40. For the reasons given the Secretary of State hereby grants outline planning permission for the construction at the site shown in the location plan OAD1/01 - SK55 and in accordance with the zoning plan, OAD1/01 - SK703, and schedule dated 21 November 1974 of:-

1. Residential accommodation comprising (a) on the spine a maximum of 450 residential units having a gross floor area not exceeding $47,250\text{m}^2$ ($508,600\text{ft}^2$) (b) on the promontories in the locked basin a maximum of 300 residential units having a gross floor area not exceeding $31,500\text{m}^2$ ($339,100\text{ft}^2$) and (c) on the floating promontories a maximum of 100 residential units having a gross floor area not exceeding $6,300\text{m}^2$ ($67,800\text{ft}^2$).

2. A maximum gross floor area of $4,500\text{m}^2$ ($48,440\text{ft}^2$) of shopping which includes provision for shopping of a gross floor area not exceeding 1250m^2 ($13,450\text{ft}^2$) in the Entertainment Centre, the hotel and on the spine promenade a main shopping centre not exceeding 3000m^2 ($32,300\text{ft}^2$) in the public zone at the west end of the site and provision within that shopping centre of a super-market having a gross floor area not exceeding 2000m^2 ($21,500\text{ft}^2$).

3. A maximum of $13,000\text{m}^2$ ($139,920\text{ft}^2$) gross of marine exhibition and marine trade show including service and storage areas and to include a maximum of 4000m^2 ($43,050\text{ft}^2$) gross of marine chandlery.

4. An Entertainment Centre of a maximum gross floor area of $40,876\text{m}^2$ ($440,000\text{ft}^2$) inclusive of any shopping facilities provided in the centre under item 2 above.

5. A boat yard having an industrial floor space not exceeding 5000ft^2 (464m^2) and provision for parking a maximum of 45 cars.

6. A hotel containing a maximum of 500 bedrooms, with ancillary public rooms and restaurants a swimming pool and health hydro and parking for a maximum of 300 cars.

7. Provision for the parking of a further 3703 cars as follows:-

- i. 1535 on the spine
- ii. 368 on the northern promontories in the locked basin
- iii. 1750 in the public multi storey car park at the West end
- iv. 50 elsewhere on the site.

8. Moorings for not more than 2061 boats being a maximum of 1334 in the tidal harbour and a maximum of 727 in the inner harbour such moorings in the inner harbour, comprising a maximum of 504 for general use, 53 for visitors and 170 for the display and sale of boats.

house in the semi-public zone, a marine fueling station, harbour control and lock control buildings, office accommodation not exceeding 10,000 ft² (30000) and service facilities and installations, including lavatories, for the use of yachtsmen.

41. The planning permission hereby granted shall be subject to the following conditions:-

1. (i) Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority.
(ii) Application for approval of the reserved matters shall be made to the local planning authority not later than 31 May 1983.
2. The development hereby permitted shall be begun on or before whichever is the later of the following dates -
 - (i) 31 May 1985; or
 - (ii) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
3. Prior to the submission of any application for approval of reserved matters a plan or plans shall be submitted to the local planning authority showing the general height, location and mass of the works and buildings it is envisaged will be executed and erected in each of the zones shown on plan OAD1/01-SK703.
4. Details submitted pursuant to condition 1(i) hereof shall include:-
 - (i) the means of emergency access to and egress from the site;
 - (ii) the internal road and footpath layout;
 - (iii) the size of the individual shopping units;
 - (iv) the treatment of rooftops.
5. No building hereby permitted on any of the promontories in the locked basin shall exceed a height of 15 metres (49 ft).
6. The use of the building containing the office accommodation hereby permitted, whether as originally erected or as subsequently extended or altered shall be restricted so that (whether in consequence of a change of use otherwise) it does not at any time contain office accommodation having an aggregate office floor space which exceeds 10,000 ft².
7. Before members of the public have access to the marina, or yachtsmen use the marina facilities, life-saving equipment and marine safety facilities shall be installed or provided within the marina in accordance with a scheme to be agreed with the local planning authority or in default of agreement as shall be determined by the Secretary of State.
8. No part of the development hereby permitted shall be brought into use until appropriate means of access thereto and egress therefrom (including emergency access and egress) have been provided in respect of that part.

9. No part of the development hereby permitted shall be brought into use until the appropriate provision for the parking of cars has been made in respect of that part.

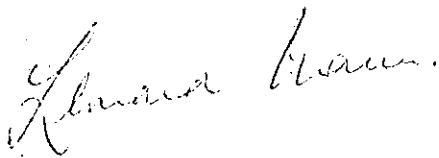
10. The marine chandlery hereby permitted shall be used for the sale of articles and equipment appropriate to a marine chandlery and for no other purpose including any other purpose in Class I of the Schedule to the Town and Country Planning (Use Classes) Order 1972.

11. None of the moorings provided pursuant to this permission shall be permitted to be used at any time by any craft which is used as the permanent and/or sole residence of any person or persons or which is used at any time for any shopping restaurant, public house, office or other like purpose.

12. Attention is drawn to the fact that an applicant for approval of the reserved matters referred to in this permission has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

13. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971.

I am Gentlemen
Your obedient Servant



LEONARD MANN
authorised by the Secretary of State
to sign in that behalf

BMRA Doc G.

HOUSE OF LORDS
MINUTES OF EVIDENCE

taken before

THE SELECT COMMITTEE OF THE HOUSE OF LORDS

on the

BRIGHTON MARINA BILL



Tuesday, 28th November, 1967.

Peers Present:

- LORD GRENFELL
- LORD CAWLEY
- LORD MORTON of HENRYTON
- LORD GRANVILLE-WEST
- LORD WILLIAMSON

The Lord Grenfell in the Chair

Ordered, that Counsel and Parties be called in.

MR HAROLD MARNHAM, Q.C. and MR JOHN TAYLOR appeared as Counsel for
the Promoters of the Bill.

MESSRS. DYSON, BELL & CO. appeared as Agents.

CHAIRMAN: Mr Marnham, I think you will have been informed that on Thursday we have to finish at 12.30 and start again at 3.00 p.m. We shall be sitting on Friday, if required, but we shall not be sitting on Monday.

MR MARNHAM: I hope that will not be necessary, my Lord.

CHAIRMAN: Now, method of procedure: what we have decided to do is to hear the whole of your case and then we will consider the situation and, as you know, the Lord Chairman will put down a motion saying we could call witnesses if we so require; those witnesses will be for clarification on anything we are not quite clear about.

(7)

Accordingly, two other sites were investigated. One was a site at Ovingdean, $1\frac{3}{4}$ miles to the east of the present Black Rock site, and the other was at Black Rock itself. It was decided to pursue the Black Rock site.

On the 10th June, 1965, which is nearly two years after the scheme was first thought of, an outline application was again submitted to the corporation for planning permission to construct a yacht harbour and associated facilities at Black Rock, i.e. on the land just to the east of the Black Rock bathing pool. The council accepted the advice of their planning committee that a copy of the application should be forwarded to the Minister and they resolved that the Minister be informed that the corporation desire to grant planning permission for the development because they consider it would be a great asset to Brighton and in the best interests of the town. They also suggested, and this is an indication of their anxiety to ensure that any development carried out here was appropriate, that certain conditions should be attached to the granting of that planning permission in order to safeguard the amenities of the area.

Just to give you the headings, I will give you the specific conditions in due course, they thought all detailed plans should be approved by the corporation and that there should be a maximum height of buildings; buildings should not rise above the cliff tops. They also wished to impose conditions relating to access, the commencement of building work, and the use of the land and the buildings to be erected. Furthermore, they wished to ensure sufficient car parking provision was made.

In order to meet these requirements two important but, so far as the principle of the Bill is concerned, insignificant alterations were made to the scheme. The question of access was discussed with the corporation officials and it was necessary to fit the access to the marina into the corporation's plans for alteration of the traffic circulation in this area. In addition, the site was moved 200 ft., I think, to the east in order to move it beyond the Black Rock bathing pool. Those were the two principal alterations which were made.

Accordingly, the final application was made on the 11th October, 1965, and the proposal was described in the following terms:-

"To erect the buildings herein described in accordance with the accompanying site plan and the particulars given below, subject to the subsequent approval of the council with respect to any matters relating to the siting, design or external appearance of the building or the use of access thereto".

Then the proposed development itself was described in these terms:-

"To construct a yacht harbour, marine club, restaurants, public houses, oceanarium, or luxury swimming pool, amenities and recreational facilities, shops, hotels, boatels and residential units in accordance with the attached schedule dated October, 1965".

In that schedule a number of developments were described in some detail.

That application was considered by the planning committee of Brighton Corporation in November and it was approved by the council, subject again to conditions. It was called in by the Minister for his decision on the 1st December, 1965.

I think at this stage it may be helpful if I give a little more detail about one or two conditions which the corporation required. One was that there should be submission to and approval by the council before the erection of a building is commenced of satisfactory details of the proposed siting, design and external appearance of the building and of the proposed means of access to the marina site. There was the same restriction on height, a requirement that building operations should be commenced not later than three years from the date of the grant of outline planning permission and, perhaps this is the most important condition, "Except with the permission of the local planning authority or the Minister of Housing and Local Government on appeal, the land and buildings indicated on Plan No. 65/2031 shall be used only in accordance with the accommodation schedule submitted with the application, a copy of which is annexed hereto".

The reason I have recounted this history is simply this. I am anxious to establish that this was not an ill-considered scheme, nor one which was planned in haste. It evolved over a period of years as a result of constant discussion and consideration by the promoting company, their advisers and the local planning authority.

That consideration and investigation has continued since January, 1966. It was in that month that following the calling in of the application by the Minister a public local inquiry was held in Brighton. It was held before a senior and experienced inspector of the Ministry of Housing. I appeared with junior counsel for the promoters. The corporation were represented and called evidence. Some of the objectors were represented. A number of the amenity societies joined together and instructed leading and junior counsel. Some objectors appeared in person. Some appeared through solicitors, through surveyors and so on. The inquiry lasted the best part of nine days. The transcript of evidence is in these pink volumes, should they be required. Although there were objectors to the scheme at that stage there were a number of supporters, as one would expect. The scheme was and is supported by the Chamber of Commerce and Trade, by the Hotel and Restaurants Association and by the Fisherman and Boatman's Protection Society. In addition it was approved by the Royal Fine Art Commission in these terms: "The Commission would not object to the construction of a marina on this site east of the Black Rock swimming pool. The Commission would also accept the general lines of the scheme but would like to be further consulted on any more detailed proposals that may be formulated later". Your Lordships may think that that is a very important statement of opinion by that body.

In addition, at that inquiry I read two letters from distinguished architects in relation to the scheme. I do not know whether I should read them again. I think probably not in the absence of any opponent. They are hearsay evidence.

In order to see what was proposed and what is proposed I am going to ask your Lordships to look at a further plan which is, except for one or two minor details, precisely the same as the plan which accompanied the original planning application and which shows the harbour works and the onshore development. This is numbered P.J.F.1. (Handed in). The only difference between this and the original plan which accompanied the planning application in October, 1965, is in the top left hand corner of the plan where the

I come now to the Ministry of Housing and Local Government, which, I think, your Lordships have. I think it will be necessary to read this because it contains a good deal of fairly relevant and important matter. There is also attached to the report the Inspector's report, which runs to some 58 pages, to which I do not think, certainly at this stage, it will be necessary to direct your Lordships' attention. However, it is attached if your Lordships should desire to read it. This letter is dated the 29th September, 1966, and reads as follows:—

"Gentlemen,

Town and Country Planning Act 1962 - Section 22

1. I am directed by the Minister of Housing and Local Government to say that he has considered the report of the Inspector, Mr. V.H. Loney, A.R.I.B.A., M.T.P.I., on the local inquiry into the application made by the Brighton Marina Company to the Brighton County Borough Council. This was for planning permission to develop land east of Black Rock Swimming Pool and south of Undercliff Walk below Marine Drive, Brighton, as a Marina to include a yacht harbour, marina club, restaurants, public houses, oceanarium, ice rink and recreational facilities, shops, hotels, a boatal and residential units. The application was referred to the Minister following a directional under section 22 of the Town and Country Planning Act, 1962. Mr. Loney was accompanied at the inquiry by an Engineering Assessor, Mr. W.H. Norris, B.Sc., M.I.C.E., M.I.Mun.E.

2. A copy of the Inspector's report is enclosed. He concluded that because of the present unmet and ever increasing demand for yacht moorings, the need to provide new harbours such as that proposed was now urgent and would intensify in the future. From the point of view of yachtmen, the location of the present site would be a good one from virtually every aspect. The evidence tended to show that the provision of the harbour and its ancillary buildings would not be an economic proposition without the allied on-shore development. On the balance of evidence presented, the Marina as a whole would be likely to be an asset to the town as a holiday resort, and a financial benefit to it. It is estimated that it would have a very considerable ratable value.

3. The on-shore development would be so situated that it would not be unduly obtrusive in appearance or an unwarrantable intrusion upon the

development at Brighton the inquiry to oppose this increase in existing method of sewage disposal and construction of a Marina. It would be law prohibiting the discharge of sewage absence of float tests it was impossible movement of sewage discharged from the on-shore wind, pollution would occur immediately west of the proposed Marina of such beach pollution could be significant marine water classes involved macerated would not reduce the pollution nor make However the clearance of any deposited form of litter, must be a matter for the full their responsibilities in

6. The Inspector concluded that all of beach pollution were, on balance, in the pollution problem, which must be allowed to outweigh the many obvious and, what he considered to be in outline attractive scheme. He recommended the subject to the conditions suggested by

Then the Minister turns to his o

"7. The Minister has considered his objections made to this proposal. He is increasing demand for more yacht mooring ancillary buildings here would not be an would invite your Lordships to take part "Considerable work has been put into the location as the one least likely to give parts of the town. He accepts his Insy development as proposed it unlikely to b scene. He accepts also his Inspector's likely to be an asset to the town as a r it. Accordingly, the Minister has come

local scene, whether from the land or from the sea. The neighbouring residential development would in any event suffer noise from increasing traffic in the future and the additional disturbance from the flow to and from the Marina would not necessarily render unbearable an otherwise tolerable nuisance. The evidence as to the likely traffic generation of the Marina was conflicting, but, in any event, provision could be made in the new traffic plan for the town to accommodate in perhaps ten years time such extra traffic without undue additional trouble, disturbance or expense. The Inspector's view was that the design of the access roads from the local network to the Marina was primarily a matter of detail and he agreed with the experts that it was a problem quite capable of a successful solution.

4. On the advice of the Engineering Assessor the Inspector considered that the disturbance or alteration of the shingle regimen was the only way in which construction of the Marina would affect coast protection works on both sides and as transfer, if necessary, of shingle from west to east of the Marina was to be the subject of an agreement among the parties concerned this was not a factor which need influence the decision on the present application." There is provision in the Bill for dealing with this question of shingle and it is in the papers, my Lords.

"5. He was also of the opinion that an increase of 3% - 4% in the amount of sewage likely to be discharged from the Portobello outfall by reason of the on-shore development would not have a significant effect on existing coastal pollution from this outfall. A similar effect would result from any comparable development at Brighton or Hove and the arguments used at the inquiry to oppose this increase were those for an improvement in the existing method of sewage disposal rather than valid ones against the construction of a Marina. It would be impracticable to enforce any by-law prohibiting the discharge of sewage from moored boats, and in the absence of float tests it was impossible to predict the likely direction of movement of sewage discharged from the harbour mouth on the ebb tide. However, it was reasonable to expect that, in some conditions of tide and on-shore wind, pollution would occur on the popular bathing beaches immediately west of the proposed Marina and, in some circumstances the amount of such beach pollution could be significant. The discharge of sewage by marine water closets involved maceration of solids, but such maceration would not reduce the pollution nor make it aesthetically acceptable. However the clearance of any deposited solid sewage, in common with any form of litter, must be a matter for the council who would, no doubt, face to the full their responsibilities in this respect.

6. The Inspector concluded that all the material factors other than that of beach pollution were, on balance, in favour of the proposal and that the pollution problem, which must be common to any yacht harbour anywhere, was not beyond the bounds of reasonable control, and should not, in itself, be allowed to outweigh the many obvious advantages of an easily accessible and, what he considered to be in outline, a bold, imaginative and attractive scheme. He recommended that the application be approved subject to the conditions suggested by the council."

Then the Minister turns to his own decision:

"7. The Minister has considered his Inspector's report and the objections made to this proposal. He accepts that there is an ever-increasing demand for more yacht moorings, but that a new harbour and ancillary buildings here would not be an economic proposition unless they were accompanied by other revenue producing developments." I would invite your Lordships to take particular note of that. "Considerable work has been put into the choice of this particular location as the one least likely to give rise to harmful effects on other parts of the town. He accepts his Inspector's opinion that the

BMBA Doc 7.

HOUSE OF COMMONS

MINUTES OF EVIDENCE

taken before the

COMMITTEE

on the

THE BRIGHTON MARINA BILL

Monday, 8th May, 1967.

Members present:

Mr. David Ensor, in the Chair.
Lieutenant-Commander Maydon.
Mr. Channon.
Mr. Carol Johnson.

MR. HAROLD MARNHAM, Q.C., and MR. JOHN TAYLOR appeared as Counsel for
the Promoters of the Bill.

MESSRS. DYSON, BELL & CO. appeared as Agents.

The following Petition against the Bill was read:

The Petition of Mrs. Ivy Alice Pay-Nash and Others.

MR. E.G. PAY-NASH appeared as Agent.

CHAIRMAN: For the convenience of Counsel and parties, the Committee will sit until 4.30 this afternoon; tomorrow the Committee will sit from 10.30 until 1 p.m. and from 2 p.m. until 4.30. During the course of tomorrow they will announce the times of their sittings on the days after tomorrow. Yes, Mr. Marnham.

MR. MARNHAM: May it please the Committee. This Bill is designed to enable the Brighton Marina Company Ltd. to construct a marina with recreational and residential and other facilities on a site about one and a half miles from the centre of Brighton on the eastern edge of the built-up area of the town and the developed area of the beach. The Bill further empowers the promoters to construct road and harbour works, to reclaim land from the sea, and acquire land compulsorily. The situation which we have reached is perhaps a little

"It is noted that, since the date of the application for planning permission, Part I of the Control of Office and Industrial Development Act 1965 has been applied to the Brighton area and while no office development permit is required in respect of this application the Minister considers that he must have regard in dealing with it to government policy on the location of office development. He is of the opinion that he would not be justified, on the information available to him, in granting planning permission for the offices proposed at item 30 of the schedule of accommodation (Plan 65/2031) which accompanied the planning application. These should be the subject of a separate planning application."

I do not know that it is necessary to ask you to look at that, but the fact is at item 30 in this little booklet there are shops and offices. That is the one development in respect of which the Minister would require a separate planning application.

"Accordingly, the Minister is not prepared to grant permission for the erection of the shops and office buildings (item 30 on Plan No. 65/2031) but he hereby grants permission for the remainder of the development which is the subject of the application, that is to say the development of land east of Black Rock swimming pool and south of Undercliff Walk below Marine Drive, Brighton, as a marina to include a yacht harbour, marina club, restaurants, public houses, oceanarium, ice rink and recreational facilities, shops, hotels, a boathel and residential units in accordance with the submitted plan No. 65/2031. This permission is subject to the following conditions:

- "(1) The means of access to the site and the design and external appearance of the buildings shall be as may be agreed with the local planning authority or in default of agreement as shall be determined by the Minister.
- "(2) No building shall be of a height greater than the level of that part of the cliff-top which is immediately north of the site of the building. (As I have said, between 15 and 90 ft.)
- "(3) Operations for carrying out the development shall begin not later than six years from the date of this permission.
- "(4) Each part of the site and each building indicated on Plan No. 65/2031 shall be used for the purpose stated in respect of it in the accommodation schedule submitted with the application, and for no other purpose.
- "(5) No Dutch or other auctions shall take place on the shop premises included in the development.
- "(6) Provision for the parking of 3,600 cars shall be made in accordance with a scheme to be agreed with the local planning authority before any works on the site are begun.

"This letter does not convey any approval or consent required under any enactment, bye-law, order or regulation (including in particular any licence which may be required under the Building Control Act 1966) other than section 13 of the Town and Country Planning Act 1962."

You will have observed from that decision letter that there are two matters in particular in which the Minister has expressed interest. One is the pollution of the beaches at paragraph 8 and the second matter in which he has expressed interest is the question of access at paragraph 10. I want to say a word about both of these matters in my opening submission.

The question of pollution really falls under two heads. First of all, there is possible pollution of the water in the harbour; coupled with that is the question of pollution of the sea due to pollution in the harbour. The other aspect is pollution from discharge at the Portobello outfall. You will remember

MR JOHNSON: Could we know what the share capital of the Company is? Brighton Marina Co. Ltd. are the promoters.

MR MARNHAM: I can certainly find out. You will appreciate that the shareholding of Brighton Marina Company bears no relation to the finances available for this development.

MR JOHNSON: It is subject to the Bill being endorsed. You are now making a strong case about the financial status of the promoters and we have heard about Allied Land and Investment Co. and Close Brothers. The promoters are in fact Brighton Marina Co. Ltd. on whose behalf those powers are asked.

MR MARNHAM: You will appreciate that 74 per cent of the holding is in the hands of Allied Land. I am told that the issued capital of Brighton Marina Company is £1,000 of which Allied Land hold 74 per cent.

The last matter with which I would wish to deal at this stage is the petition of the petitioners.

THE CHAIRMAN: Mr Marnham, I think at this stage we need not trouble you with regard to the petition. I think the Committee rather want to deal with the principle of the whole preamble historically and we can deal with the petition, which is only a matter of detail, when we arrive at it.

MR MARNHAM: There is one other document which I would like to put forward. What I propose to do is to call the evidence; I take it that the Committee would like to hear all the expert witnesses?

THE CHAIRMAN: I think when you have finished your opening we will probably consult in private and decide exactly in what form we will continue.

MR MARNHAM: As you please, Sir. Just to finish the picture I was going to read this press handout by the Brighton Corporation. It is dated 10th February 1967.

"The Corporation has never suggested that the construction of the Marina would not have an effect on the rest of the town. Quite the opposite - it will have innumerable benefits, but it is fully realised by the Minister as well as by the Council that it will inevitably generate considerable additional traffic. This point and other issues raised by objectors were widely canvassed and thoroughly explored at the nine-day Public Inquiry held by the Minister whose Inspector's recommendations, based essentially on safeguards which the Council itself wished to have imposed, formed the foundation of the Minister's decision which was in favour of the proposals which were described in his decision letter 'to be in outline a bold, imaginative and attractive scheme'. In particular, there may be instanced the conditions that no building shall be of a height greater than the level of the cliff top immediately to the north of the site of the building; that provision for the parking of 3,600 cars shall be made in accordance with a scheme to be agreed with the Council before any works on the site are begun, and that an adequate road system shall be provided by the Council and the Developers before the complete project comes into operation."

SPECIAL REPORT

FROM THE

SELECT COMMITTEE OF THE

HOUSE OF LORDS

ON THE

BRIGHTON MARINA BILL

in assessing the proposals in regard to the means of access to the site and the appearance of the buildings at the site. Moreover, it is considered that the proposed works would be substantially self-financing by the Company. It would be impossible without Parliamentary sanction to extend the development beyond the area of land described in clause 4(2) of the Bill and defined by the two main marked areas. The Committee are convinced that it is not an ill-considered scheme and one which was planned in haste; it was evolved over a period of years as a result of constant discussion between the promoting Company, their advisers and the local planning authority.

In carrying out the second part of the Instruction, the Committee visited the site at various times and gave careful consideration to the possible effects of the works proposed. The works comprising the marina are not in themselves in any way objectionable, though that part of the embankment extending into the sea will be obviously visible from the land. All the works proposed on the foreshore will be below the level of the cliffs to the north which will ensure that they do not interfere with the character of the environs of Brighton in the neighbourhood of the site. The introduction of the proposed one way traffic system would meet the demands of increased traffic using the Marina and it is considered that a scheme of this nature for the area has been previously considered by the Corporation for many years and is part of the Marina scheme. The promoting Company are contributing £355,000 to the cost.

The Committee consider that the Car Parking facilities on the site for 3,600 cars would be adequate. The above consideration and the Committee to have the view that on the site proposed the works mentioned in the Bill are necessary and desirable.

The Committee have gone through the Bill and consider that it should be amended in the House with amendments; and they further consider that the Bill should be amended in the House and Proceedings be held before your Lordships.

Ordered to be printed 22nd February 1968

BNEA Doc 8.

(4)

Brighton Marina Bill

SPECIAL REPORT

The Committee have met and considered the Bill and have heard Counsel for the Promoters and have examined certain witnesses. They consider that the Bill should be allowed to proceed.

These were the Petitions presented against the Bill in this House but, on 24th July last, the Lord Chairman reported to the House under Standing Order 27 that in his opinion it should be proceeded with as an Opposed Bill. It was accordingly committed to a Select Committee.

On the 24th July last, the House passed an instruction to the Committee as to the Bill in the following terms:

"That if by an instruction to the Committee, in which the Bill is referred to consider how far the words proposed to be inserted by the Bill, or other provisions of the Bill, go beyond what is necessary to provide harbour for pleasure craft and whether they do or do not involve any particular regard to the unique character of Brighton and its environs."

On the 24th November last, the House appointed a member, by the Lord Chairman giving the Committee authority to hear evidence other than that tendered by the Promoters.

The Committee met on Tuesday 28th and Wednesday 29th November last and heard the Promoters and evidence from witnesses called by them.

On the 6th December last, the Committee visited Brighton and inspected the proposed site. The Committee considered whether or not there was any further evidence which might assist them and in a vote of the authority given them by the House decided to call

- (1) The Lord Profitor
 - (2) Professor Marcus Cunliffe of Sussex University
- who submitted memoranda for consideration by the Committee. The Committee met on Monday 12th February to hear these witnesses who are both scientists and ratepayers in Brighton.

The Committee are satisfied that the recreation of yachting, cruising and boating is increasing enormously and will continue to expand around the South Coast of England and that it would be of public advantage to provide facilities to meet this increasing demand. There is also an present an facility for mooring between Ramsgate and the Solent which would in any way compare with that which the Bill proposes to provide. The estimate given in evidence by the Promoters was that there would be a potential demand for moorings at Brighton of 2,520 by 1974.)

The Committee are convinced that Brighton would be highly desirable as a site for a Marina. It is an established centre. It is in an easy reach of London by road and rail; it would draw its clientele from a wide and increasing area.

Thus the Committee are in no doubt that a Marina at Brighton is a desirable principle.

The Committee examined the financial aspects of the scheme set out in clause 5 of the Bill and considered the financial aspects of the scheme set out in clause 5 of the Bill and considered the financial aspects of the scheme set out in clause 5 of the Bill and considered the financial aspects of the scheme set out in clause 5 of the Bill.

Part II of the Bill deals with the proposed works and is divided into sections in clause 5 set out those works which are concerned with the actual building of the sea works, numbers 1 to 9 inclusive, and it is these works which are intended to define the overall size of the scheme. Once these are approved, some 34.5 acres of foreshore are available for such ancillary works and development as are required. Clause 40 of the Bill confers powers to develop this area of foreshore and the Committee had to be in no doubt that these powers were justified before allowing the Bill to proceed. While considering the Bill in the House, the Committee had in mind the terms of the Bill and the financial evidence they have heard that the Corporation would not be able to finance the proposed works without the additional income proposed to be derived from the development of the foreshore as set out in the Bill.

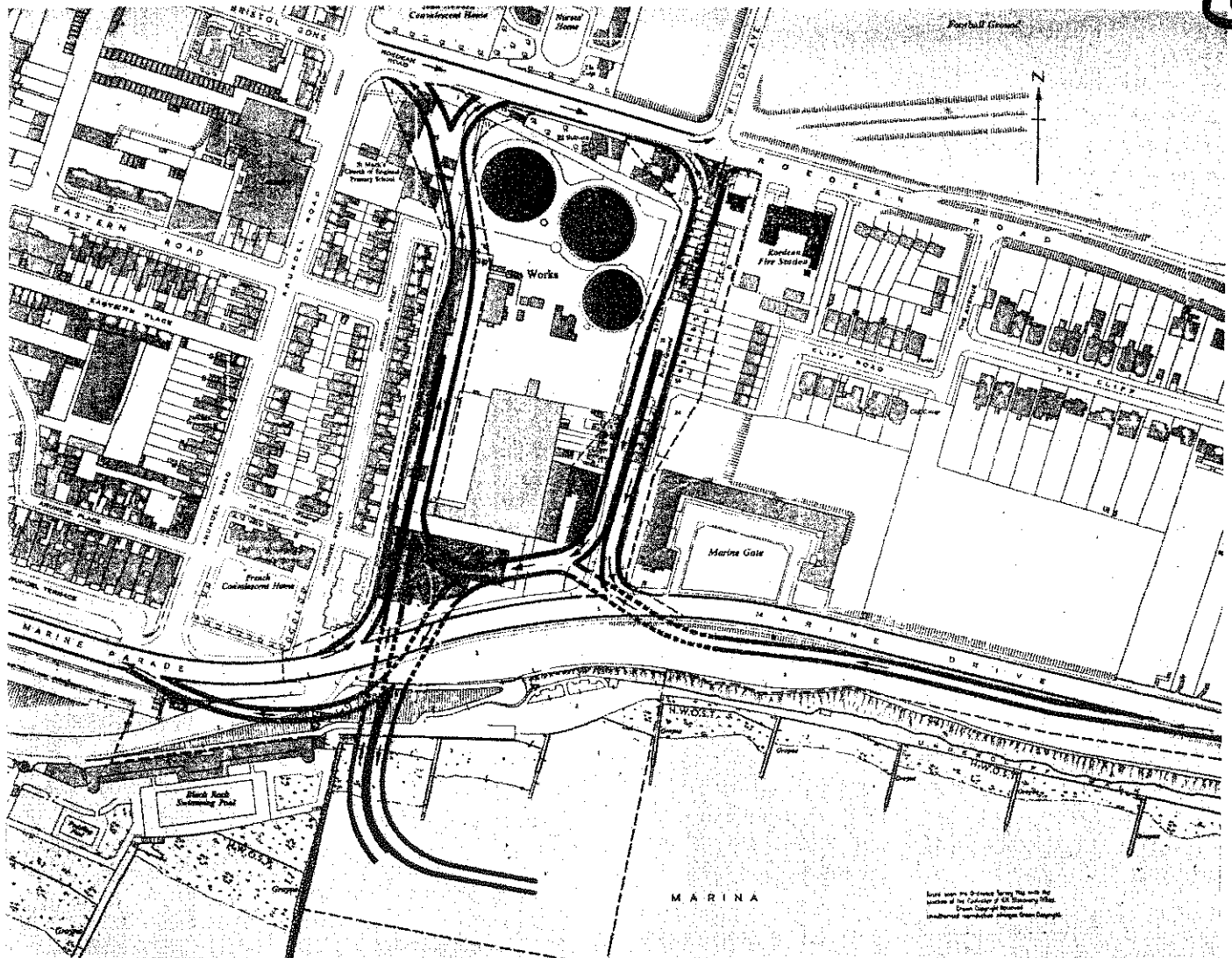
Detailed evidence was tendered, and two independent firms produced estimates of expenditure and expected return on capital for the scheme alone and for the harbour and foreshore works combined.

Being satisfied that the viability of the scheme depends on the benefits provided by clause 40 of the Bill the Committee considered what financial guarantees there are in the Bill and what provisions there are controlling the development of the foreshore.

The Committee appreciate that a large sum is involved in the completion of the whole project—£15.6 million—but the safeguards contained in clause 40 of the Bill and the fact that two members of the Corporation are on the Board of the Company as provided in clause 5 of the Bill ensure that the developing Company carry out the scheme in partnership with the Corporation and subject to their control. The most important provision in clause 40 is that the Company must give the Corporation twenty-eight days notice of their intention to begin the sea works and approach roads described in Part II of the Bill together with such information as will enable the Corporation to assess the probable cost of the works and the financial resources available to the Company for the purpose of the works. If the Corporation were not satisfied by the information supplied and an arbitrator supported them, the project could not proceed. Moreover the rental terms agreed between the Corporation and the Company ensure that the Corporation receive a fair share of the profits of a successful development, the terms being as follows:—

The Corporation shall lease the land to the Company for 125 years. For the first 5 years the rent shall be a peppercorn rent. For the next 6 years the Company shall pay the Corporation £2,000 per year. Thereafter the rent shall be £2,000 per year. The Company shall pay to the Corporation a percentage of the profits of the development, the terms being as follows:—

Brighton Corporation Bill - 1969/70



Above is a diagram of the proposed access roads for the Marina which will be built when the Brighton Corporation Bill is passed by Parliament.

The roads are planned in three stages:

Stage I (Work to start immediately). To provide road access to the Marina so that construction work on it can begin.

Stage II (To start approximately in four years). Extensions to allow right turning traffic, both into and out of the Coast Road, to pass under Marine Drive to avoid interfering with the coastal traffic.

Stage III (Towards the end of the Marina development). Completion of a large Roundabout to deal with the increasing road traffic of the 1980's. It will be vitally necessary whether or not the Marina is built.

Note: The proposed road developments are designed for two essential functions. They will handle the interchange of traffic between the Coast Road and other important roads converging at this point (i.e. Eastern Road, Whitehawk Road and Wilson Avenue). They will provide access to the Marina. Traffic will leave and enter the Roundabout from several directions. A large part of the new roads will be underground. There will also be three tunnels under Marine Drive (see dotted lines in the diagram) to allow an uninterrupted traffic flow along the Coast Road.

But although new essential road developments are proposed, the present pedestrian way along the Undercliff Walk will be undisturbed and the part of the footpath up the cliff face cut by the road will be replaced.

THE COST OF THE ROADS

The total cost of these important road developments will be £1,687,000 but of this the Marina Company will pay £754,525 and the balance of £932,475 will be borrowed by the Corporation. For perhaps the first six years there will be a charge to the Corporation which at its highest is expected to be well under a 1½d. rate but by the eleventh year, when the Marina development is a going concern, it will be paying rates of about £200,000 a year. This will very soon recoup the moneys spent by the Corporation as well as providing a large and valuable extra rate income for the town.

In any case whether there is a Marina or not, at least £1,400,000 will have to be spent by the Corporation on building the Roundabout to ease the huge traffic problem of the future. Without the Marina the whole of this sum, less any government grant, would be a charge to the town.

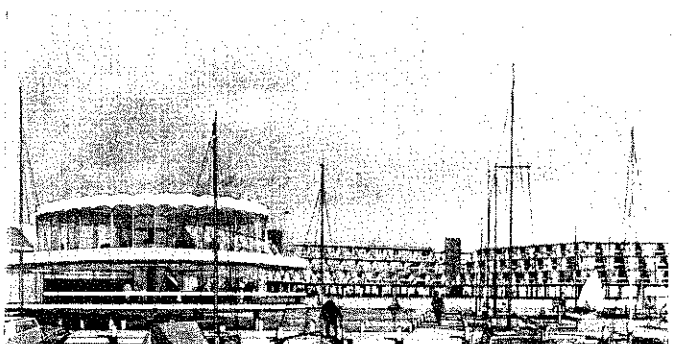
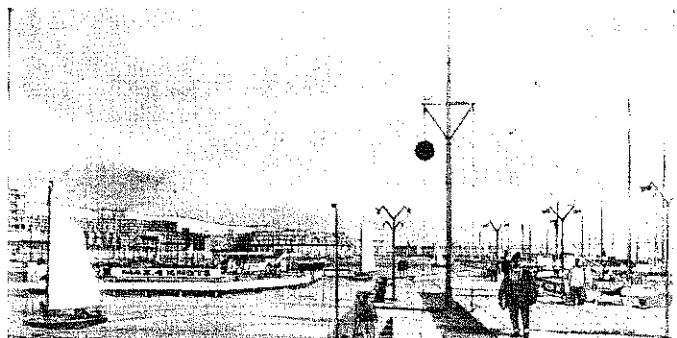
It seems a far better investment for Brighton now to spend just over £900,000, less any government grant there may be, to gain a future yearly 'profit' of £200,000 than face a road improvements bill of £1,400,000 (again less any grant there may be) in ten years' time without either the £200,000 a year income or any of the other advantages in trade and employment which the Marina will bring.

FOOTNOTE:

All of the private house owners in Riflebutt Road, with the exception of one, who is not an owner occupier, have agreed to sell their properties to the Marina Company.

In place of the present building, work on building a new St. Mark's Church of England Primary School in Manor Road will start next year. The Religious Society of Friends have agreed to the removal of remains from their present burial ground to a new site in the Lawn Memorial Park, Woodingdean.

*Entertainments and Publicity Dept.,
Royal York Buildings,
Brighton.*



BRIGHTON'S £15 MILLION INTERNATIONAL YACHT MARINA WILL BE SERVED BY THE NEW ROAD SCHEME

The building of the Brighton Yacht Marina – which will be served by the new road scheme – will begin in 1970. It is planned to make this £15 million project as great an international attraction as George IV's Pavilion.

Brighton Marina will be an entirely new centre (only 50 miles from London) offering the yachtsman the most comprehensive facilities in the country. At present there are only limited facilities for boat owners on the south coast between Dover and Chichester Harbour and most yachting centres in the south east of England are hopelessly overcrowded and have long waiting lists.

The Brighton Marina will have deep water moorings for 2,000 yachts, from the largest motor cruiser to the smallest day boat. A large dinghy park will also be provided as well as a separate power boat centre with special repair and maintenance facilities. Not only will there be a sheltered, safe and easy-to-get-at haven for boats, but the amenities ashore will include hotels, restaurants, residential accommodation and a large entertainments area.

No building in the project will come above the level of the cliff.

There has throughout been massive support for the Marina from all trade, hotel and entertainment associations, yacht clubs and from Brighton's fishermen, who, for the first time since Brighthelmstone became a fishing village, will enjoy harbour facilities.

The Marina project is entirely non-political – members of both parties give it their whole-hearted support.

Ratepayers please note – the Brighton Marina Company paid the cost of the whole of last year's Town Poll and Parliamentary Bill and has

undertaken to bear all parliamentary costs again this year.

The Brighton Marina Act received the Royal Assent on 10th April 1968. During 1968 the Brighton Marina Company commissioned extensive hydraulic tests to study long wave activity in the harbour. These tests were carried out at the Ministry of Technology's Hydraulics Research Station at Wallingford. Similar extensive tests to discover the effects of storm wave action were also commissioned from the Central Laboratory of George Wimpey & Co. Ltd. The cost of these two sets of tests to the Company amounted to over £20,000.

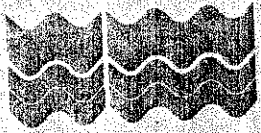
Recently the Company has undertaken more tests, including a hydraulic survey of the sea bed, seismic tests and bore holes. These tests cost a further £10,000.

Residential properties in Rifle Butt Road and Hillside Cottages have been bought by the Company through private negotiations on a willing seller/willing buyer basis. Thus avoiding any hardship that might have arisen to property owners had their properties become subject to compulsory purchase.

The Company have taken over the whole of the office block at 2 Dyke Road and are providing on the ground floor a Marina exhibition area where various models will be on display.

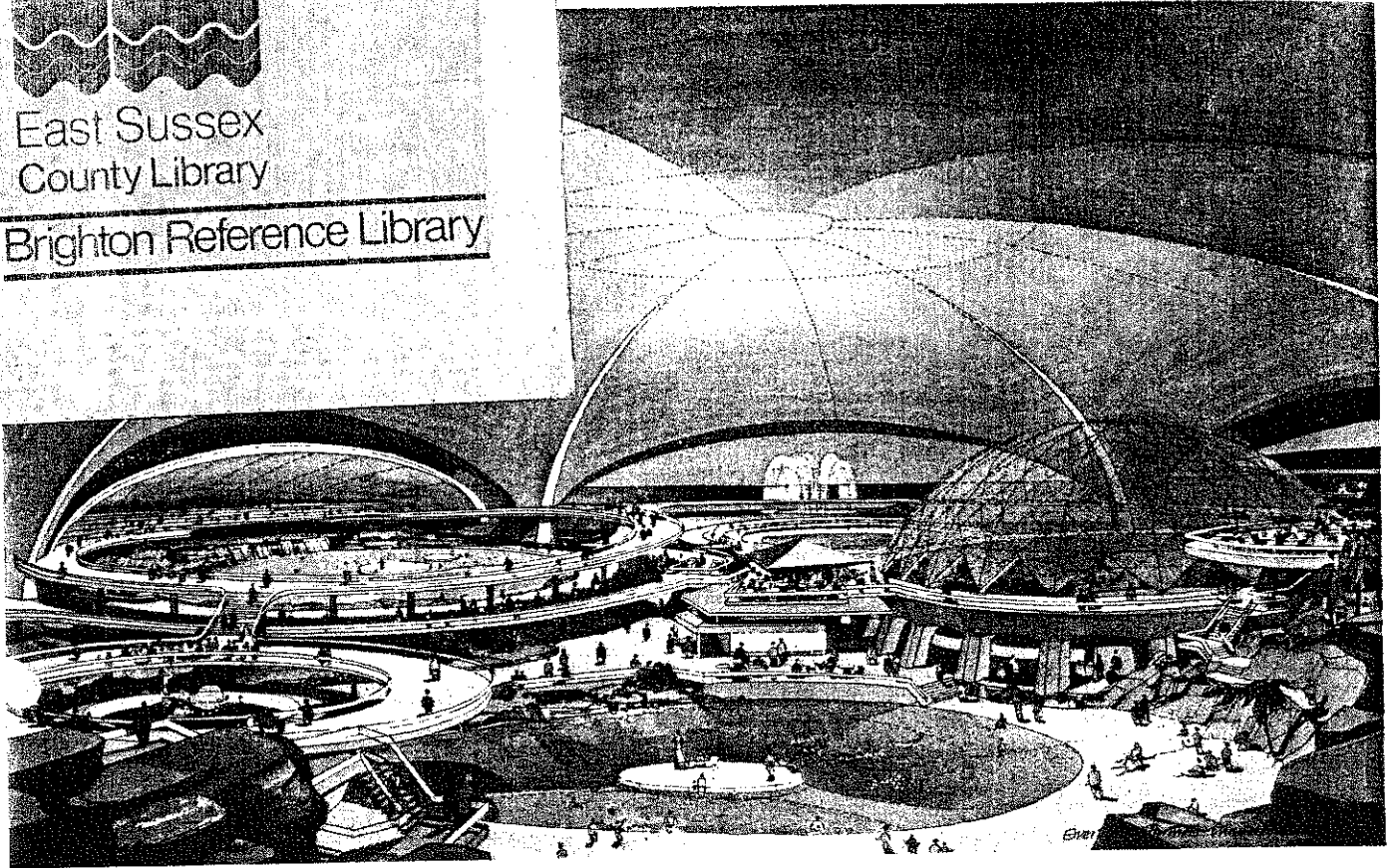
During the 7 year construction period it is anticipated that an average of 500 men will be employed full-time on the project and, once the Marina is fully operational, approximately 1,000 staff will be required on a permanent, full-time basis.

The Company is also examining the possibility of constructing a "Marinadrome" (for details see overleaf).



East Sussex
County Library

Brighton Reference Library



THE MARINADROME

It is proposed that this complex should contain all the major recreational facilities and should become the on-shore focus of all entertainment and recreation not directly connected with boating.

Under one roof, in a completely controlled atmosphere giving summertime conditions throughout the year, there will be saltwater lagoons fringed by sandy beaches, tropical gardens, promenades and walkways; terraced 'outdoor' cafes and pubs, restaurants, a night club, a seaquarium with a small amphitheatre, which will also be used for theatre-in-the-round, and other audience-entertainment, two general purpose halls and considerable exhibition space.

CONSULTANTS

Architects: Louis de Soissons, Peacock, Hodges & Fraser, 3, Park Square Mews, Upper Harley Street, London, N.W.1. *Overton & Partners,* 38-39, West Street, Brighton. *Civil Engineers:* Lewis & Duvivier, 14, Howick Place, Westminster, London, S.W.1. *Quantity Surveyors:* G. D. Walford & Partners, 7-9, St. James's Street, London, S.W.1. *Project Management:* W. S. Atkins & Partners, Woodcote Grove, Ashley Road, Epsom, Surrey. *Public Relations:* Clark, Nelson Ltd., 36-38, Whitefriars Street, London, E.C.4.

In such a setting it will be possible to provide short period or day-long interest, relaxation and activity for all ages and all tastes, independent of the vagaries of climate and season.

The following lists some of the many possible uses and activities:

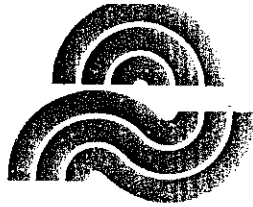
Permanent: Swimming, Sun-bathing, Cafes, Restaurants, Pubs, Night Club, Dancing, Casino, Seaquarium, Indoor Water-skiing, Squash, Gymnasium, Sauna baths.

Periodic: Exhibitions, Displays, Boat Shows, Circus, Musical Concerts, Theatre Productions, Lectures, Competition Swimming & Diving, Water Polo, Aqua Shows, Boxing, Wrestling, Ice Shows, Ice Hockey.

Brighton Marina Company Ltd.,
109 Lewes Road, Brighton, Tel. 683000

Published by Brighton Marina Company Ltd.

Printed by NEA



1-2
BRIGHTON MARINA COMPANY
CENTRAL OFFICE
MARINA HOUSE

BMRA Doc 15.

INFORMATION SHEET



THE BRIGHTON MARINA COMPANY

Here are some facts which the
BRIGHTON MARINA COMPANY
would wish to be made known
concerning the main aspects of
the Marina.

Brighton Marina Company Limited, Marina House, 2 Dyke Road, Brighton BN1 3FE

Telephone Brighton (0273) 25972

139
14

1 THE CHARACTER OF THE PRESENT PLAN

The Brighton Marina Company has formulated the present scheme as an improvement upon that approved in 1966.

The improvements were thought desirable for the following reasons:

- a The siting of the buildings in the present scheme preserves the character of the coastline.
- b In the 1966 scheme the undercliff walk was cut off from the harbour behind the building development.
- c The siting of the buildings in the present scheme makes the most of the unique characteristics of the site, and gives a greater sense of protection within the yacht harbour.
- d The formation of a locked basin with a variable water level had not, at the outset, been considered practicable.
- e The relationship of car parking to moorings can be improved and the problem of attaching a proportion of the moorings to the southern breakwater eliminated.
- f The residential element needed to be increased substantially in order not only to satisfy the likely demand of yachtsmen but also to house a permanent population on the site, without which it would not remain alive throughout the year.

2 PROVISION IN THE PLAN FOR THE PUBLIC AS A WHOLE

The Company's desire is to include as many features as possible which will be of interest to the general public and to people from all walks of life. The intention is to provide all the facilities which are suitable to the Site and for which there will be a public demand. The whole concept is that of providing activities which cater for everyone.

The 1966 plan included a number of amenities which were thought at that time to be viable, and to meet a public demand.

There is, however, a 14 year gap between what was proposed in 1966 and what might now be completed in 1980. Public tastes in leisure are not static and it is not surprising that eight years later in 1974 there should be a different view of what may be required.

Nor is it surprising that the forecast which is now made of what will be wanted six years hence when the entertainment element of the scheme may be completed cannot be final and definite.

The present scheme provides space for leisure purposes at least as great as was provided in the 1966 version, but in a more concentrated form and in a flexible manner making it possible to vary the content as public demand dictates. The comment made by the Planning Authority has been noted by the Company and as the scheme evolves consideration will be given to it.

The more concentrated plan also provides for the need to enclose and air condition much of the space so that the entertainment centre is usable throughout the year in all weather conditions.

The walkways throughout the Marina cover many miles and will constitute a unique amenity area where visitors will feel in close contact with all the activities of the yachts and the Brighton Fishing Fleet, which will make its home there.

The breakwaters will provide unrivalled facilities for anglers, a sport which is now one of the most popular in the United Kingdom.

A complete range of catering facilities is planned, being spread across the Marina and including restaurants of all

types, from cafeterias, public houses and bars to more specialised "pubs" or restaurants; such as a Bier Keller or a restaurant with a fishing or nautical atmosphere.

The Marina presents an unrivalled opportunity to provide a permanent exhibition of yachting and marine equipment and of all types of boat which might well lead to Brighton becoming the home for a permanent boatshow of national and international importance.

3 THE HEIGHT OF THE BUILDINGS

The present scheme has been designed within the height limit imposed by the 1968 Brighton Marina Act and which cannot on any account be exceeded. This requires that no building be higher than the cliff.

The buildings as planned are by no means all to the upper limit, and many are but 3 to 4 storeys high.

The only offices envisaged in the plan are those for the Brighton Marina Company, and the Company is asking only for approval for 10,000 square feet of office space.

4 HOUSING

The plan contains five blocks of a total of 850 flats spread out along the spine and some 600 on the promontories. In order to appreciate the size of the Marina and the area in which the flats will be built it is necessary to understand that the length of the Marina spine is equal to that from the Palace Pier to the Grand Hotel (Oxford Circus to Piccadilly Circus).

Five blocks of flats in such an area does not create a high density and leaves plenty of room for open space and amenity areas around them.

The number of flats is considered to be appropriate to the size of the project, and necessary to ensure that a permanent residential population will be living there to keep the Marina alive and by support of the various amenities all the year round to ensure that those facilities are always of a high standard. It has however been suggested by the Planning Authority that the residential content should be reduced and the Company is giving consideration to this suggestion.

As to the comment that the flats will be too exposed, the Marina flats will be no more exposed than many other flats built on the south coast sea-front, and will be designed to suit their location.

5 TRAFFIC

The traffic generation of each element of the scheme has been carefully worked out in consultation with Brighton Corporation officials. The scheme has been designed so that the figures fall within the limits of what is acceptable on the adjoining road system.

The provision for parking space is for 4,600 vehicles. Some 1,400 of these vehicles are likely to belong to Marina residents.

Access to the Marina will come as originally proposed - that is by means of a viaduct and tunnels through the cliff at Black Rock connecting the reclaimed area to the existing road system.

The Black Rock interchange at this point was to have been built in any event and the only effect of the Marina is to bring forward the date of construction. In order to compensate for this, the Marina Company has made a contribution of £385,000 to offset the extra interest costs which the Council will be incurring from the early building of these road system works.

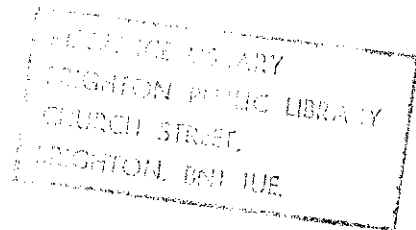
In addition, the Marina Company is paying for the full cost of the access tunnels through the cliff which connect the Marina roads to the interchange. The cost of these is estimated to be about £500,000 making a total of nearly £900,000 which the Company will be paying towards the cost of the Black Rock interchange system.

6 THE YACHT HARBOUR

The present version of the scheme provides for 77.5 acres for moorings, and represents a substantial increase to meet the real need for this facility.

In the 1966 scheme the comparable area set aside for the yachting element was 40.5 acres.

The land area is not materially altered.



IN CONCLUSION

The Company fully expects, and indeed welcomes public comment on its proposals. Such comment will always be given most careful study and consideration.

It is the Company's purpose to make of this project a worthy contribution to the life and well-being of Brighton; to provide the public with a significant extension of the facilities already available in the town, and, when completed, it is expected that the Marina will benefit all the rate-payers of the district and of the whole County area in that there will be a contribution to the rate funds which could amount to as much as £1,000,000 per annum.

Further, the Company hopes that the whole of the South East of Britain, along with the population of Brighton and area, will be able not only to enjoy and share in the facilities proposed but take a pride in so doing.

Finally, the Company would like the public to appreciate its philosophy in relation to this project which was expressed by the Architect at a Press Conference on 14 January 1974:-

"The Marina needs to be a busy place, and a place to be enjoyed by everyone.

A successful solution will depend, however, not merely on a correct forecast of the facilities which the yachtsmen and the public will wish to find, or on a correct balance of residential use.

It will depend on the quality of the environment which is designed and application of the highest standard to its architectural expression.

I intend to make of it an example of the way in which the growing demands arising from the growing leisure industry can be met in a civilised manner, and in such a way that leisure occupations are not segregated but are integrated with the life and other activities of a normal community."

L



Marina 74

Published by the Brighton Marina Company.

"Brighton should be first in everything" — Magnus Volk, 1883

NOW THE MARINA TAKES SHAPE

By the Architect

In his own words the Architect, Mr. David Hodges, FRIBA, discusses the philosophy behind the architectural concept... What is the purpose of the Brighton Marina project?

HERE ARE THE FACTS..

The character of the present plan

The Brighton Marina Company has formulated the present scheme as an improvement upon that approved in 1966. The improvements were thought desirable for the following reasons:—

- i) the siting of the buildings in the present scheme preserves the character of the coastline.
- ii) In the 1966 scheme the undercliff walk was cut off from the harbour behind the building development.
- iii) The siting of the buildings in the present scheme makes the most of the unique characteristics of the site, and gives a greater sense of protection within the yacht harbour.
- iv) The formation of a locked basin with a controlled water level had not, at the outset, been considered practicable.
- v) The relationship of car parking to moorings has been improved and the problem of attaching a proportion of the moorings to the southern breakwater eliminated.
- vi) The residential element needed to be increased substantially in order not only to satisfy the likely demand of yachtsmen but also to house a permanent population on the site, without which it would not remain alive throughout the year.
- vii) The improvements were recognised when the 1970 version was approved by the Brighton Corporation. The Brighton Corporation at that time made some comments in regard to:—
- i) The extent of the land reclamation at the West End.
- ii) The development bordering

It is to enhance and extend the amenities of the town by constructing a harbour, by achieving within it the best possible conditions for about 2,000 boats and their owners, and by using the protected site so formed to provide three things for which Brighton is already justly famous, but in a situation and in a manner which will be unique;

- Firstly: Recreation, entertainment and catering for yachtsmen and for the general public.
- Secondly: Shopping, and marine exhibition areas which will be a major focus of interest to visitors of all kinds.
- Thirdly: Residential and hotel accommodation in an attractive seaside situation.

It is not intended to construct simply a yacht harbour which would be solely for the use of yachtsmen and which would be deserted and desolate except during summer week-ends.

Rather is it the intention to make the harbour an inhabited part of Brighton and a recreational centre which will remain alive throughout the year.

Now let us consider the site. It lies eastward of Black Rock at the termination of the Brighton beach. It is below the cliff and the undercliff walk is excluded from it.

It is so situated that it in no way affects any existing land

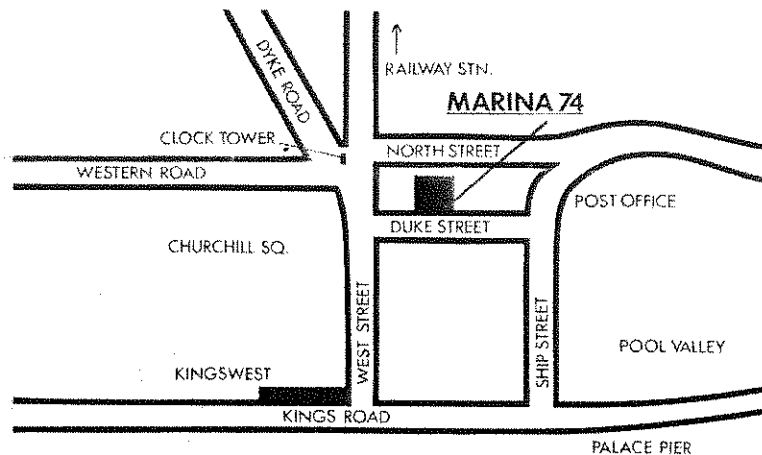
the undercliff walk and separating it from close contact with the harbour.

- iii) The projection of multi-storey buildings so far southward of the cliff, and
 - iv) The building up of multi-storey buildings on the east breakwater where they would be obtrusive when viewed from eastward of the site.
- The 1973 version does not differ in principle from the 1970 version but has been amended so as to meet those comments.

Continued on page 2, column 3.

NEW INFORMATION ROOM OPENS IN DUKE ST, BRIGHTON

A preview of the Marina



For details of the Marina 74 Exhibition see over

Routes from Kemp Town

ROUTES FROM KEMP TOWN — and other buses
 To: Clock Tower/Western Road/North Street:
 1 2 3 40 5 6 7 8 9 11 15 19
 26 27 38 39 47 49 52 55 113
 Pool Valley: 12
 Old Steine: 13 37 41 42 45 46 48 57 59 110/111
 Palace Pier: 44

areas or alters the immediate environment of any inhabitant of the town.

The breakwaters which as you can now see are in the early stages of construction will enclose a total area of 126 acres all of which is now covered by the sea at high tide.

What are the characteristics of the site?

First and most important are the cliff and the undercliff walk.

Early versions of the scheme produced a building site below the cliff on reclaimed land which had the effect of cutting off the undercliff walk from contact with the water.

Now the scheme has been developed so that the buildings are kept away from the cliff face and the undercliff walk will revert to its original state as a waterside promenade.

So the site is wholly separated from the land and the architecture can become a part not of the landscape but of the seascape. The buildings should have

Continued on page 2, column 1.

Brighton's fortune

BRIGHTON'S refreshing affinity with the sea has always been her fortune.

The town was only a Sussex fishing village named Brighthelmston — listed in Domesday Book — with a population of about 1,000 when in 1754 an eminent physician named Richard Russell set up his practice near the pebbled shore and recommended to his patients the new and daring activity of sea bathing.

The craze spread to the Continent...
 (Reader's Digest — May 1974).

FOR SENIOR CITIZENS

Senior Citizens bring your grand-children to see the Duke Street exhibition. You will remember from your early years the excitement of seeing Brighton history being made. Now the Marina looks ahead, to when the youth of today will take the town into the next century.

The Marina takes shape - continued

something of the colour and sparkle of the sea so that as the visitor emerges from the road tunnel entrance he will find himself suddenly in a maritime world.

It is a design which sets out to achieve the following principles: The preservation of the coastline in its present form and the continued enjoyment of the undersea walk by the general public.

The subdivision of the very large enclosed water area into sections of differing character by the formation of a locked basin with a controlled water level.

A sense of protection for yachtsmen within the harbour by the disposition of the buildings so as to compensate as far as possible for the absence of a natural protection which is normally given by the bays and strands of a less unbroken coastline.

A simple road traffic system and the arrangement of car parking so that yachtsmen's cars are near to their moorings, residents' cars are set down near to the shops, the restaurants and the entertainment areas which they will want to visit.

A pedestrian circulation along the breakwaters and on a public promenade leading through the whole harbour area so that visitors to the Marina can see the coming and going of boats through the harbour entrance and along the main channel, can watch the operation of the lock and can feel themselves to be in close contact with all the activities of the yachtsmen and the fishing fleet.

The scheme divides itself into two main zones:

THE YACHTING AND RESIDENTIAL ZONE wherein the residential buildings are used to define and give protection to the various mooring areas and

THE LEISURE ZONE wherein situated the hotel, the shopping and exhibition centre and the catering, recreational and entertainment facilities.

These two zones are linked by the public promenade, the breakwaters and the undersea walk which together provide the complete network of pedestrian circulation already mentioned and which extends for many miles.

In the yachting and residential zone the buildings in the locked basin on the central strip of land reclamation are fixed structures of varying height providing a variety of different kinds of accommodation.

The buildings on the tidal basin promontories are of two storeys only and are built on floating platforms so that they rise and fall with the tide and are not left high and dry at low tide on massive fixed substructures.

The moorings in the tidal basin are approached via two subsidiary channels, running northward from the main channel along the southern breakwater.

Near the harbour entrance and to the north of it is a water area allocated to visiting yachtsmen and to a public water transport terminal from which visitors can take trips around the harbour and yachtsmen can be taken to their boats.

To the south of the main entrance are the moorings for the fishing fleet where the catch will be landed and from where it will

be transported along the breakwater to a distribution centre in the boatyard area.

The moorings for the public are arranged in two groups, centred on the floating promontories.

These are connected to the fixed structure of the public promenade by hinged bridges and they carry not only the residential buildings already mentioned but lavatories, laundries and club rooms for the yachtsmen, and if such is required, a means of mechanical transport to assist in the carriage of equipment between car and boat.

The moorings in the locked basin are arranged in six groups separated by the residential promontories and are approached from the main channel which runs beside the undersea walk.

The westernmost group is composed of boats on public exhibition.

The servicing and repairing and fuelling of this great fleet is provided for in the boatyard area to the east of the lock.

The leisure zone

The concept of this zone has been the subject of much debate and no doubt will continue to be so. It is the Company's intention to make of it a unique resort catering for the tastes and requirements of all sorts and all ages.

It has to be understood that the time scale of this project is a long one not least on account of its size but more especially on account of the lengthy process of harbour construction which inevitably delays the start of building operations until the site is effectively protected from the sea.

While it is intended to open the harbour in 1977 and to proceed with the provision of the recreation and entertainment facilities as soon as possible, there is little likelihood that the buildings in the leisure zone can be completed before 1981.

It is therefore necessary to look a long way ahead in trying to determine what will be in demand and of real benefit to the people of Brighton and to the many visitors whom the town attracts.

What is clear is that a wide range of catering establishments will be needed including restaurants of all categories, cafeterias, public houses and bars and these will be provided both in the leisure zone and spread out along the length of the promenade.

It is also clear that the Marina presents an unrivalled opportunity to provide a permanent exhibition of all yachting and marine equipment and of all types of boat. These can be exhibited either within the exhibition halls or at moorings in the water so that their qualities can be demonstrated by giving trial trips.

This idea for which great enthusiasm has already been shown would bring to Brighton a permanent boat show for which there is no precedent and which could be a unique attraction for visitors of all kinds.

Allied to the marine exhibition there will be a shopping centre for general use by residents, yachtsmen and visitors and a specialised chandery catering for the special needs of yachtsmen.

Beyond this the scheme provides the space for sporting activities and entertainment of whatever type and on whatever scale the demand is found to warrant.

The general arrangement of the leisure zone is in three sectors grouped around a central water display zone.

To the north and directly below the car park is the main exhibition and shopping area connecting at the lower level with the water areas adjoining it.

To the east are the hotel and those ancillary functions which are appropriately linked to it.

To the west and connecting directly with the Black Rock swimming pool site, with the exhibition area and with the west breakwater are the entertainment and recreational elements which we have been discussing.

The whole of this area is to be so designed that it will be a pleasant environment in all weather conditions and at all times of the year.

The water display zone becomes a central and focal feature uniting these three zones and in itself offers many attractions.

Floating platforms can provide the site for concert performances, for bars and restaurants, and for exhibition stands.

Covered floating walkways can lead the public across it from one zone to another.

Fountain displays can enliven it and artificial lighting both underwater and above the surface

can make it offer dark, a unique attraction.

Finally you will want to judge what effect this complex project will have upon the town, what changes it may bring and what possibilities it may hold.

There is a fear in many minds that the traffic which will be generated will cause a lot of inconvenience.

The provision for parking 4,674 cars within the site may sound alarming, but the Company is of course well aware that any proposal which would result in traffic jams and difficulty in reaching or leaving the Marina would be self-defeating since the popularity of the Marina would inevitably decline.

The content of the scheme has therefore been carefully balanced so as to ensure that journey into and out of the site are never likely to be on a scale which is beyond the capacity of the external roads and the figures on which these calculations have been based have been most carefully scrutinised.

There has been comment on the number of flats included in the plan and on the scale of the buildings.

The number of flats is appropriate to the size of the project and is such as to ensure that a permanent residential population

will be there to keep the place alive and by supporting the various amenities all through the year to ensure that these amenities are of a high standard.

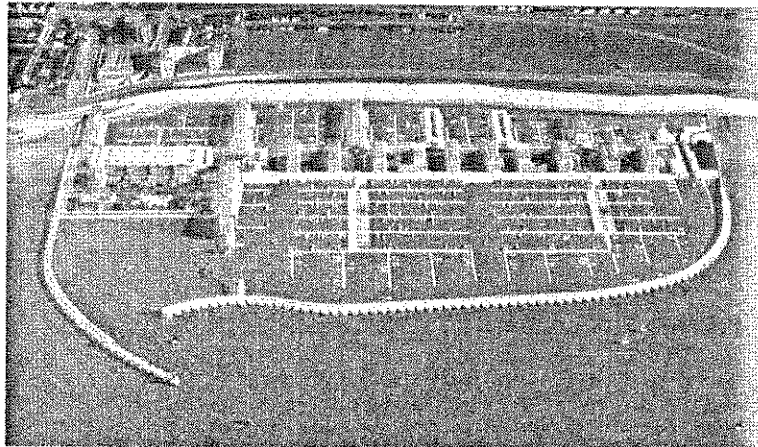
The buildings are of varying height and none rises above the cliff top. Their scale is appropriate to the scale of the site and to the grandeur of the cliff which forms their background.

This is a situation quite unlike those with which we are more familiar where new development should fit in with and should not dwarf the scale of existing buildings.

Here is a site detached from the coastline related only to the scale of the cliff and to the vast area of the sea - a site which offers the most exciting possibilities.

It would be tragic if these possibilities were lost or were not pursued with all the enthusiasm which is needed if they are to be fully realised.

They can be described as being nothing less than the creation of an entirely new concept where in an unique environment the growing demands for leisure occupation can be met in a relaxed manner and in such a way that they are not segregated but are integrated with the and other activities of Brighton.



The architectural concept - model of the proposed scheme.

CONCERNED IN THE PLANNING AND CONSTRUCTION ARE:

- Architects:** The Louis de Soissons Partnership in association with Oxerton and Partners
- Quantity Surveyors:** C D Walford and Partners
- Consulting Engineers: Civil/Structure:** Ove Arup and Partners
- Consulting Engineers: Maritime:** Lewis and Dwyer
- Consulting Engineers: Services:** Steensen Varming Mulcahy and Partners
- Consulting Engineers:** Lock Berlin and Partners
- Climatic Studies Consultant:** Professor T J Chandler
- Main Contractors:** Taylor Woodrow Construction Ltd

Character of the Present Plan - continued

PROVISIONS IN THE PLAN FOR THE PUBLIC AS A WHOLE

The Company's desire is to include as many features as possible which will be of interest to the general public and to people from all walks of life. The intention is to provide all the facilities which are suitable to the site and for which there will be a public de-

mand. The whole concept is that of providing activities which cater for everyone.

The 1966 plan included a number of amenities which were thought at that time to be viable, and to meet a public demand.

There is, however, a 14 year gap between what was proposed in 1966 and what might now be completed in 1980. Public tastes in leisure are not static and it is not surprising that eight years

later in 1974 there should be a different view of what is required. Nor is it surprising that the forecasts which are now made of what will be wanted six years hence when the entertainment element of the scheme may be completed cannot be final and definite.

The present scheme provides space for leisure purposes at least as great as was provided in the 1966 version, but in a more concentrated form and in a flexible manner making it possible to vary the content as public demand dictates. The comment made by the Planning Authority has been noted by the Company and as the scheme evolves consideration will be given to it.

The more concentrated plan also provides for the need to enclose and air condition much of the space so that the entertainment centre is usable throughout the year in all weather conditions.

The walkways throughout the Marina cover many miles and will constitute a unique amenity area where visitors will feel in close contact with all the activi-

Character of the Present Plan – continued

ness of the yachts and the Brighton Fishing Fleet which will make its home there.

The breakwaters will provide moored facilities for anglers a sport which is now one of the most popular in the United Kingdom.

A complete range of catering facilities is planned, being spread across the Marina and including restaurants of all types, from canteens, public houses and bars to more specialised "pubs" or restaurants, such as a Bier Keller or a restaurant with a fishing or nautical atmosphere.

THE HEIGHT OF THE BUILDINGS

The present scheme has been designed within the height limits imposed by the 1968 Brighton Marina Act and which cannot on any account be exceeded. This requires that no building be higher than the cliff.

The buildings as planned are by no means all to the upper limit, and many are but 3 to 4 storeys high.

The only offices envisaged in the plan are those for the Brighton Marina Company, and the Company is asking only for approval for 10,000 square feet of office space.

HOUSING

The plan contains five blocks of a total of 850 flats spread out along the spine and some built on the promontories. In order to appreciate the size of the Marina and the area in which the flats will be built it is necessary to understand that the length of the Marina spine is equal to that from the Palace Pier to the Grand Hotel (Oxford Circus to Piccadilly Circus).

Five blocks of flats in such a situation does not create a high density and leaves plenty of open space and amenity around them.

The number of flats is considered to be appropriate to the size of the project, and necessary to ensure that a permanent residential population will be living there to keep the Marina alive and by support of the various amenities all the year round to ensure that these facilities are always of a high standard. It has however been suggested by the Planning Authority that the residential content should be reduced and the Company is giving consideration to this suggestion.

As to the comment that the flats will be too exposed the Marina flats will be no more exposed than many other flats built on the south coast sea-front, and will be designed to suit their location.

TRAFFIC

The traffic generation of each element of the scheme has been carefully worked out in consultation with Brighton Corporation officials. The scheme has been designed so that the figures fall within the limits of what is acceptable on the adjoining road system.

The provision for parking space is for 2,500 vehicles. Some 1,400 of these vehicles are likely to belong to Marina residents.

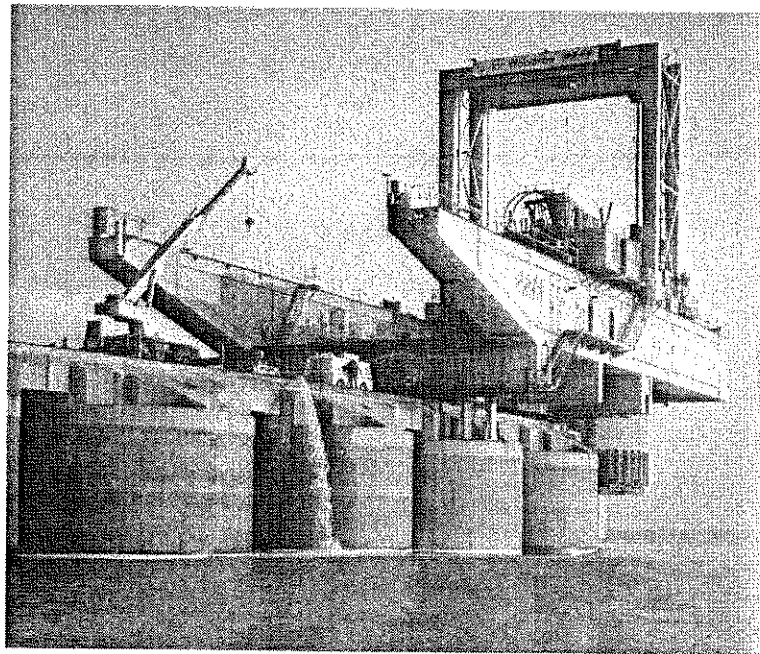
Access to the Marina will come as originally proposed –

NEW BRIGHTON MARINA CENTRE OPENS

A new Marina Centre is now open at the premises of the old Brighton Marina Sea School in Duke Street. Including a new and specially created exhibition, MARINA '74, the Centre also incorporates the sail trainer and navigation courses. The already very popular shanty bar has been vastly improved and will, in season, continue to sell equipment and clothing for boating and yachting.

The MARINA '74 exhibition, which is the main feature of the new Centre, documents the history of the project from 1963 until the present time and explains the development of the scheme to date in diagrammatic form by means of a series of large illustrated panels. The exhibition also features a multi-screen slide show illustrating in colour a whole series of marina activities. The slide show demonstrates the theme of the tradition of living and working by the waterside, the intention being to give an idea of the activities and atmosphere of a typical marina. There are also sequences that deal specifically with different aspects of sailing and boating.

A scale model of the site is included in the exhibition.



The steel piled crane used in constructing the breakwaters.

What the press says



the is by means of a viaduct and tunnels through the cliff at Black Rock connecting the reclaimed area to the existing road system.

The Black Rock interchange at this point was to have been built in any event and the only effect of the Marina is to bring forward the date of construction. In order to compensate for this, the Marina Company has made a contribution of £385,000 to offset the extra interest costs which the Council will be incurring from the early building of these road system works.

In addition, the Marina Company is paying for the full cost of the access tunnels through the cliff which connect the Marina roads to the interchange. The cost of these is estimated to be about £560,000 making a total of nearly £945,000 which

the Company will be paying towards the cost of the Black Rock interchange system.

THE YACHT HARBOUR

The present version of the scheme provides for 77.5 acres for moorings, and represents a substantial increase to meet the real need for this facility.

In the 1966 scheme the comparable area set aside for the yachting element was 46.5 acres. The land area is not materially altered.

The Company fully expects, and indeed welcomes public comment on its proposals. Such comment will always be given most careful study and consideration.

It is the Company's purpose to make of this project a worthy contribution to the life and well-being of Brighton, to provide

the public with a significant extension of the facilities already available in the town, and, when completed, it is expected that the Marina will benefit all the rate-payers of the district and of the whole County area in that there will be a contribution to the rate funds which could amount to as much as £1,000,000 per annum.

Further, the Company hopes that the whole of the South East of Britain, along with the population of Brighton and area, will be able not only to enjoy and share in the facilities proposed but take a pride in so doing.

Finally, the Company would like the public to appreciate its philosophy in relation to this project which was expressed by the Architect in a Press Conference on January 14, 1974:—

"The Marina needs to be a busy place, and a place to be enjoyed by everyone.

A successful solution will depend, however, not merely on a correct forecast of the facilities which the yachtsmen and the public will wish to find, or on a correct balance of residential use.

It will depend on the quality of the environment which is designed and application of the highest standard to its architectural expression.

I intend to make of it an example of the way in which the growing demands of the leisure industry can be met in a civilised manner, and in such a way that leisure occupations are not segregated but are integrated with the life and other activities of a normal community."

PUBLIC AFFAIRS DESK

INTRODUCING MARINA 74

On the fine August morning 91 years ago Magnus Volk introduced his electric railway with the words "BRIGHTON SHOULD BE FIRST IN EVERYTHING".

More recently Brightonians read this in their evening newspaper.

"Much of the trouble in the world today is caused by poor communication. We may have reached the stage where information can be transmitted to all parts of the globe in a matter of seconds. But when it comes to the kind of communication that involves understanding between people we have not made a great deal of progress since the Stone Age."

MARINA 74 thus makes its humble debut in good company — among the masters in the art of engineering vision and its written expression. We hope that our newspaper will help contribute to the well-being and prosperity of Brighton and its inhabitants. More than that, however, we hope that thought and constructive comment will be stimulated by its contents setting out the Brighton Marina's part in the exciting Brighton of the future.

Our publication also coincides with a "new look" in communi-

cation. In Duke Street we have opened a Marina Centre combining under one roof an exhibition of audio-visual aids, graphics and site model demonstrating the architectural concept, together with leisure wear for the fashion conscious sailor and other teaching aids.

We want you to tell us what you think. Come soon, judge for yourself, support us.

Communication is, after all, a two-way affair.

MARINA 1841!

BRIGHTON MARINA does not claim to be the first to see the town's need for a man-made haven. In 1841 George Wigney published an open letter to the townspeople proposing the building of a harbour to shelter fishing boats and coasting traders on passage.

His scheme could have worked, although he did not have the means of tank testing the hydraulic effects which we possess today.

We do get around

We have been told that "you never get around the town . . . why don't you tell us more about yourselves".

If that is true — and we doubt it — perhaps it is our fault. You must excuse us. People in private enterprise seldom blow their own trumpets hard and long enough. For the record, however, we have:

**Talked to hundreds of people in groups ranging from Shoreham to Saldean and Peacehaven; from Patcham and Palmer to Mile Oak and further afield at Worthing and Reigate.

**Sponsored over 100 officially-recognised parties on site visits. (Thank you one and all at the site).

**Briefed all manner and shades of opinion.

**Explained to hundreds grouped around the model the philosophy behind the architectural concept.

**Welcomed visitors from as far away as the South China Seas, Australasia, and the Western Hemisphere. Nearer home foreign engineers have been

Duke Street Jottings

Pollution

The Marina will only berth crafts with self-contained sanitation systems, providing pump-out facilities to service every yacht. In both the tidal basin and the inner harbour the water will be free of pollution.

Paddle Steamer

Something old, something new. The historic 46-year old paddle steamer, The Wingfield Castle, was renamed, "The Brighton Belle" on her purchase from Sealink by the Brighton Marina Company.

Construction Progress

Catherine Metcalfe in the June issue of "Construction

News" reported in a 4-page feature Taylor Woodrow's progress on the site.

Ken Brown in the same issue reported on how "Brighton proves the sea breakwater construction system."

Ecology — "Russell's Prawn"

School children aged between 14;15 years from the Longhill County Secondary School, Fairner Road, Rottingdean, during a visit to the site identified various specimens of plants and animals among the pools.

With marine life in plenty 15-year old Russell Cooke found and identified a prawn. It was promptly dubbed "Russell's Prawn" by his classmate.

sent to discuss similar projects planned in their own countries.

**This summer basked in a variety of foreign tongues visiting Marina House, especially our French friends and neighbours.

**Continued to give substantial support to the Brighton Festival of the Arts, and various sea contests off our piers, not

forgetting help for anglers in the future.

Additionally, we have been happy to host visitors from a whole range of societies and children engaged on projects.

We possess a Map with pins in it. These pins represent areas with which we have had contact. If yours is not shown tell us what we ought to do about it.

THIS CONCERNS YOU

Please write your comments in the space below

Send them or bring them along to the Marina Centre in Duke Street. We particularly want your constructive comments on the project — and your support.

Name

Address

Signature



XPLORE LIVING - FAILED CONCEPT

NEED A VISION TO CREATE THE JEWEL IN THE CROWN
ENHANCE THE MARITIME ASPECTS FIRST AND FOREMOST



Open University

T241

(M1)

architect's reasons for the changes; a photograph of a model of the new scheme was reproduced. On 14 October 1970 the *Evening Argus* carried a longer article which set out in full the statement prepared by the planning committee for the full council meeting. The public statement covered the design of the scheme in general terms and included the five points mentioned above. The council were told that hotel accommodation would be increased from about 300 to 1200 rooms and permanent residential units from 300 to 1000, and that, although none of the buildings would be higher than the cliff, there would be more buildings of that height than in the original scheme.

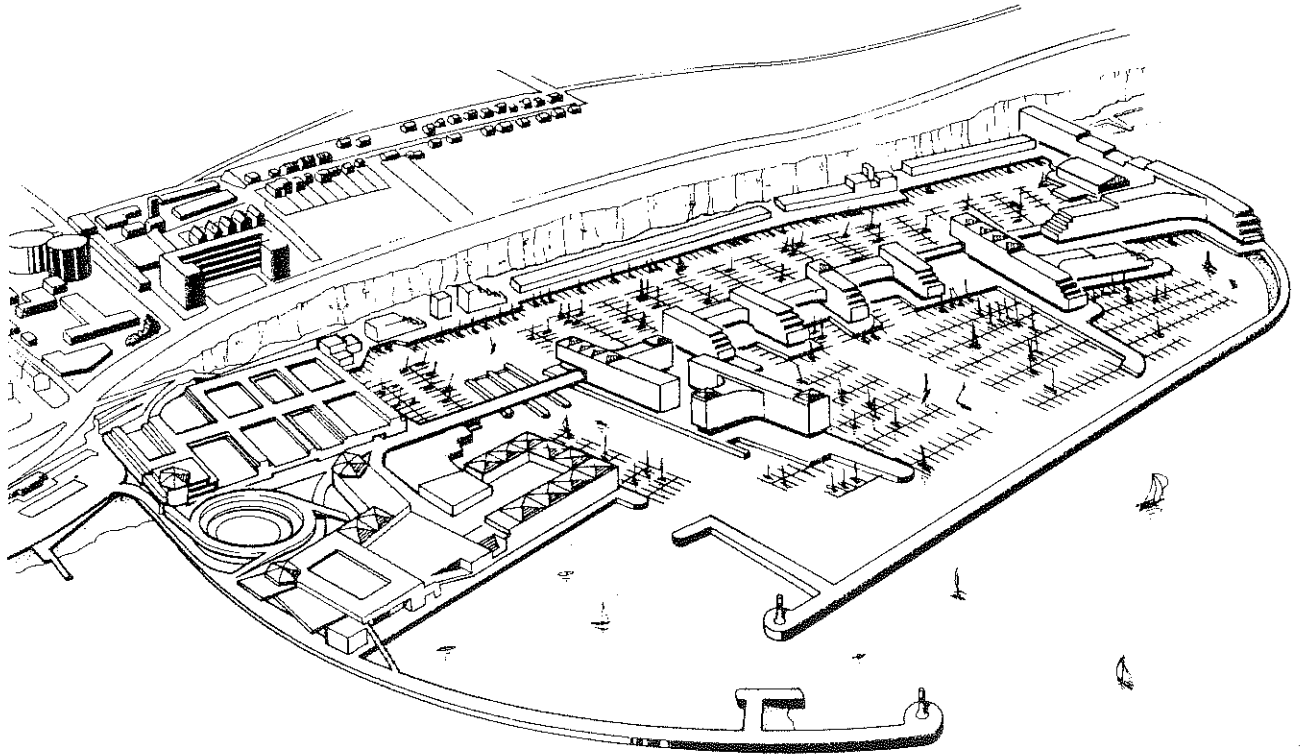


Figure 14 The plan which was given outline planning approval by Brighton Corporation in December 1970. The harbour is now divided into an outer tidal basin and an inner non-tidal locked basin. The main building development is in the middle of the harbour separating these two basins. No attempt has been made in the sketch to give any architectural detail to the buildings as they are merely shown as blocks.

Since 1970 the Brighton Marina Company has been refining this basic plan and considerable change in the detail of it has taken place. For example, all the building development along the eastern breakwater and the undercliff walk has been eliminated and the lock entrance to the inner basin has been changed from the western to the eastern end. The main building development is now planned along the central spine dividing the harbour with promontories protruding northwards into the non-tidal basin

Pictures of models of the old and new proposals are shown in Figures 13 and 14.

The council approved the revised scheme in principle on 22 October 1970 and this led to a formal application for outline planning permission for the new scheme being submitted by the Marina Company in December. The details of the formal application were forwarded by Brighton Corporation to the Secretary of State for the Environment in accordance with an undertaking it had given at the time of the parliamentary bill. This required the council to submit any plans which involved a substantial departure from the plans approved by the minister in 1966. In sending the plans to the ministry, the council said they had had wide local publicity and that statutory notices had been put out by the company, which appeared in the *Evening Argus* on 17 November 1970, and at the site. They also reported that *no objections had been received at all*. The Secretary of State's attention was drawn to the planning committee's reservations about density and heights of buildings.

Open University
T241

M2

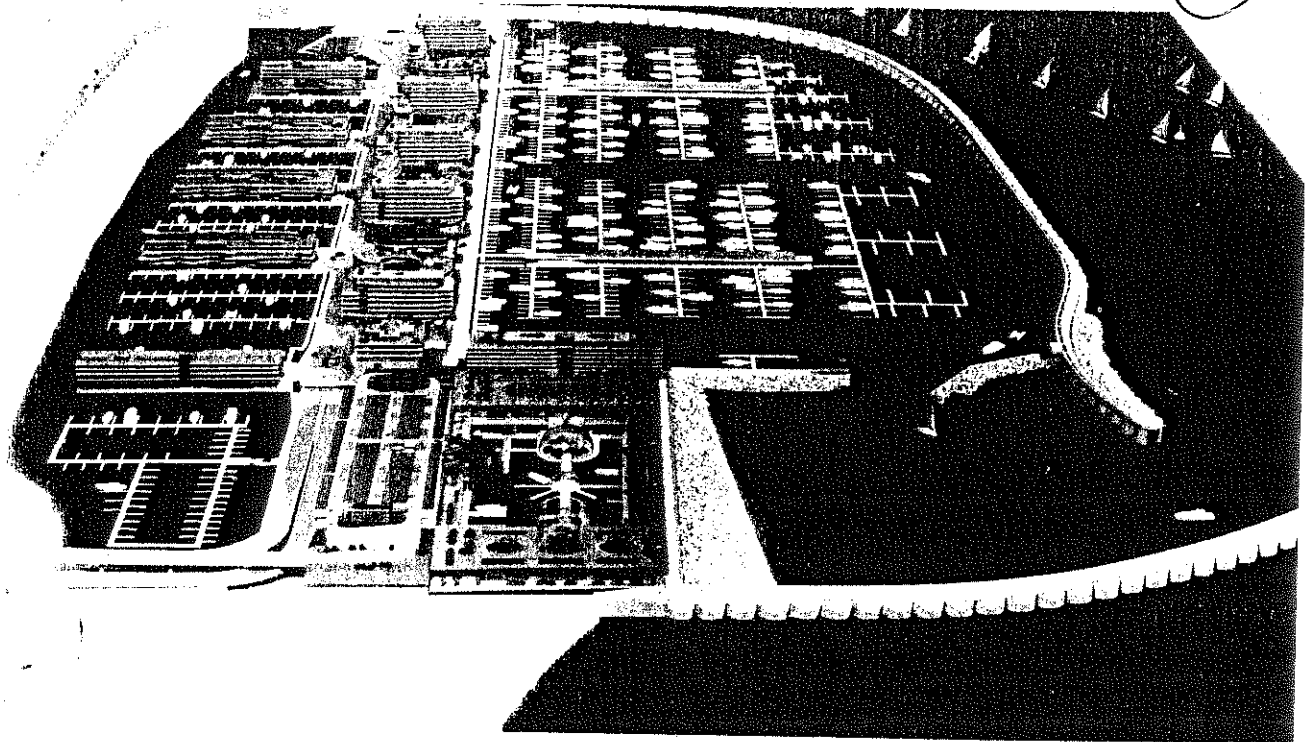


Figure 17 Model of the Marina approved by the Council towards the end of 1976

M3

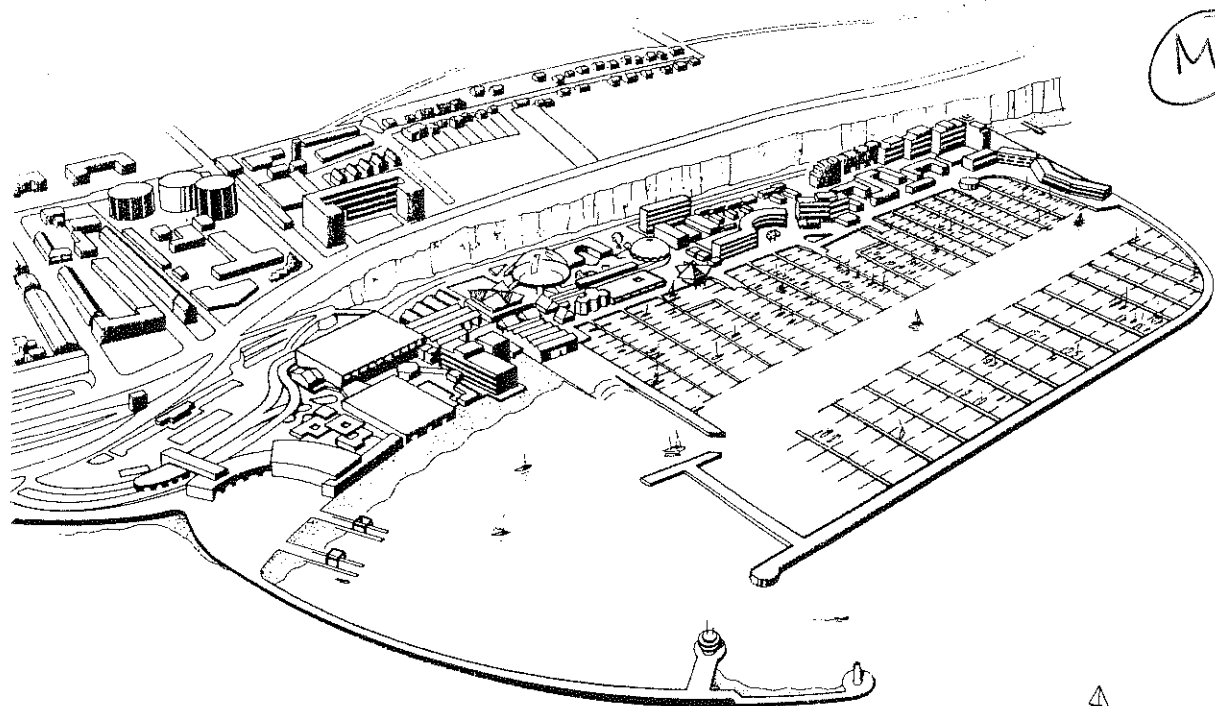


Figure 13 Sketch of the 1968 version of the Marina plan. This shows a fully tidal harbour with all the building development on reclaimed land between the undercliff and the sea

4 help promote a parliamentary bill for the scheme.

The proposals had to go to the ministry because they involved development which came under the ministry's authority. The parliamentary bill was required because the Marina Company wanted to build on the foreshore and Crown-owned sea bed and the council were proposing to support the developers in their application to parliament. The public presentation of the plans produced some strong local reactions. From Figure 12, you can see that it was proposed to build the Marina in front of an area of Brighton known as Kemp Town. The whole length of Marine Parade is a vista of Regency buildings which would overlook the proposed Marina. Sir William Holford, a famous town planner, lived in Kemp Town in one of the Regency terraces and he opened the public controversy with a letter to *The Times*, which appeared on 17 September 1964. He said,

local reactions

Sir,—The idea of a yachting harbour at Brighton is attractive and in scale with the enterprises of the past that have made Brighton what it is — a resort that has many fine features and some magnificent ones.

Among them are the residential layout of the Kemp Town squares and crescents (probably, with Hove, one of the best pieces of town development in England); the fine treatment of the cliff face with its open lines of communication, used by thousands and appreciated by millions — Marine Parade, the intermediate pedestrian terrace, Madeira Drive, and Volk's 81-year old electric railway still running along the shore; and grandest of all, the open shingle beach and groynes and the safe sea bathing places, a long and a natural prospect of the sea for residents and visitors, old and young; free, unfettered, and still accessible.

The project which you illustrate today as having been passed by the Brighton Planning Committee, although interesting and imaginative in itself, could only develop by destroying most of these existing assets, which seems pointless and wasteful. Before heavy promotion costs are incurred and high investment risks taken, both Brightonians and Londoners are entitled to ask whether the project is on the right site, and whether it would not be infinitely better and more valuable at the end of the beach, immediately east of Black Rock.

MOORINGS WILL BE ON

THE ENTIRE marina site has been divided into five main zones. They are:

- Residential and yachting, covering the largest area.
- Public zone at the west end of the site.
- Administrative—lying between the first two zones.
- Semi-public—immediately west of the lock at the eastern end of the spine.
- Boatyard area to the east of the lock.

RESIDENTIAL ACCOMMODATION: Approximate number of units 1,450 flats and maisonettes.

Along the central spine there are five groups of buildings arranged around courtyards. They will be three, four, seven and eight storeys high, each containing more than 150 flats, maisonettes and penthouses, with car-parking and communal amenities. "Careful attention" will be paid to the roof areas, which will be visible from the cliff top. Communal roof terraces in each group of buildings will include a private swimming pool and children's play area.

Central to the entire scheme, the spine will be the first area developed. Work should start on the spine promenade in May next year.

The locked basin promontories to the north of the spine will carry blocks of flats and maisonettes,

with communal facilities similar to those on the spine. The number and form of these promontories will depend on the demand for accommodation. At present the scheme provides for five promontories, the first two carrying eight-storey blocks, the third and fourth carrying four-storey blocks, with a seven-storey block on the fifth. But the number of storeys can be varied within the limits of the cliff height.

Floating promontories running southwards from the spine will carry two-storey blocks of flats or small houses particularly suitable for weekend visitors. The prefabricated buildings will lie on floating foundation rafts. There could also be clubrooms, bars or other communal facilities for yachtsmen.

Floating rafts were chosen since any normal substructure would be an eyesore when the tide receded. It would also be uneconomic to build fixed structures in this unprotected tidal water. There has been no evidence to show this difficult engineering feat would not be a practical proposition.

YACHTING: A total 2,047 moorings can be provided in the locked basin and tidal harbour. A further 220 will be available before the five locked basin promontories are built. The moorings will accommodate different sizes of boats based on an analysis of those applications for moorings already received by the Brighton Marina Company. The moorings will be organised in "easily identifiable groups

within which yachtsmen Some moorings also will be reserved for a single base for the

THE PUBLIC ZONE: F the needs of residents visitors "to give the ment and activity with not be deemed a success

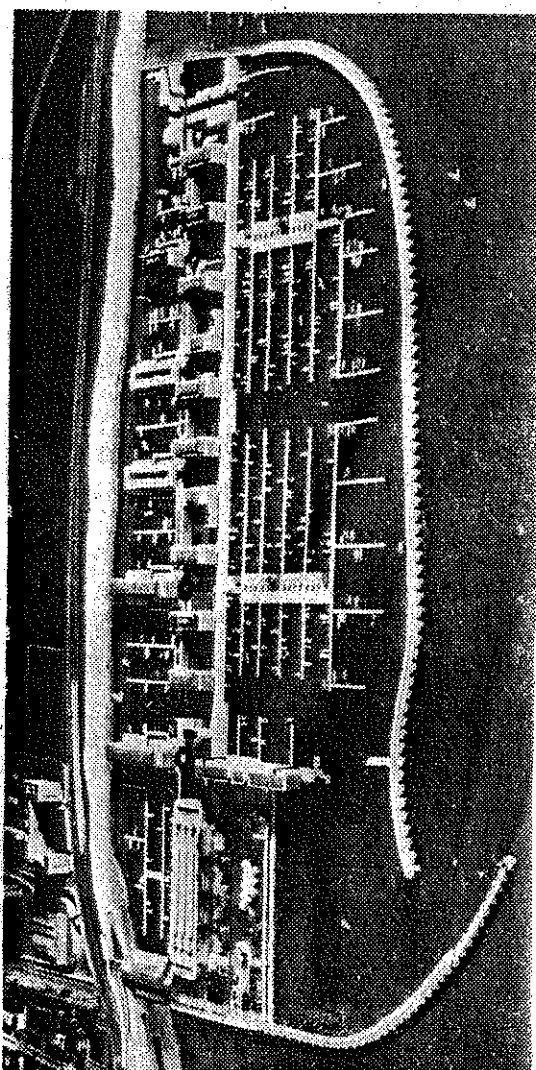
(a) **Shopping and m** part of the shopping flo car park. "There is lit a big demand for marin and that it will spill ou locked basin to the) allows for the inclusion pavilion containing a r torium. The whole area variety of uses.

(b) **Hotel and confe** bedrooms will face eit form will be decided by yet unnamed. A health)

The conference hall two buildings will be tropical plants, a heater nightclub and casino y laurant, some high-class a social club for up to

(c) **Public entertaini** transport terminal, anc park by lift or escalat swimming pool, public h cafeteria and shops. dancercama. "a somewt within a circular space and housing a number lighting effects. It may cinema in the round.

Another novelty is t in plan, with four or fi central backstage area.



A photographic representation of a bird's-eye view of the new-look marina.

M9

Argus 1974

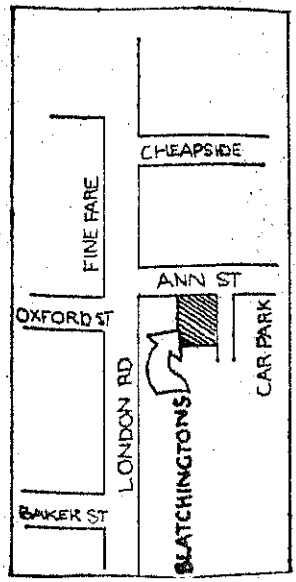
DON'T MISS THESE GENEROUS PRICE REDUCTIONS ON OUR NORMAL STOCK OF WINTER COATS, DRESSES, SUITS, TROUSER SUITS, SKIRTS, LEISURE WEAR

SIZES 12 TO 22
7 KING'S ROAD, BRIGHTON 25500
(Just round the corner from East Street)

400 yards - 27" width
SHORT LENGTHS

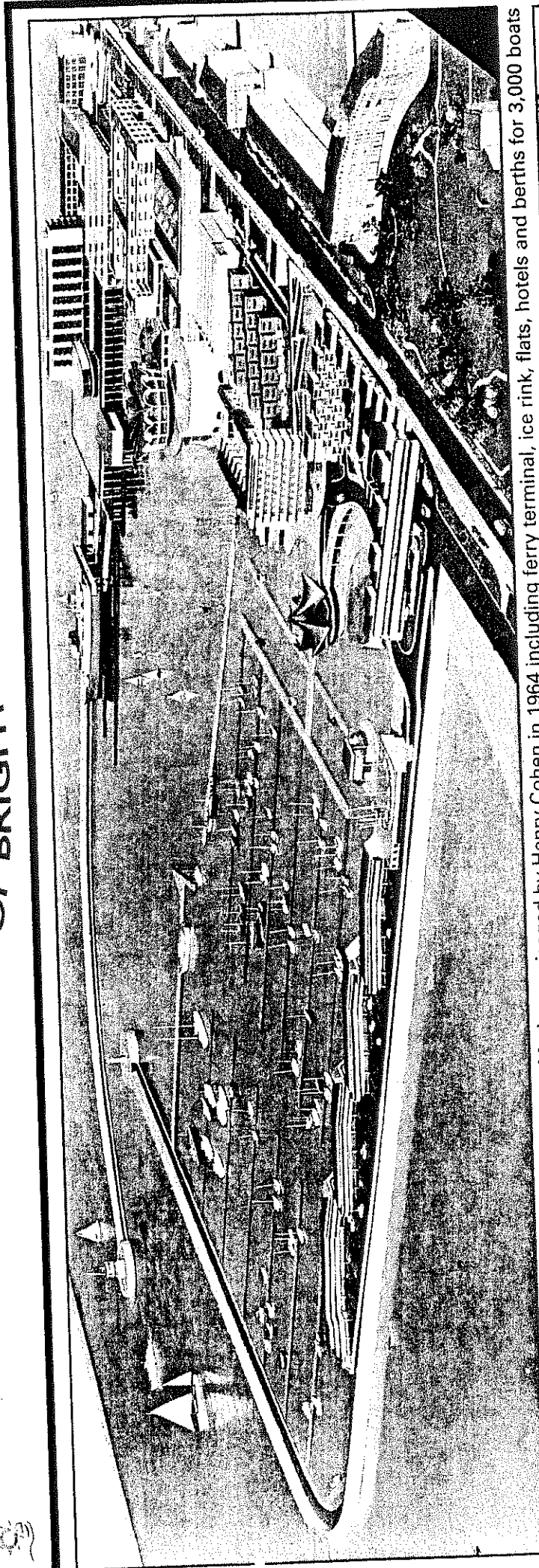
SUPER WILTON —
— A.1. AXMINSTER

UP TO 5yd. LENGTHS
HALF PRICE
WE ARE SO EASY TO FIND



BLATCHINGTONS
3 & 4 ANN STREET · BRIGHTON

21 YEARS OF BRIGHTON MARINA



FIRST MODEL: An early model shows the Brighton Marina envisaged by Henry Cohen in 1964 including ferry terminal, ice rink, flats, hotels and berths for 3,000 boats

ACCORDING to the legend of Brighton Marina, the idea for a lavish harbour struck entrepreneur Henry Cohen as he skippered his little fishing boat past the Kemp Town shoreline.

The brainwave of this Brighton businessman was the start of one of the biggest coastal engineering projects in

stages opposition was directed at the location of the marina.

Opponents like the eminent architect Sir William Holden battled the scheme because they feared it would ruin the grand sweep of the view from Kemp Town's magnificent squares.

At the beginning of 1965, the Brighton and Hove Gazette reported a change in location. Black Rock and Ovingdean Gap were both considered, but by the time the public inquiry was finally held in 1966, Black Rock became the definite site.



AT the turn of the century, a cluster of buildings perched on top of the crumbling Black Rock cliff. As every year passed, the buildings - a pub and a sweet shop - grew more perilously

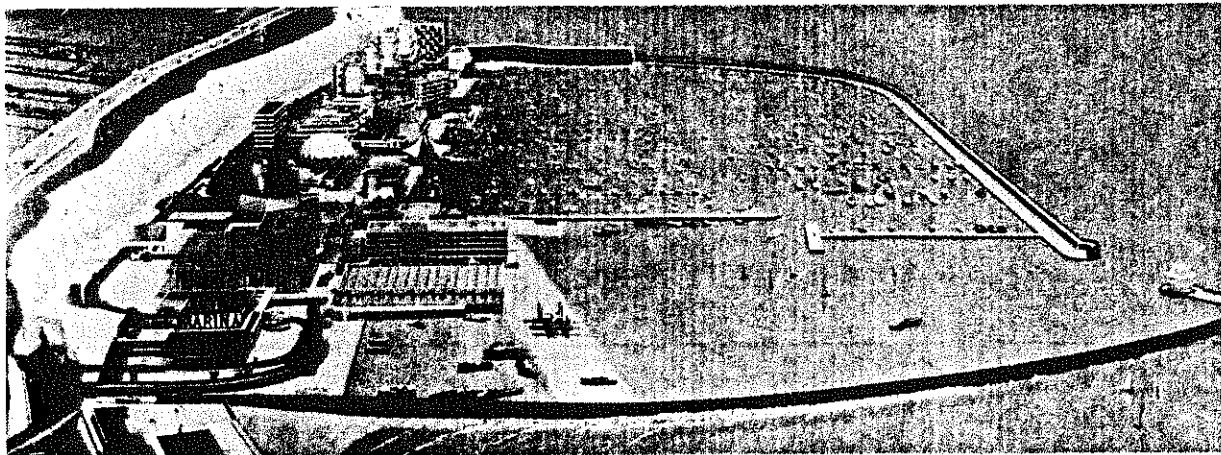
sweet shop. The 79-year-old former civil servant was only five when she first went there. She said: "In those days Volks Railway came to an end much further down. You got off the train and

...the Marina was completed in 1979.

re Brighton Corporation Bill
Town Port

69/70

(M6)



'... A splendid scheme', says Mrs. N. Potter, M.B.E., Director and Secretary of the Federation of Sussex Industries. 'Brighton has been going down-hill', Mr. J. R. Nevett, Chairman, Central Brighton Traders' Assn. (representing almost the whole of Brighton's shops); 'We firmly support the Marina project—it will bring business to Brighton & Hove, which should mean improved prosperity for all who live and work here', Mr. A. Heald, Brighton & Hove Chamber of Commerce and Trade; 'Of course we support it', Mr. R. T. Evans, Brighton & Hove Entertainment Managers' Assn.; 'We give this scheme our wholehearted support', Mr. Louis Bourriau, President, Brighton & Hove Hotel, Restaurants and Guest Houses Assn.; 'This is just what we need', Mr. H. Verrall, Chairman of the Committee—Hove Deep Sea Anglers; 'Imaginative—a great thing for Brighton', Commodore R. Reeve, Brighton Sailing Club; 'Will help to put Brighton back in the four star category', Mr. D. T. S. Ball, Brighton Cruising Club; 'The Brighton Fisherman's Society overwhelmingly supports the Marina project because facilities have

been offered and accepted to provide in the a Fisherman's Jetty, Market and Stores. Such facilities as these have never been possible for Brighton Fishermen who, in bad weather, had to go to the harbour at Brighton and have to go 10 miles East (Newhaven), or 5 miles to the West (St Leonards) which is a tidal harbour and not approachable at low tides', Mr. George Wheeler, Chairman, Brighton Fisherman's and Boatman's Protection Soc.; 'This will help the job situation', Mr. Denis H. Secretary, Brighton & Hove District Trades Council (Local Trade Unionists). Other Clubs, Associations and Societies supporting the Marina and the Marina Roads Scheme include: Sussex Motor Yacht Club; Sussex International Wine and Food Society (Sussex Branch); Brighton Deep Sea Anglers; Brighton & Hove & District Building Trades Employers; Brighton Shop, Distributive & Allied Workers (Brighton Branch); Brighton Canoe Club; Brighton Sub-Aqua Club. Personal messages of support have also been received from Mr. Dennis Hobden (Kemp Town) and Mr. Julian Amery, M.P. (

Brighton Marina Company Limited is a £500,000 fully paid company controlled by Spey Westmoreland Properties Ltd., whose shareholders include: Barclays Bank Pension Fund; Electricity Council Pension Fund; I.C.I. Pension Fund; Phoenix Assurance Co. Ltd.; Spey Investments Ltd.; Unilever Pension Fund; Westmoreland Investments Ltd. So far approximately £300,000 has been spent on promoting the Marina project.

CONSULTANTS

Architects: Louis de Soissons, Peacock, Hodges & Fraser, 3 Park Square Mews, Upper Harley Street, London, N.W.1. *Overton & Partners*, 38-39 West Street, Brighton. *Civil Engineers:* Lewis & Duvivier, 14 Howick Place, Westminster, London, S.W.1. *Quantity Surveyors:* G. D. Walford & Partners 7-9 St. James's Street, London, S.W.1. *Project Management:* W. S. Atkins & Partners, Woodcote Grove, Ashley Road, Epsom, Surrey. *Public Relations:* Clark, Nelson Ltd., 36-38, Whitefriars Street, London, E.C.4.

Solicitors: Slaughter & May, 18 Austin Friars, London, E.C.2. and Laurence Legg, 4-5 Pavilion Buildings, Brighton.

Brighton Marina Company Limited
109 Lewes Road, Brighton. Tel

Published by Brighton Marina Company Ltd.

YOUR VOTE IS VITAL FOR THE MARINA AND ITS ACCESS ROADS

BECAUSE IT WILL HELP PROVE OVERWHELMINGLY, ONCE AND FOR ALL, -
BRIGHTON WANTS A MARINA WHICH IS THE FINEST AND LARGEST IN EUR
BRIGHTON WANTS IT BECAUSE IT WILL:—

1. **Give Brighton an enormous boost as a national and international holiday and conference c**
 2. **Provide years of work on the roads and the Marina for builders and engineers, and greatl
Brighton's unemployment position now standing at the highest figure since 1948.**
 3. **Finally add at least £200,000 a year to the rate revenue.**
 4. **Provide 260 new houses and flats to take the place of 19 homes whose owners will be ful
compensated.**
- . **Bring NEW LIFE, NEW VISITORS, NEW TRADE to Brighton.**

Vote for the Brighton Corporation Bill at your usual
Polling Station on
THURSDAY, DECEMBER 4
Between 8 am and 9 pm

● Parliament has given powers to the Marina Company to build at Black Rock but the new Bill is wanted :
give Brighton Corporation powers to take over some land for the access roads and to borrow the money to
build them.

● But building the roads will NOT mean continuous higher rates. For the first few years there will be a sma
charge on the rates but not at any time as much as 1½d, and after 11 years all the money spent will have be
recovered and then it is PROFIT ALL THE WAY for the Town. Remember even if the Marina makes no profi
its owners the Town still gets the full benefit to its rate revenues (and if the Marina makes big profits the
Town gets a substantial share as a bonus on top of the rate revenue).

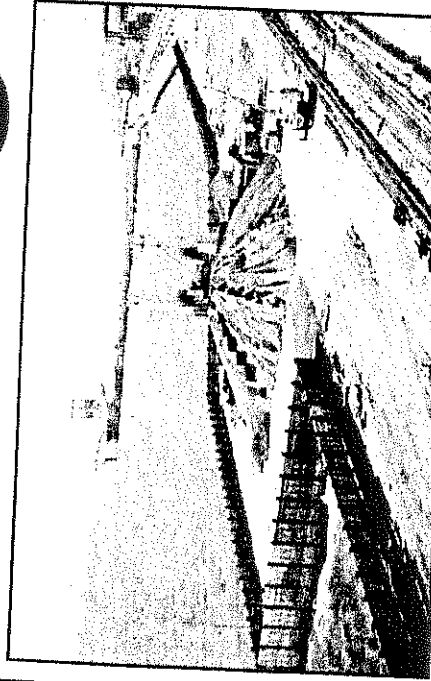
**VOTE FOR THE BILL,
AN EXCITING NEW DEVELOPMENT, AND A PROFITABLE
INVESTMENT FOR BRIGHTON**

G. C. C. PACKHAM

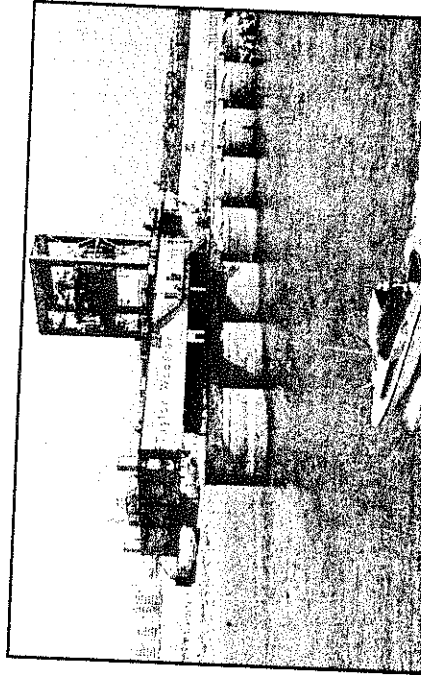
(Chairman of the Legal and Parliamentary Committee)



Things start rising



THE WORKS: Concrete batching area in 1972



DEEP SEA: 600-tonne caissons are laid in 1976



NON-STOP: A caisson is laid at night



PUBLIC INTEREST: View of the site during the 70s



RECLAIMED: Layer of sand where Asda now is



STEELWORKS: Asda store takes shape in 1987

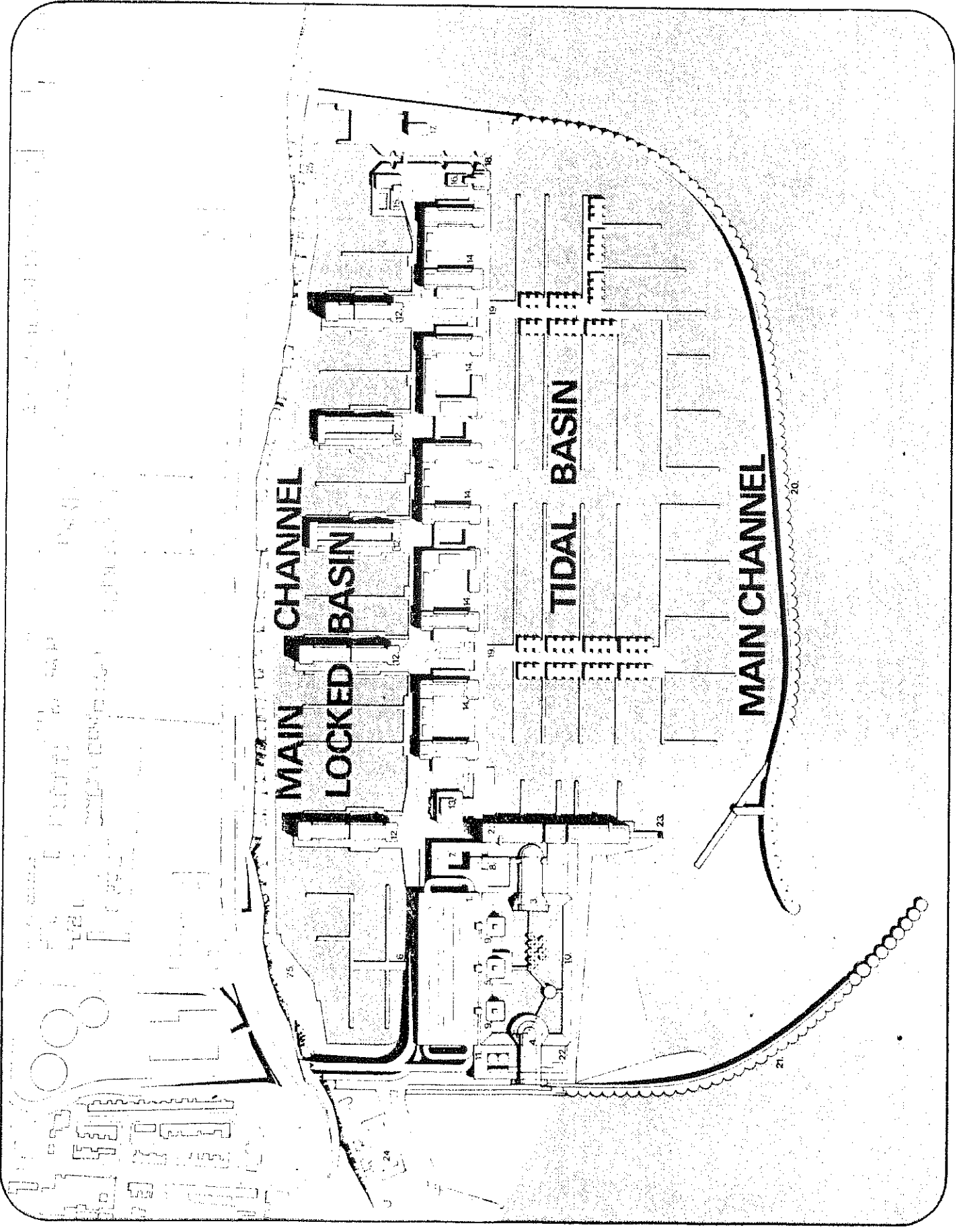
THE HISTORY

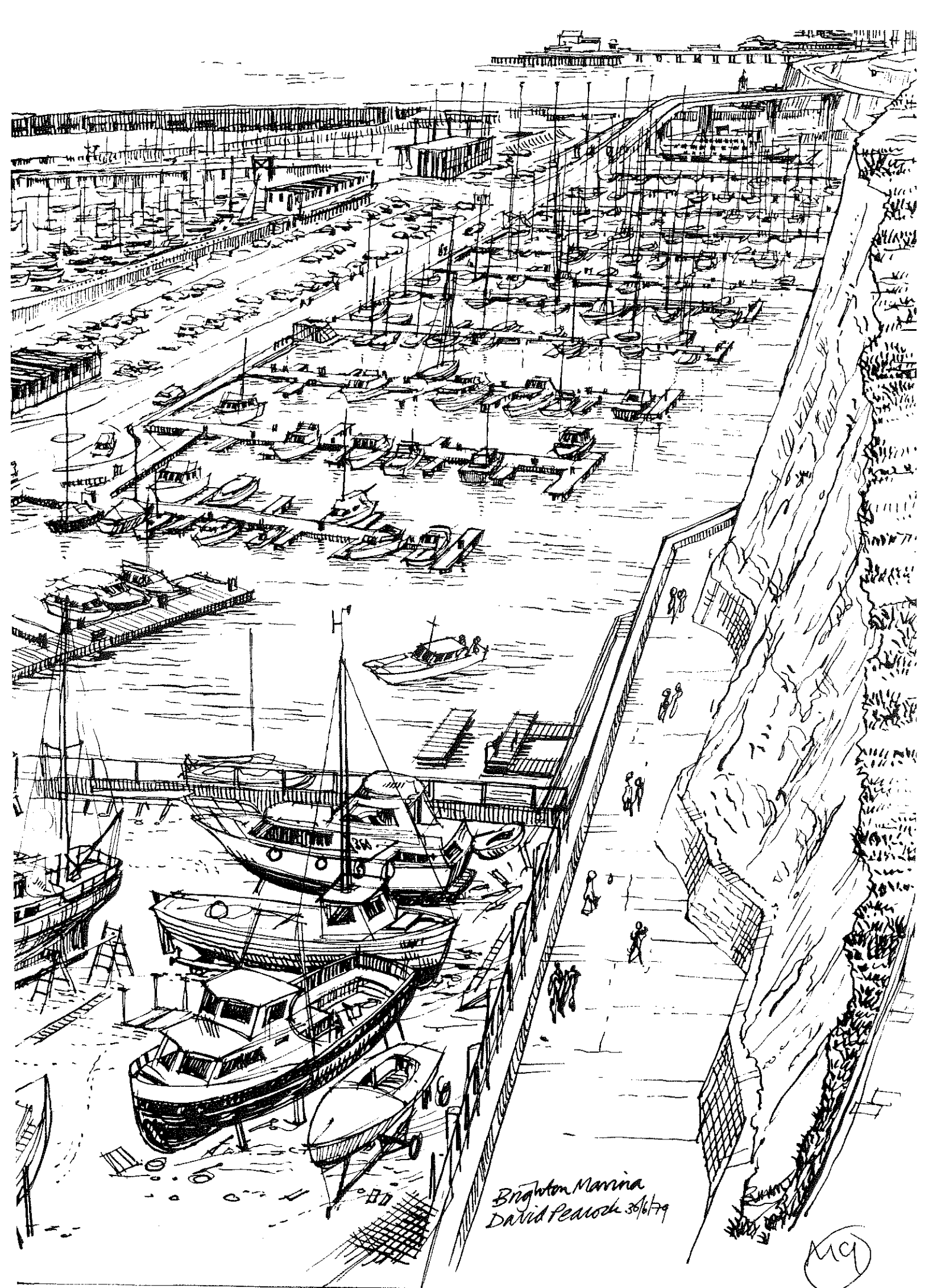
Evening Argus 15/1/72

THE ARCHITECT CONCEPT

- 1 PUBLIC CAR PARK
- 2 SHOPPING
- 3 MARINE SALES & EXHIBITION
- 4 HOTEL
- 5 CARIBBEAN GARDEN
- 6 NIGHT CLUB
- 7 CASINO
- 8 SOCIAL CLUB
- 9 RESTAURANTS
- 10 DANCERAMA
- 11 CYCLOPAMA
- 12 AUDITORIUM
- 13 EXHIBITION BOATS
- 14 PETROL STATION
- 15 CONFERENCE HALL
- 16 COFFEE BAR
- 17 SHOPS
- 18 RESTAURANTS
- 19 SQUASH CLUB
- 20 ADDITIONAL ENTERTAINMENT
- 21 LOCKED BASIN PROVISIONS
- 22 MARINA CO. ADMINISTRATION & CONTROL CENTRE
- 23 RESIDENTIAL BLOCK
- 24 YACHT CLUB
- 25 PUBLIC HOUSE
- 26 SHOP
- 27 BOATYARD
- 28 LOCK
- 29 FLOATING PROMONTORY
- 30 EAST BREAKWATER
- 31 WEST BREAKWATER
- 32 SWIMMING POOL
- 33 HARBOUR CONTROL
- 34 BLACK ROCK SWIMMING
- 35 UNDERCLIFF WALK

58





Brighton Marina
DAVID PEASOCK 30/6/79

MP

Brighton Marina

BMRA Doc B.

BRIGHTON REFERENCE LIBRARY
CHURCH STREET
BRIGHTON BN1 1UE

N

BRIGHTON MARINA

PROOF OF EVIDENCE
OF

DAVID MICHAEL HODGES MBE FRIBA

22 OCTOBER 1974

BRIGHTON REFERENCE LIBRARY
CHURCH STREET
BRIGHTON BN1 1UE

a degree of privacy and a degree of protection within which some landscaping will be possible

- 21.28 It is a natural development from the orientation of the blocks and from the connection of their entrances to the main road system
- 21.29 The buildings on the spine repeat this form in five groups spread over a length of almost half a mile
- 21.30 (10) Each group contains from 150 to 180 flats which could represent a yearly programme resulting from a probable rate of disposal, so that each group could be completed as a self-contained and complete environment
- 21.31 (15) The buildings in each group vary from three to eight storeys and all are within the height limit imposed by the Brighton Marina Act
- 21.32 The groups are likely to vary to a far greater extent than the scheme now indicates as the detailed brief for each succeeding section emerges and affects the design
- 21.33 At this stage the design is diagrammatic, repetitive, and indicative only of a principle based upon the philosophy which I have described





- 3.3.3 The maximum permitted duration of stay will be 2.5 hours in the Asda car park as at present but these time restrictions could be enforced by the use of barriers and exit tickets.
- 3.3.4 The proposed pricing structure presented below would ensure the vitality and viability of the Marina and specifically the Asda store by contributing to an enhanced visitor experience, by minimising parking wait times, minimising local vehicle traffic and ensuring throughput of customers.
- 3.3.5 The current charging structure for the public parking facilities is included in Table 3.2 below. However this may need to be review and monitored to ensure that it is a reasonable rate in comparison to the multi-storey.

Table 3.2: Asda Charging Structure¹

Time Period	Cost
1 Hour	£1.00
2 1/2 Hours	£2.50

- 3.3.6 The car park could be barrier operated with ticket spitter machines at the entry barriers and would operate as a pay on foot system. Parking payment machines will be sited in convenient locations near to pedestrian entrances/ exits.
- 3.3.7 It is anticipated that Asda would introduce the charging structure but with a car park refund scheme operating for its shoppers. It is proposed that customers who spend £10 in-store will be able to claim a full refund on their parking charge at the checkout. This scheme already operates successfully at the existing Asda store.

3.4 Multi-Storey Car Park

- 3.4.1 The Multi-Storey car park will reduce in size to 1353 spaces, a loss of some 193 parking spaces. Discounting event days, it has been demonstrated that the car park currently has spare capacity of some 200 – 450 spaces, this coupled with the management plan proposals, it is envisaged that the Multi-storey will be able to accommodate the anticipated level of parking demand put on it.
- 3.4.2 This is envisaged to extend to all business within the Marina that relies upon reasonable levels of parking as a part of their livelihood, and is included in the terms of their lease. An appropriate maximum duration of stay for these permits/bays would need to be agreed. X-leisure legal requirements to their tenants through sub leases are as Table 3.3 below:

Table 3.3: Lease agreement parking

Tenant type	Spaces
Total Available	1,353
Berth-holders	100
Seattle Hotel / David Lloyd Fitness / UGC Cinemas / Bowplex Bowling / Rendezvous Casino	400
Leisure Facilities (Boardwalk cafes, etc)	750
Remainder	103

- 3.4.3 A charging and control system will operate to maximise short and medium stay parking for visitors to Brighton Marina and the surrounding retail elements of the development with some longer stay parking for Marina users and berth holders.

¹ As exists at present.

Other long-stay parking will be discouraged and restricted through the pricing structure and a maximum duration time parking control.

- 3.4.4 Otherwise, the general maximum permitted duration of stay will be 5 hours in the multi-storey car park as at present but these time restrictions will be enforced by the use of barriers and exit tickets.
- 3.4.5 A suggested charging structure for the Multi-Storey public parking is included in Table 3.4 below. This has been based on a reduction of 50% on parking charges in central Brighton (The Lanes).

Table 3.4: Multi-Storey Charging Structure²

Time Period	Cost
1/2 Hour	40p
1 Hour	£0.80
1 1/2 Hours	£1.20
2 Hours	£1.60
2 1/2 Hours	£1.90
3 Hours	£2.20
4 Hours	£2.90
5 Hours	£3.50

- 3.4.6 We envisage that the car park would be barrier operated with ticket splitter machines at the entry barriers and would operate as a pay on foot system. Those individuals who have legitimate free parking will be allowed entry using a suitable number plate recognition system. Parking payment machines will be sited in convenient locations near to pedestrian entrances/ exits.
- 3.4.7 As mentioned previously a visitor parking permit system proposed for guests of residents at the Marina will operate through a permit/number plate recognition system which allows reduced fee parking in the multi-storey. These will be exit ticket permits which will be valid for a single use only. This scheme will extend to guests of the existing residents and those residents that will be part of the recently approved Brunswick scheme, we envisaged that a day pass for residents visitors would be approx £6 for 24 hour period and £10 for a weekend.
- 3.4.8 A permit scheme/number plate recognition system could also operate for users of the Marina. This may allow overnight or longer duration of stay than would otherwise be permitted. This is envisaged to extend to all business within the Marina that relies upon reasonable levels of parking as a part of their livelihood, and is included in the terms of their lease as shown in Table 3.3. An appropriate maximum duration of stay for these permits/bays would need to be agreed.

3.5 McDonald's Car Park

- 3.5.1 The McDonalds' car park will be free parking, with a maximum stay of 1 hour. It is not envisaged that that the customer spaces in the McDonald's car park will need to be barrier-controlled at present, although periodic enforcement will be required to ensure that they do not become overspill or alternative parking for other land uses. This approach will need to be monitored to ensure that parking in this location is being appropriately used.

3.6 Public Parking Management

- 3.6.1 A management strategy will be prepared for special event days. This will be agreed with Brighton and Hove City Council and East Sussex Police.

² B&HCC parking: The Lanes Multi-Storey 2006 tariff structure reduced by 50%.

Land at Brighton Marina comprising Outer Harbour, West Quay and adjoining land

OPINION

1 ~~A planning application has been submitted to Brighton and Hove (the Council) for the~~
development of land at Brighton Marina.

2 Section 40 of the Act grants a power to develop certain works and lands, within a
defined geographical area.

3 Section 59 of the Act provides:-

*"The Company shall not construct or erect, to the south of the cliff face any work,
building or structure to a greater height than the height, at the time of such
construction or erection, of that part of the cliff face which lies immediately to the
north thereof".*

4 Section 55 of the Act provides:-

*"For the protection of the corporation the next four sections of this Act shall unless
otherwise agreed in writing between the Company and the corporation apply and
have effect.*

Section 59 of the Act is therefore subject to section 55.

5 The corporation is defined in section 4 of the Act as:-

"the mayor, alderman and burgesses of the borough"

and the borough means the Borough of Brighton.

6 It follows that, unless disapplied by an agreement in writing pursuant to section 55, there is a height limitation on development imposed by the Act. So far as I am aware no such agreement has been made.

⑦ The height limitation contained in the Act is clearly a material planning consideration to be taken into account by the Planning Applications Sub-Committee in determining the planning application. It clearly represents (at minimum) the considered view of Parliament and the Council at the time of the Act.

8 Even if a planning permission were to be given for development outwith the Act in my view it could not be implemented so as to breach the Act unless the height restriction were to be disapplied in accordance with the mechanism in the Act. This, however, is not a matter for the Planning Applications Sub-Committee.

9 Further, it does not follow that the Council would then be obligated to disapply the height restriction in the Act. That would be a matter for the full Council's determination at a later date, were it to be necessary for such a decision to be made.

CLIVE NEWBERRY Q.C.

WEEKS, LEGG & DEAN

SOLICITORS COMMISSIONERS FOR OATHS

45 PAVILION BUILDINGS
BRIGHTON BN1 3E



L.L. LEGG, D.J. DEAN
Consultant: Wm. E. WEEKS

BRIGHTON (0BR3) 27241
TELEX: 877685 WEEKSLEGG BTON

DOE
A-3 SEP 74
19

Secretary of State,
Department of Environment,
2, Marsham Street,
LONDON
SW1P 3EB.

30th August, 1974

DHB/HAJ
382/902/220/2

For the attention of Mr. Hercock

Dear Sirs,

re: Brighton Marina Enquiry

Pursuant to your letter of 2nd August addressed to our clients architects Messrs. Louis de Soissons Partnership, we now enclose herewith on behalf of Brighton Marina Company Limited the Statement pursuant to Rule 6 (vi) of the Town and Country Planning (Enquiries) Procedure Rules 1974. We trust this is in order.

Would you please note that we have also today served copies upon Brighton Council, East Sussex County Council, and the Section 29 parties listed in your letter of 2nd August.

~~Yours faithfully,~~
WEEKS, LEGG & DEAN.

continuous evolution and study throughout the period of development and are capable of modification consistent with the underlying basis of the scheme, but, represent a comprehensive framework of buildings and uses the definition of which is essential at this stage to permit a cohesive and proper development of the project. As the planning permission sought is in outline, detailed approval will be required for the implementation of the individual proposals at the appropriate time.

In formulating the scheme of 1970 and the present application scheme the applicants have had regard to certain fundamental principles. The fundamental design concept has been based on the need to achieve a proper relation between the Marina development and the coastline, in particular on the need to preserve the cliff and the undercliff walk. At Black Rock the character of the coastline changes abruptly from flat foreshore and beach to cliffs rising rapidly to levels of 100 feet above the sea. This results in a situation where, if there is to be no flagrant contradiction in the natural scene and the clear dividing line between land and water, which the cliffs create, is to be retained, there is no scope for compromise. An unnatural land reclamation at the foot of the cliff was thought by the architects to confuse and obscure the dividing line and not to use the cliffs and undercliff walk to the best advantage as the only natural feature of the site. The project was therefore reappraised to achieve a design which impinged upon the natural features of the coast as little as possible.

This objective has been pursued consistently with the aim of achieving the best possible form of yacht harbour with adequate standards of protection against the weather, the best relationship possible between the mooring areas and the car parking arrangements, a simple road system, and a correct balance of accommodation, services and uses to provide an integrated development and satisfactory environment for the harbour, where each element benefitted from its relationship to one another. The applicants will contend that, although the prime purpose of the scheme is the creation of a harbour for yachtsmen, the achievement of a Marina, which has a proper environment and form, requires development and uses, which offer opportunities for relaxation and entertainment for the public, proper access and parking facilities and a residential development, the population of which would keep the Marina functioning and alive at all times. The applicants will argue that present proposals achieve these objectives in a development where all the elements benefit from their relationship to one another.

4. The Present Proposals and the 1966 Scheme

The applicants will indicate the reasons for the abandonment of the 1966 scheme, and the nature of the changes made. Apart from design considerations referred to in Paragraph 3, the revised scheme achieves a larger harbour, better conditions of protected water for the moorings, a better relationship of car parks to

moorings, a more effeciently organised harbour with better circulation for yachts, including an area of enclosed water. The land reclamation in the 1966 scheme provided no sense of enclosure or protection to the harbour and the area of backland involved behind the harbour frontage was not so satisfactorily capable or proper design and development as the reclaimed spine in the present scheme which offers the opportunity for the integration of the elements of buildings and harbour. The present scheme in the view of the applicants represents a more coherent approach therefore to the design and development of the whole site, only made possible by the continued study of the project which has been pursued. The Undercliff Walk has been preserved and the coastline without development. The internal road system is more satisfactory. The land area for development has been increased from 32 acres to 35 acres which increase represents a very small proportion only of the total area within the breakwaters wherein the mooring areas have increased from 40 acres to 77 acres. The change in the balance and character of the uses proposed is a reflection of the continuing evolution of the scheme in the light of the changing circumstances since the project was first formulated and the Company's continuing analysis of the project.

5. Planning Appraisal of the Land Use Proposals

(A) While the applicants will refer to the general planning



..30/06/06 Committee

No: BH2006/01124 Ward: ROTTINGDEAN COASTAL

App Type Full Planning

Address: Land at Brighton Marina comprising Outer Harbour
West Quay and adjoining land

Proposal: 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.

Officer: Maria Seale, tel: 292322

Received

04 April 2006

Date:

and therefore, in accordance with Local Plan policy QD28 it is considered appropriate, in principle, to seek a financial contribution through the section 106 process towards enhancement of existing educational facilities in the city.

The Environmental Statement concludes that the development would not have a significant impact on school capacities. The applicant argues that numbers of children within the development will be low, and has submitted census evidence based on the existing occupancy of the Marina. Evidence is also supplied of surplus capacity of schools in the immediate site surroundings. The information submitted accepts the methodologies provided by the council on the 2004 application, and the council's demographer considers the estimates regarding child population projections submitted to be reasonable.

However, the council's Head of Capital Strategy and Development Planning considers that the numbers of children will be higher and that factors such as transport accessibility and parental choice will influence the schools that are used and the impact will be 'city-wide'. On this basis, the Head of Capital Strategy and Development Planning consider that the applicant should provide substantial funding under a Section 106 Agreement to meet the costs of providing the necessary education infrastructure to accommodate the expected additional school age pupils in the local area. Previously under the 2004 application a total of £330,000 was negotiated and agreed, and whilst this was somewhat lower than the figure originally requested by the Head of Capital Strategy and Development Planning (approximately £1.6 million), it was considered acceptable. This was agreed in the context of the overall level of contributions required from the development to meet key Local Plan objectives, in particular those relating to transport, and in the context provided by Government Circular 05/05: Planning Obligations. This Circular states that obligations should be fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects. The Circular states that obligations should only be secured where they would make acceptable development which would otherwise be unacceptable in planning terms. A reduced figure of £300,000 has now been agreed for the current application which is considered reasonable and proportionate to the lower numbers of residents now proposed, and it should be noted that the level of contribution was not a reason for refusal of the 2004 application.

The Royal Sussex County Hospital is located approximately 1.5km north west of the site, and Brighton General Hospital about 2.2km to the north-west of the site. There are 3 doctors' surgeries within 2km of the

20 February 2008

s v

Rosemary Shepherd
Chairman
Roedean Residents Association
14 Roedean Way
Brighton
BN2 5RJ

Prestamex House
171 - 173 Preston Road
Brighton BN1 GAG

Direct Line: 01273 545359
Slaura.wade@bhcpct.nhs.uk

Dear Rosemary,

Planning Application for development at Brighton Marina

Thank you for your letter of 7 February regarding the current planning application from Explore Living. I am afraid the answer to your question is not a simple one but I will try my best to explain the current position.

Because of the anticipated increase in population at the Marina and Black Rock and the limited capacity of existing GP surgeries in Kemp Town, the PCT has for several years identified the need to develop a new, large GP surgery in Kemp Town as a high priority (this is detailed in our City-Wide Estates Strategy). This would also allow the PCT to replace existing surgeries which do not provide adequate access for disabled people, ensure that there are high quality facilities to meet local healthcare needs in the future and build capacity and access to primary care services in the area.

The PCT has had extensive discussions with Explore Living and the City Planners concerning proposed developments at the Marina and the likely impact these will have on existing health care services in the area. The PCT led work on a Health Impact Assessment (HIA) to assess the potential impact of the Brighton Marina Regeneration Project on the health and well-being of the current and future population of the Marina and adjoining areas: the HIA recommends mitigation and/or enhancement measures to increase health benefits and reduce any potential adverse effects on health, well-being and inequalities.

Chair: Julian Lee Chief Executive: Darren Grayson

'Brighton and Hove City Teaching Primary Care Trust supports the development of a learning culture for healthcare professionals.'

Switchboard: 01273 295490 General Fax: 01273 295461 Minicom:
01273 545449 website: www.brightonhovectypct.nhs.uk

As part of the HIA, the PCT has considered a number of options for the provision of health services to Marina residents and the wider Kemp Town population including the use of accommodation within The Octagon. The Octagon is too small to support the development of the facility envisaged in the Estates Strategy however - the space available would not allow us to develop the comprehensive facilities required by modern day general practice such as treatment and minor surgery rooms, and space for the extended primary care team such as nursing staff, phlebologists, community mental health care team etc. We were also concerned that a large GP surgery development within the Marina serving the wider population would be inappropriate given the issues around access in and out of the Marina.

The PCT is still trying to secure a large site for a new facility in Kemp Town and, if this is achieved, it will be a determining factor to any service development proposals for the Marina. It has not thus far been agreed that a doctors' surgery will be provided in the Octagon.

There are services which could be provided on site at The Octagon however and the PCT is currently looking at the feasibility of these - it could, for example, be valuable to provide a nurse led service for minor ailments or advice on lifestyle risks or managing long term conditions. Whether we can proceed with this will also depend on the cost of the accommodation and the resources available. It is unlikely that a full GP service will be provided on site, however.

I hope this is of some help: please do not hesitate to ring me if you would like to discuss further.

Yours sincerely



Laura Wade
Primary Care Development Manager



BMRA Dux 19

17th May 2006



**The Resident
Brighton Marina Village**

Our ref: JED/js

Dear Resident

I am sure you are aware that the finale of the Brighton Festival is to be held at the Marina over the weekend of 27th/28th May. X-Leisure have arranged a fun packed weekend of activities culminating in a firework display which will take place on Sunday the 28th at 21.45. Fireworks will be let off from the West Breakwater.

Sunday will inevitably be very busy, and we expect extremely heavy traffic both on the Marina roads and on the Marina approach roads particularly during the Sunday afternoon and evening. If you are planning a journey during that time we suggest you factor this into your arrangements.

To be frank, our advice would be to keep your car at home, book a table at one of the Waterfront restaurants and enjoy the fireworks from a comfortable seat.

Yours sincerely

For The Brighton Marina Residential Management Company Limited



**John Davey
Estate Director**



P R E M I E R
PREMIER MARINAS (BRIGHTON) LIMITED

Brighton Marina West Jetty,
Brighton East Sussex BN2 5UP
☎ 01273 819919
Fax: 01273 675082

brighton@premiermarinas.com
www.premiermarinas.com

Our ref: MG / AJC

Mr M Beane
26 Merton Court
Brighton Marina Village
Brighton
Sussex
BN2 5XY

22nd May 2006

Dear Mr Beane

RE: The Big Splash at Brighton Marina.

As part of the 2006 special events program Brighton Marina will be hosting the finale of The Big Splash on Saturday and Sunday the 27th and 28th May.

A huge array of events will be hosted here finishing with a fantastic firework display from the west breakwater at 21:45 on Sunday.

Inevitably this weekend there will be a great demand for parking so we would urge customers to arrive at the earliest convenience. There will be security guards posted at the entrance to the car park and should it be full you should make yourself known as a berth holder and you will be directed to the second round-about on the strand road where a member of Premier staff will assist you in finding a space.

You may have also noticed some new signage at the entrance to the west jetty car park. This states that the car parks are for marina visitors only and the maximum parking time is 4 hours. This restriction **Does Not** apply to berthholders.

Brighton Marina welcomes Southern FM on Sunday evening, as previously, their stage will be set up on the north side of pontoon 6 and they will provide music and entertainment between 19:30 and 21.45.

Please remember during the fire work display at 21:30 you will not be able to transit into or out of the marina.

We hope you will be able to join us for this fantastic event and if you have any queries then please do not hesitate to contact us.

Yours sincerely

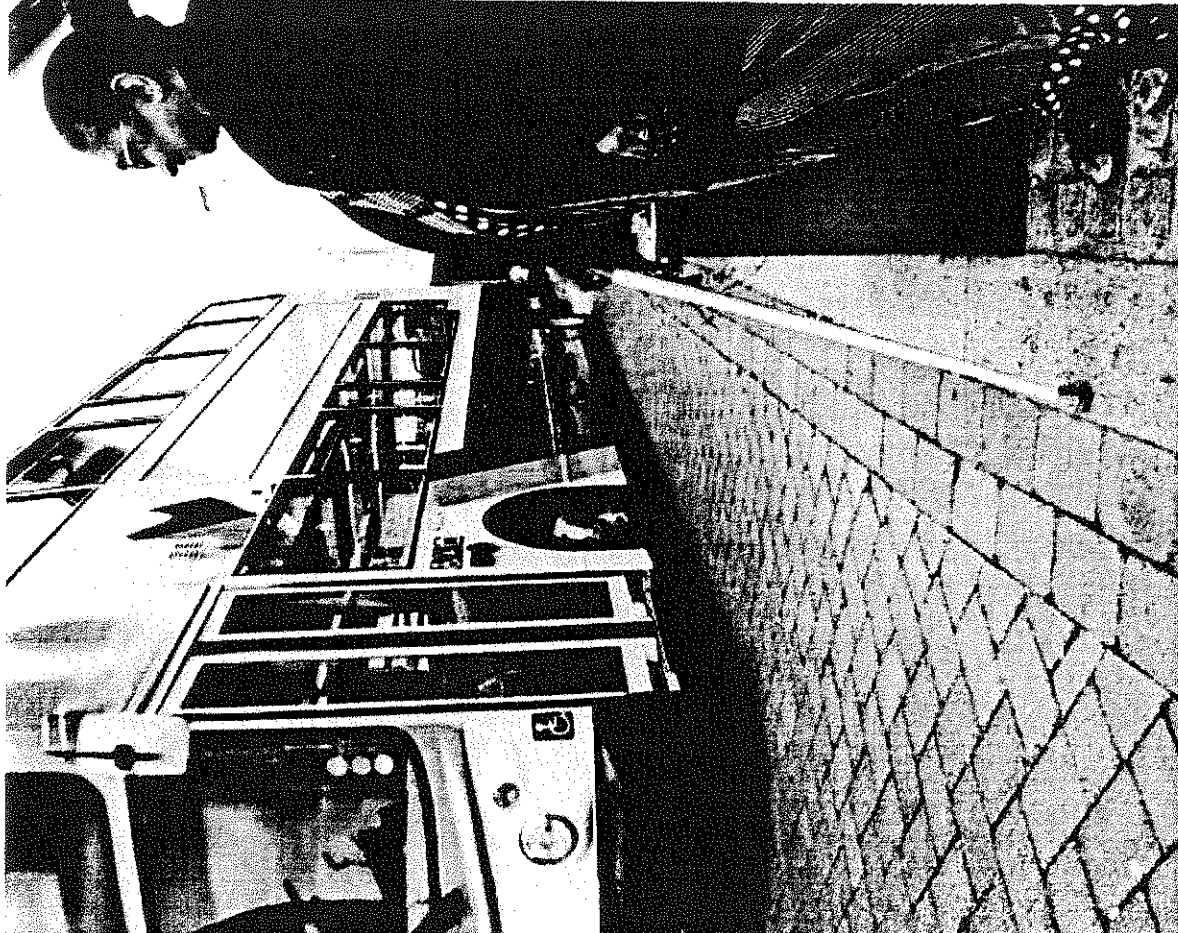
Mike Glanville
Marina Manager



PROVIDING THE FINEST MARINAS
FOR OVER A DECADE



Registered in England and Wales
Under No. 1234892
Registered Office:
Swanwick Marina, Swanwick,
Southampton, Hampshire, SO31 1ZL



Poole Meadow, Coventry

Shared Surfaces Campaign Report

“Stop shared surfaces, keep our pavements”

Our position:

Shared surfaces discriminate against blind and partially sighted and other disabled people, effectively excluding them from the street environment. Clearly defined pedestrian-only paths – a ‘safe space’ – must be provided for safer, independent travel.

Our research clearly demonstrates that there is no current method which can be used as an effective alternative to the kerb.

We believe that by implementing shared surfaces that exclude blind and partially sighted and other disabled people local authorities are not living up to their public duty to promote disability equality. Their implementation must stop and footways with kerbs, along with associated dropped kerbs and tactile paving, must be retained.

“Towns will become no-go areas for us, won’t they?”

Guide dog owner, Coventry

3

What's the problem?

Local authorities across the UK are adopting a new design concept called 'shared space' in town centre and high street developments. Its aims include the creation of attractive shared 'social' areas, to reduce the dominance of vehicles and make streets more 'people-friendly'.

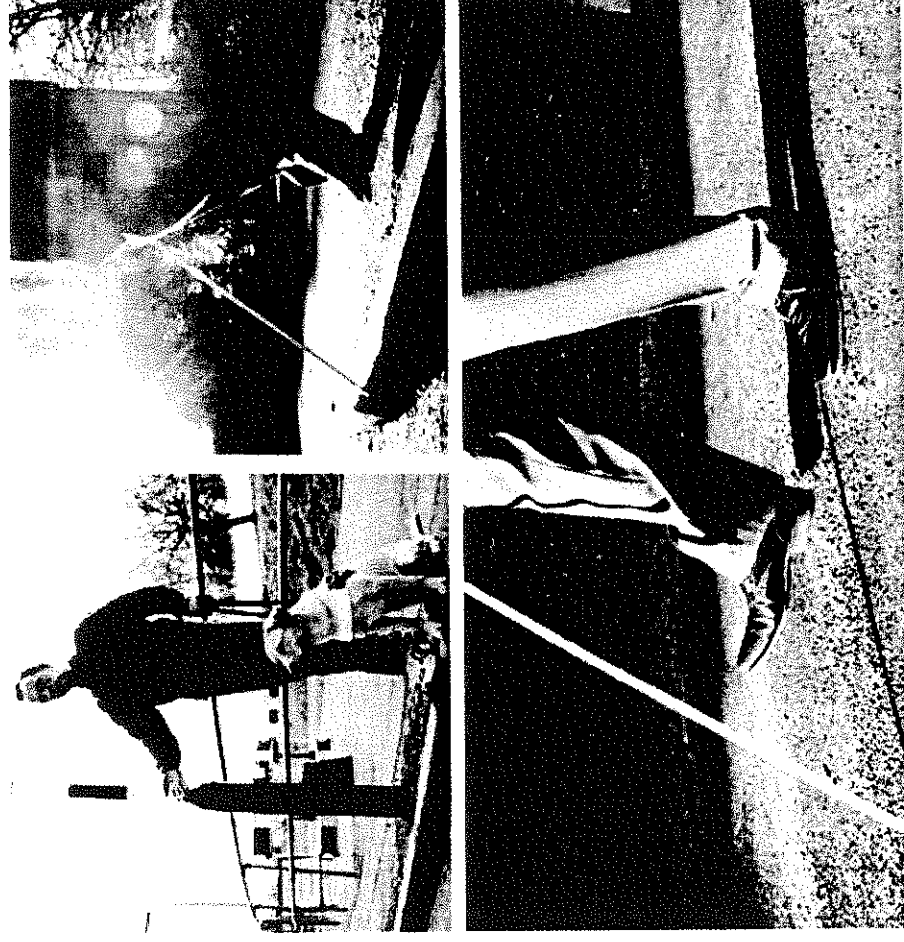
This is achieved by altering the design of the road and its surroundings so as to cause a behavioural shift in drivers, encouraging them to be extra cautious as they negotiate the new layout.

In most cases the design involves removing the kerb that traditionally has separated traffic from the pedestrian footway, replacing it with a shared surface street design.

In shared surface areas street users, both pedestrians and motorists, are expected to acknowledge each other and to negotiate priority and movement through 'eye contact'. This raises obvious implications for blind, partially sighted and deafblind people.

Guide Dogs supports the aim of creating attractive 'people-friendly' street environments but opposes the use of shared surfaces to achieve them. We do not believe that shared surfaces are the way to achieve this goal.

The kerb edge is fundamental to the mobility of blind and partially sighted people, particularly guide dog owners and long cane users who are trained to use it as the key orientation cue in the street environment. Its removal exposes blind and partially sighted people to greater risk, undermines their confidence, and so creates a barrier to their independent mobility.



What have we been doing about it?

Establishing the facts

Guide Dogs undertook in-depth research looking at the experiences of blind and partially sighted people in shared surface areas to assess the risks and impact that these schemes have had on their ability to move independently and safely.

We conducted focus groups across the UK with blind and partially sighted people and people with other disabilities, who lived in towns where shared surfaces were already in place.

We found that safety is compromised, with blind and partially sighted people being placed in dangerous situations and feeling intimidated by close moving traffic.

“I had to be pulled back because I was standing in the road, thinking it was part of the kerb.”

Guide dog owner, Dundee

“The only thing you can do is listen and hope for the best.”

Blind person, Hull

Confidence is drastically reduced, affecting independent movement and leading to the avoidance of areas involving shared surfaces.

“I keep away from this area – I stay away.”

Guide dog owner, Coventry

Effective consultation is lacking, with local authorities failing to understand the issues surrounding sight loss and not taking on board the opinions of blind and partially sighted people living locally.

“Everything was ‘we are doing this, we are going to do that’. We argued against it – but they took no notice.”

Blind person, Hull

We also held focus groups looking at existing schemes in the Netherlands as ‘shared space’ advocates continue to contend that shared surfaces work well across Europe. We are also aware that concern has been expressed by blind and partially sighted people across Europe.



Newbury Town Centre

Testing alternatives to the kerb

Despite the findings from the focus groups it was clear that local authorities across the UK had bought in to the 'shared space' concept, and were actively implementing or developing proposals to implement shared surface schemes.

Guide Dogs therefore commissioned international designers to consider how the requirements of blind and partially sighted people could be accommodated within the 'shared space' concept. They came up with the idea of a 'safe space' within the shared space which would afford vulnerable pedestrians some protection.

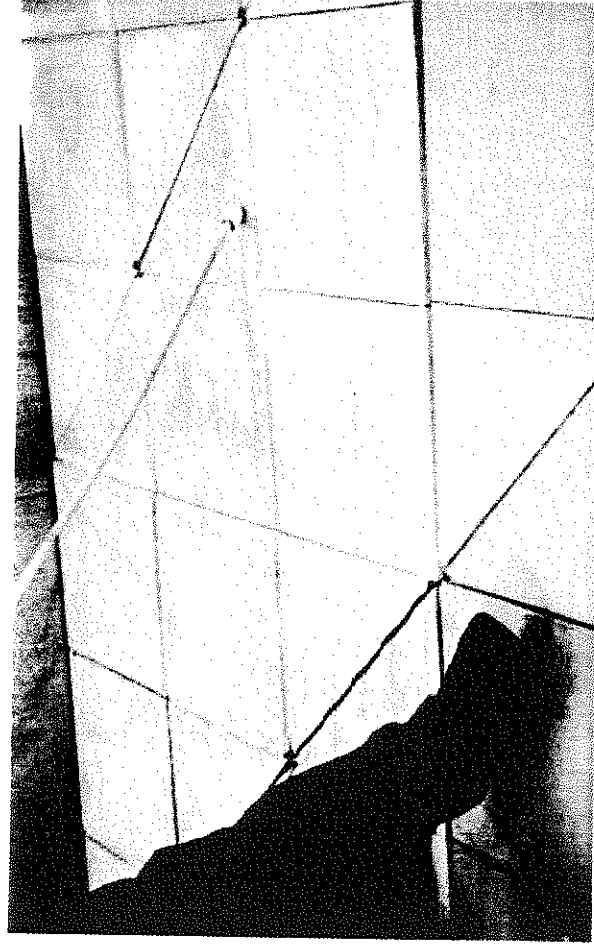
Acknowledging that no aspect of the highway can be completely 'safe', the 'safe space' is the area, equivalent to the traditional footway, where vulnerable pedestrians would feel safer. This would not prevent the rest of the area being shared by motorists, cyclists and those pedestrians able and willing to do so. This requirement for a 'safe space' was recognised in the 'Manual for Streets', guidance for local town planners and highway engineers, published by the Department for Transport (DfT) in spring 2007.

The question then was how to delineate 'safe space' if a traditional kerb was not used. The designers' report identified a range of potential delineators, all of which have been, in some form, used or proposed in UK shared space street schemes. The next stage of Guide Dogs' research was to test the effectiveness of those delineators.

Those tests were carried out in conjunction with the University College London at its Pedestrian Accessibility Movement and Environment Laboratory (PAMELA) in May 2007.

Each of the proposed delineators was tested to see how easy it was to detect and use for navigation by blind and partially sighted people, as well as how easy it was to cross over for wheelchair users and people with walking difficulties.

None of the delineators tested could be recommended for use in the pedestrian environment to delineate between pedestrian paths and areas used by vehicles, in terms of being consistently effective for detection and navigation use by blind and partially sighted people and not providing an impediment to wheelchair users and people with walking difficulties.



Long cane user navigating guidance paving trials

The importance of consultation

Effective and meaningful consultation with blind and partially sighted people, and people with other disabilities, must take place if the 'shared space' approach to urban street design is to work.

It is essential that the Disability Discrimination Act and current Government policy messages on inclusive design, social inclusion and meaningful community involvement are taken into account when new street and public realm developments, including those following the shared space approach, are designed and put in place.

It is imperative that Local Authorities test proposed new designs before they are implemented. Local groups and disability organisations should be consulted at all stages in the process of developing our streets and care must be taken to ensure that the interests of all disabled people are represented. However, this does not mean that voluntary groups, or indeed disabled people themselves, should be expected to provide solutions to issues that are complex even for professionals. It is the responsibility of designers and planners to meet the aspirations and needs of disabled people in the built environment by designing and implementing safe accessible streets for all users.

Guide Dogs has created an advisory booklet for local groups concerned about the use of shared surfaces in their own town centres so that they can be involved in the development of any schemes. Giving information on the role and responsibilities of Local Authorities in street developments, it illustrates how blind and partially sighted people, and people with other disabilities, can raise their concerns and get involved in the consultation process.



Newbury Town Centre

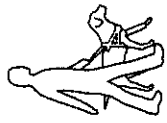
A problem shared...

Shared surfaces are not an issue just for blind and partially sighted people. Our research has been well-supported by other disability organisations who have concerns about the dangers of these street designs for vulnerable road users.

Building on that support we invited these organisations to work with us in developing a joint statement on the implications of shared surfaces for disabled people, urging both national and local Government to make sure that the pedestrian environment is inclusive and safe for all users.



Dogs for the Disabled



Guide Dogs

'mtac

The Inclusive Mobility and Transport Advisory Committee NI



MENCAP
Understanding, learning disability



National Federation of the Blind UK



Disability Wales
Anabledd Cymru



Joint Committee for the Mobility of Blind and Partially Sighted people

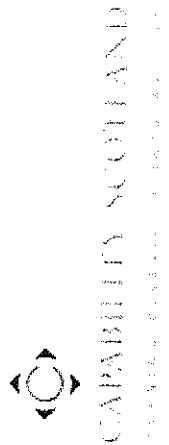


supporting blind and partially sighted people

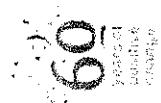


RNID

Changing the world for deaf and hard of hearing people



Inclusion Scotland



The UK Disabled People's Council



Joint Committee for the Mobility of Disabled People



Stirling town centre, Murray Place and Port Street

“We are concerned about the implications of shared surface schemes on people with a learning disability. Where there is no clearly defined pedestrian area, there are potential safety implications for some people with a learning disability who may find this design set-up confusing. It is essential that the needs of people with a learning disability, and other vulnerable groups, are taken into account in any public space development.”

David Congdon, Head of Campaigns and Policy, Mencap

“Town centres need to be planned and managed to be inclusive for all members of society. The concept of shared spaces for vehicles and pedestrians overtly ignores the needs of a large section of the population, putting wellbeing, independence, and even lives at risk. Disabled people, whether with mobility impairments, sensory impairments, or learning difficulties, may face significant barriers in negotiating a space that relies on ‘eye contact’ and mutual understanding between drivers and pedestrians. We are concerned that despite their responsibilities under the Disability Equality Duty, public authorities are carrying out ‘consultations’ with disabled people that are at best piecemeal and at worst, tokenistic. For disabled people to enjoy the equal rights and dignity that we all deserve, they need to be at the heart of all planning of new streets and developments right from the start.”

John Knight, Head of Policy and Campaigns, Leonard Cheshire Disability

“The Royal National Institute for Deaf People is very concerned about the consequences of shared surface schemes and their possible impact on deaf and hard of hearing people who may be unable to hear vehicles approaching, and need to focus on companions rather than their environment in order to be able to communicate. A shared surface could remove the relative safety that deaf and hard of hearing people enjoy. RNID would welcome the chance to contribute to discussions about street design to ensure that for deaf and hard of hearing people shared spaces are, above all, safe spaces.”

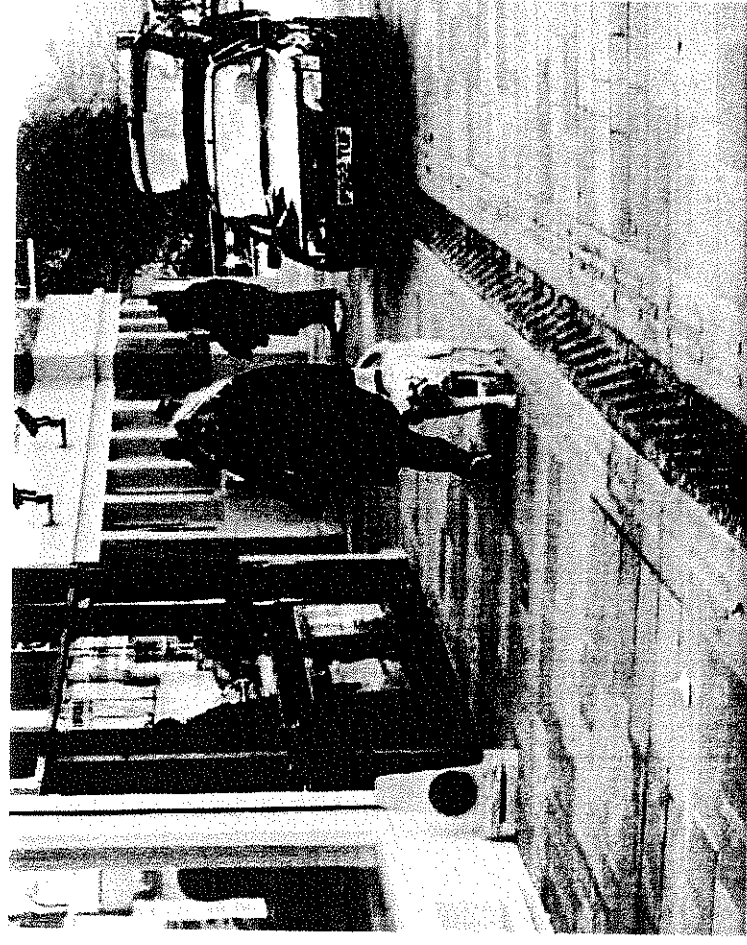
Brian Lamb OBE, Director of Communications, Royal National Institute for Deaf People

“Deafblind UK are very concerned that shared surface schemes will have a significant negative impact on deafblind people and people with a combined sight and hearing loss. The implementation of shared space initiatives has undoubtedly reduced the security and confidence felt by deafblind people when using a pedestrian area. This in turn has both reduced independence and increased the isolation felt by deafblind people and has undoubtedly presented a further barrier to equality in access with regard to ordinary community facilities for many.”

Jeff Skipp, Chief Executive, Deafblind UK

“Whether ambulant disabled or wheelchair-using, people with arthritis are likely to feel vulnerable in shared surface areas where cyclists and others may be travelling at speed. Without the physical ability to navigate such spaces deftly, people with arthritis are at a level of risk which, as with people with sensory impairments, may reduce their confidence in travelling to such an extent they will in effect be excluded.”

Neil Betteridge, Chief Executive, Arthritis Care



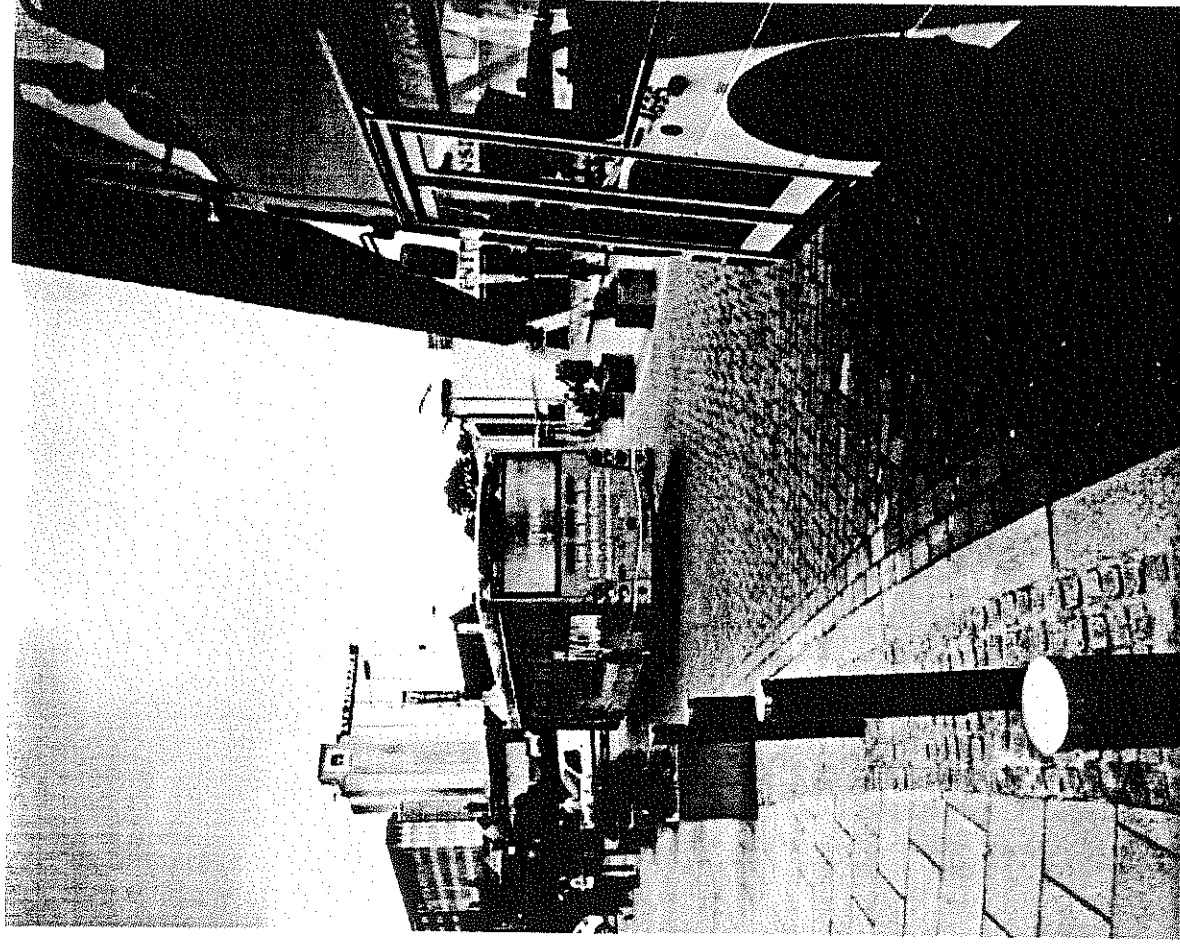
New Road, Brighton

The support across the sector is echoed by growing support among elected representatives. An early day motion supporting the joint statement was laid in House of Commons on 12 June 2007 and received overwhelming support from 117 MPs, showing how important this issue is to them and their constituents. The issue of shared surfaces has also been debated in the Welsh Assembly.

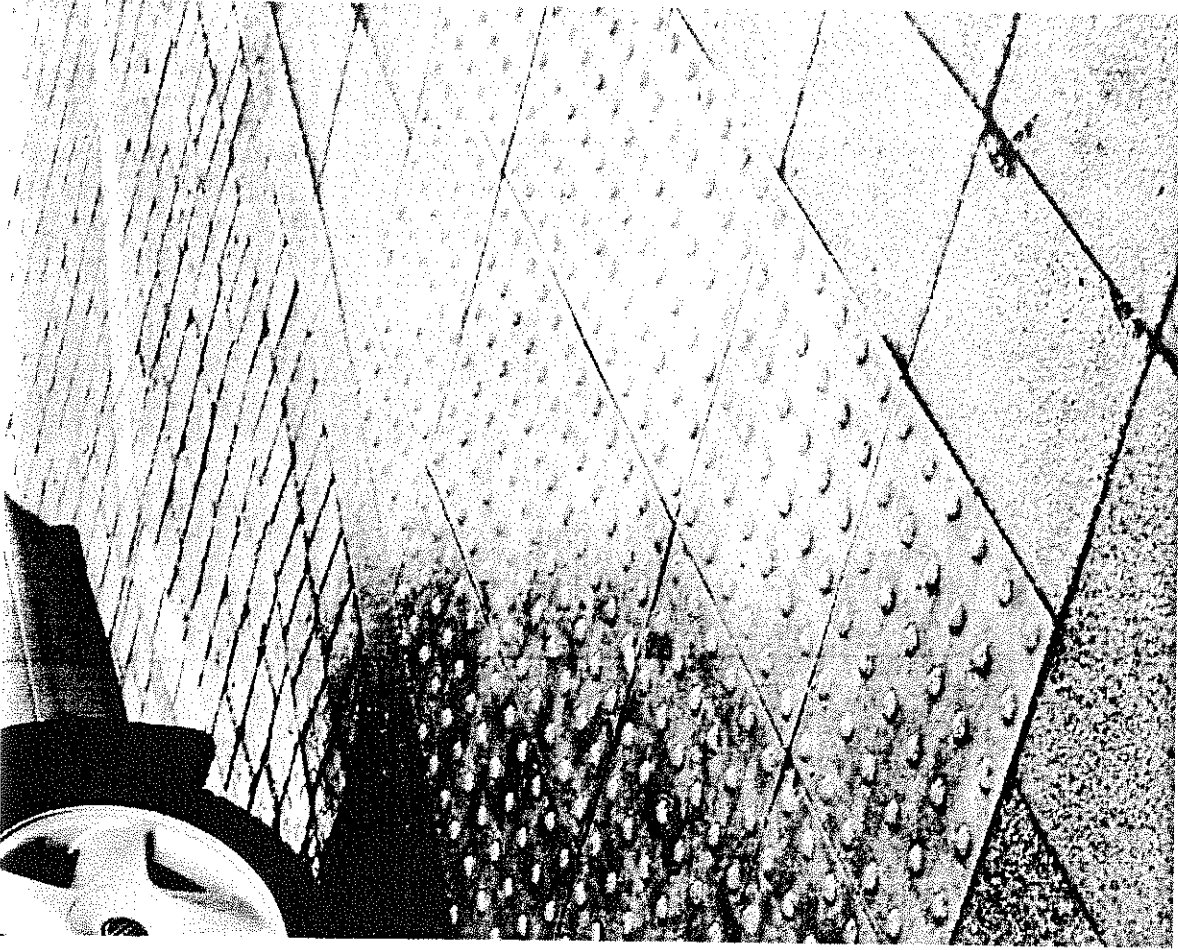
“The Disability Equality Duty, which came into effect in 2006, places a legal obligation on public authorities to promote the equality of disabled people. This also applies to the street environment and should ensure that streets are inclusively designed so they are safe and accessible for all disabled people. It is clearly important that blind and partially sighted people are able to move around in safety and the challenge is to develop measures that achieve this objective when streetscapes are being planned. As the evidence so far points to the inaccessibility of shared surfaces for blind and partially sighted people, I believe that local authorities are at risk of failing in their duty.

The active involvement of blind and partially sighted people and their representative organisations in the development of such schemes would help to ensure that they are safer and better for all.”

Sir Bert Massie CBE, Chairman of the Disability Rights Commission (2000-07).



Poole Meadow, Coventry



Gordon Road , Lowestoft

We challenge:

UK Governments to recognise the importance of a 'safe space' for pedestrians, and to issue clear guidance to local authorities that the use of shared surfaces in pending or future streetscape designs is completely unacceptable.

Local Authorities to be aware of their duties under the Disability Discrimination Act and Disability Equality Duty, and comply with them by not creating town centres and high streets that are inaccessible and are a barrier to the free and independent movement of disabled people.

Designers and planners to create attractive 'people-friendly' streets that achieve the benefits promoted in the 'shared space' concept without using shared surfaces which affect the safety and independence of blind and partially sighted people, and other disabled people.

References

- 'Shared surface street design research project. The issues: report of focus groups', Guide Dogs, 2006.
- 'Shared surfaces in town centres: Advice on getting involved in the development of your local scheme', Guide Dogs, 2006.
- 'Shared Space – Safe Space', Ramboll Nyvig for Guide Dogs, 2007.
- 'Testing proposed delineators to demarcate pedestrian paths in a shared space environment. Report of design trials conducted at University College London Pedestrian Accessibility and Movement Environment Laboratory (PAMELA)', Guide Dogs in conjunction with University College London, 2008.
- 'Manual for Streets', Department for Transport, Department for Communities and Local Government and Welsh Assembly Government, 2007.

Acknowledgements

Designed by: The Design Studio, Guide Dogs.

Published by: The Guide Dogs for the Blind Association, Hillfields, Burghfield Common, Reading RG7 3YG.
Tel: 0118 983 5555 www.guidedogs.org.uk

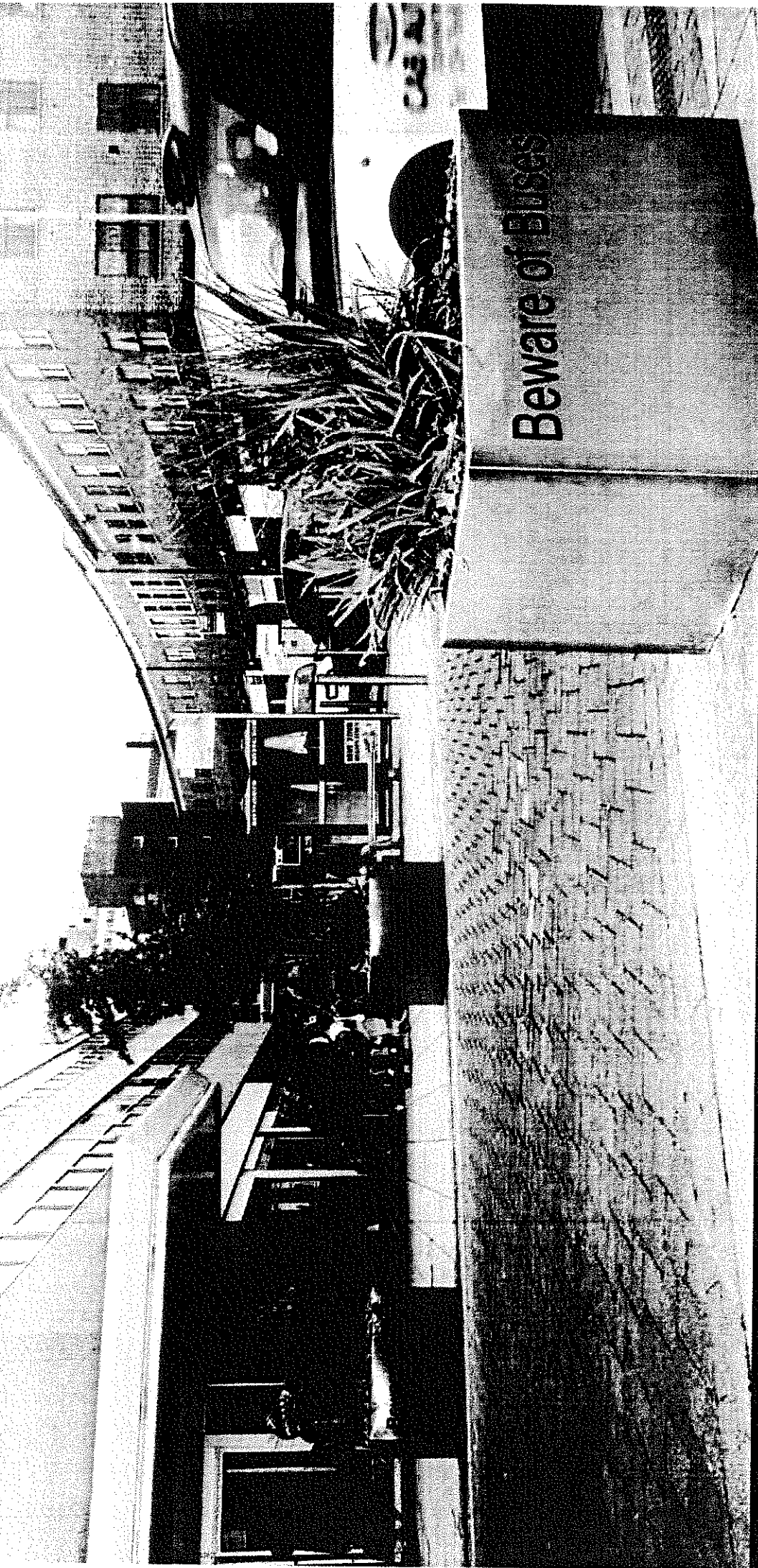
To obtain this publication in alternative formats (Braille, large print, audio or electronic format), please contact Gill Kenyon at Guide Dogs on 08452 412 178 or sharedsurfaces@guidedogs.org.uk

The report, together with the other Guide Dogs reports referenced are available to download from the Guide Dogs website: www.guidedogs.org.uk/sharedsurfaces

Cover image: Poole Meadow, Coventry

Shared Surfaces Campaign Report

“Stop shared surfaces, keep our pavements”



Moving forward together

Guide Dogs



Results and Discussion

General Comments

The wind conditions at each location were assessed according to the comfort criteria given in Table 2. As noted above, the comfort criteria enable the perceived wind conditions to be established for given activities. For the proposed scheme, the perceived wind conditions for the year as a whole are presented in Appendix B. The existing site location results are given in Table B1, and these results are presented visually on Figure 3. The latest Brighton Marina scheme (without the Brunswick scheme being present) results are given in Table B2, and these results are presented visually on Figure 4. Similarly, the latest Brighton Marina scheme results with the Brunswick scheme are given in Table B3, and on Figure 5.

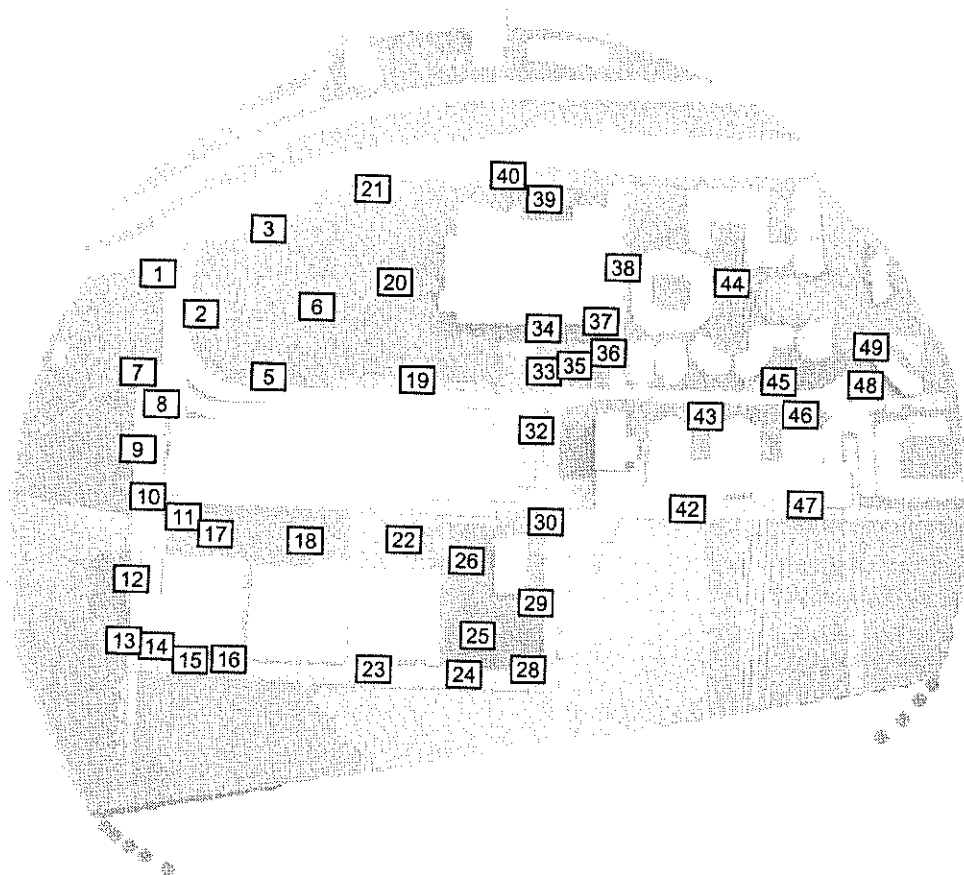
The results presented in Appendix B are presented in terms of the three following criteria: 'unacceptable', 'tolerable' and 'acceptable'. If a location is judged 'acceptable', then it will elicit no adverse comments about the wind. If a location is 'tolerable', then a typical person is likely to think that it is windy at that location on some occasions when the wind is blowing strongly. However, if a location is 'unacceptable', then a typical person is likely to think that it is often unpleasantly windy at that location.

Using the above criteria, if a wind tunnel study identifies that a location is 'tolerable', on windy days the wind conditions are likely to be noticeably windy, but they will not prevent the use of the area for the purpose for which it was designed. Changes of the design to improve the wind conditions would be welcomed, but if for economic, aesthetic or practical reasons changes cannot be made, then the areas can be accepted for their stated purposes. It is recognised that there are sometimes specific locations where there has to be a compromise between (often conflicting) priorities, and that one of these priorities is to create pleasant wind conditions. However, if a location is shown to be 'unacceptable', wind amelioration measures should normally be incorporated, the intended use of that location be restricted to activities for which the conditions are more suited, or access to that location be restricted.

Perceived wind conditions

The perceived wind conditions described in this section are conditions that occur throughout the year. These conditions include the winter months when windspeeds are generally higher than in summer, and therefore represent a worst-case scenario. For example, if at a given location the conditions described below are stated as being unsuitable for a given activity, in the summer months (with its associated lower windspeeds) this same location could then become suitable.

The results presented in Figure 3 show that the windiest locations measured around the existing site are locations 13, 40 and 43. These three locations are suitable for business walking and pedestrian walking, but are not suitable for long-term sitting and entrance doors. All of the other locations around the existing site are suitable for all of the aforementioned pedestrian activities. These findings are consistent with the expected wind conditions occurring at seaside locations in the South of the UK.



Green locations are suitable for business walking, pedestrian walking.

Blue locations are suitable for business walking, pedestrian walking, long-term sitting and entrance doors.

Note that locations 4, 27, 31 and 41 were not used in this study

Figure 3. Irwin Probe Measurement Locations of Existing Site

Table 15.2.2. Vertical sky components to residential windows in the Octagon building. Window locations correspond to those in figures 15.2.2-15.2.4.

Floor	Window	VSC after	VSC before	Ratio after/before
NW face				
1	A	27.0	31.6	0.85
1	B	26.4	31.4	0.84
1	C	26.0	31.3	0.83
2	A	29.0	33.4	0.87
2	B	28.5	33.2	0.86
2	C	28.1	33.2	0.85
SW face				
1	E	26.0	36.0	0.72
1	F	26.3	36.6	0.72
2	D	27.1	37.9	0.71
2	E	27.3	37.9	0.72
2	F	27.7	38.0	0.73
S face				
1	G	26.8	34.2	0.78
1	H	26.3	33.6	0.78
1	J	24.7	31.8	0.78
1	K	21.3	27.9	0.76
1	L	23.8	28.8	0.82
1	M	24.2	28.2	0.86
1	N	25.1	28.6	0.88
1	P	25.3	28.8	0.88
1	Q	20.9	24.8	0.84
2	G	29.1	36.5	0.80
2	H	29.0	36.3	0.80
2	J	28.6	35.7	0.80
2	K	28.2	31.8	0.88
2	L	28.5	34.7	0.82
2	M	28.7	34.2	0.84
2	N	29.2	34.2	0.86
2	P	29.5	34.3	0.86
2	Q	28.6	33.5	0.85

15.2.8 Out of the 29 residential windows analysed, 23 would meet the BRE guidelines with the new development in place. The vertical sky components are either greater than 27% or greater than 0.8 times their current values, or both. These comprise all the residential windows on the north west face, and the majority of those on the south and south west faces.

15.2.9 For the remaining six windows (all first floor ones) loss of light is only marginally outside the BRE guidelines. For two windows on the south west face, the vertical