

# BRIGHTON MARINA PUBLIC ENQUIRY

STATEMENT OF CASE

*save***brighton**

4 September 2009

Town and Country Planning Act 1990  
Appeal by Explore Living (No.1) Ltd, X-Leisure (Brighton I) and X-Leisure (Brighton II) Ltd ('the applicants') against Brighton and Hove City Council's refusal to grant planning permission for the development of Brighton Marina ('the development') detailed in planning application BH 2007/03454 ('the application')  
Planning Inspectorate reference APP/Q1445/A/09/2102048/NWF

## **STATEMENT OF CASE**

1. This statement of case is made by savebrighton, a campaigning group supported by over 650 individuals, mostly residents of Brighton and Hove but including others with an interest in the area
2. We strongly support BHCC in its refusal of planning permission for the development
3. We intend to show that:
  - a. the development will obscure and/or is out of context with views of strategic importance, including views from the Brighton seafront looking in an easterly direction towards the proposed South Downs National Park (SDNP) seafront and views from the western edge of the proposed SDNP seafront looking in a westerly direction towards Brighton seafront
  - b. the applicants' Townscape and Visual Impact Assessment ('TVIA') contains misleading and/or implausible statements, assessments and images
  - c. the methodology used in the TVIA is non-compliant with key recommendations of the Landscape Institute and Institute of Environmental Management and Assessment
  - d. the development will in reality be closer and more dominant than it appears to be in the images shown in the TVIA
4. We intend to describe and discuss the current appearance of the Marina and the seafront and the adverse visual impact the proposed development is likely to have
5. We intend to describe and discuss the adverse impact the development is likely to have on the character and quality of Brighton's eastern gateway to the proposed South Downs National Park
6. We intend to describe and discuss the adverse impact the development is likely to have on residents' quality of life, the attractiveness of the Marina as a sailing venue and leisure destination and the attractiveness of Brighton as a seaside resort

## DOCUMENTS

We anticipate that we will refer to the following documents but reserve the right to refer to other documents should it become apparent that these are material

Landscape Institute, Institute of Environmental Management and Assessment (2002) *Guidelines for Landscape and Visual Impact Assessment*, 2<sup>nd</sup> ed. London: Abingdon: Spon Press

Chapter 9: Revised Townscape and Visual Impact Assessment June 2008 (forming part of the applicants' environmental statement) (referred to as 'TVIA' above)

PAN04 Brighton Marina masterplan (BHCC March 2008)

Various leaflets and brochures produced by Brighton Marina Regeneration Project and Explore Living

Emails received from savebrighton members expressing opinions about the development

## POLICIES

We anticipate that we will refer to any of or all the following policies but reserve the right to refer to other policies should it become apparent that these are material:

Policies QD1, QD2, QD3, QD4, HE3, HE6, H11 and NC8 of the Brighton and Hove Local Plan

Policies CC1, CC6, CC8, C2, C3 and BE1 of the South East Plan

SPG15

## PHOTOGRAPHS

We will produce photographs of relevant current views of or from the Marina, the seafront and the proposed South Downs National Park