

PLANNING COMMITTEE ADDENDUM Application Presentations

2.00PM, WEDNESDAY, 2 AUGUST 2023 COUNCIL CHAMBER, HOVE TOWN HALL

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ADDENDUM

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239-243 Kingsway

BH2022/03385

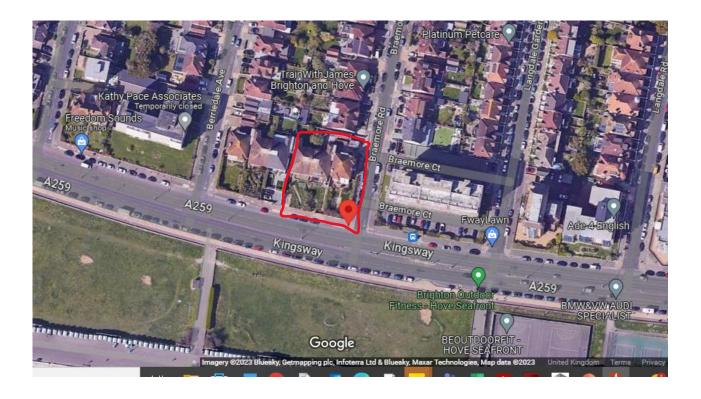


Application Description

Application to vary Condition 2 of planning permission BH2018/00937 (allowed on appeal), as amended by BH2022/00541, to allow amendments to approved drawings, to vary Condition 8 (Disability access) to refer to Part M4(3)(2a) of the building regulations, to vary Conditions 12 (Cycle Parking), and 13 (Electric Vehicle Charging) to refer to approved details and to vary Condition 26 (Unit numbers) to refer to 33 units.



Map of application site





Aerial photo(s) of site





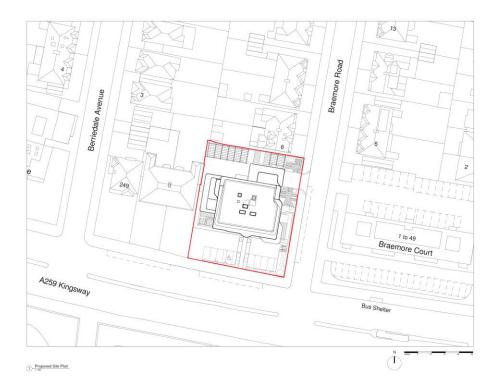
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3D Aerial photo of site





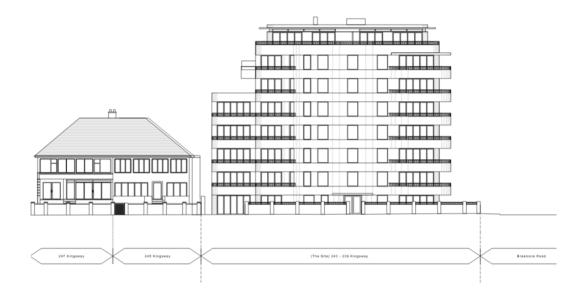
Proposed Block Plan





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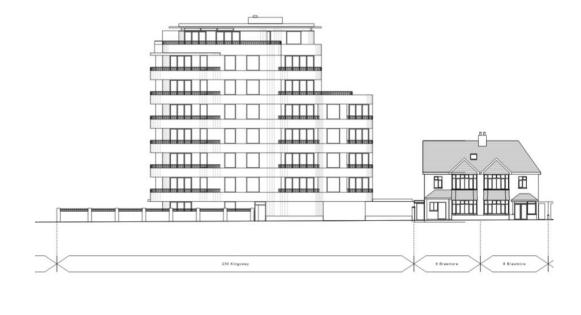
Proposed Visual





Proposed Visual

Proposed Elevation Street are Road





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TENDER



Planning applications for new residential development (including residential extensions and residential accommodation falling outside Use Class C3) will be expected to comply with the following requirements:

- d) all residential units should as a minimum be accessible and adaptable in accordance with Building Regulation M4(2);
- e) for proposals providing 10 or more dwellings, 10% of the affordable residential units and 5% of all the residential units should be suitable for occupation by a wheelchair user in accordance with Building Regulation M4(3). Where the Council is responsible for allocating or nominating the occupier, these homes should be 'wheelchair accessible' at the point of completion, whilst in other cases they may be 'wheelchair adaptable'. Where this is not practicable on-site an equivalent financial contribution should be provided

Building Regulations

The Building Regulations 2010

Access to and use of buildings



APPROVED DOCUMENT

Volume 1: Dwellings

M4(1) Category 1: Visitable dwellings

M4(2) Category 2: Accessible and adaptable dwellings

M4(3) Category 3: Wheelchair user dwellings

Optional requirement M4(3): category 3 – Wheelchair user dwellings

This section of the approved document deals with the following optional requirement from Part M of Schedule 1 to the Building Regulations 2010

M4(3) optional requirement

The difference between 2a and 2b is shown in extract below:

- (1) Reasonable provision must be made for people to (a) gain access to and (b) use the dwelling and its facilities
- (2) The provision made must be sufficient to (a) allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs or (b) meet the needs of occupants who use wheelchairs



Revised layout for the Wheelchair GF flats 0.01 and 0.02 (3

units overall)





As Proposed

1st and 2nd Floor (Proposed 5 units per floor from 6 as

approved)

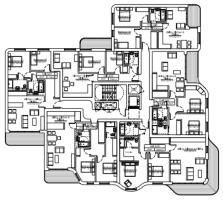




Proposed Second Floor Pla

As Proposed





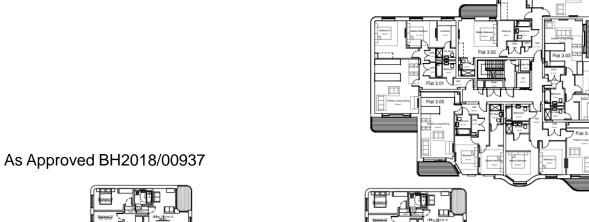






3rd and 4th Floor (Proposed 5 units per floor from 6 as

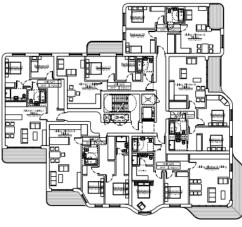
approved)

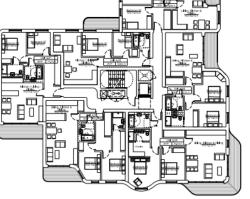




2 Proposed Fourth Floor Plan

As Proposed

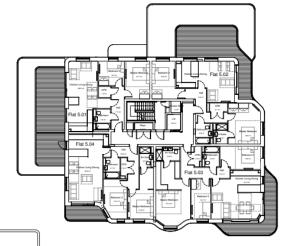






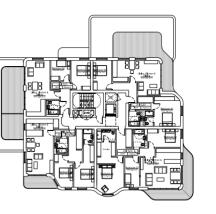


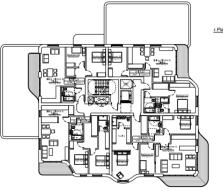
5th and 6th Floor (4 units per floor)









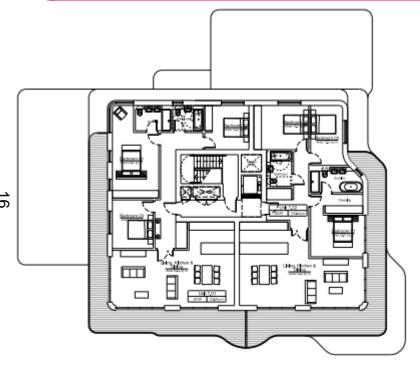


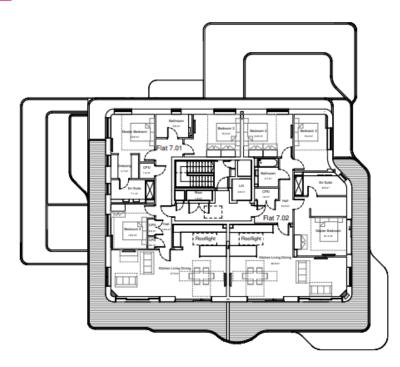






7th Floor (2 units)





Proposed Seventh Floor Plan



Brighton & Hove

City Council



Representations

None received





Key Considerations in the

Application

The main considerations in the determination of this application relate to the acceptability of varying Condition 2 of planning permission BH2018/00937 (allowed on appeal), as amended by BH2022/00541, to allow amendments to approved drawings, to vary Condition 8 (Disability access) to refer to Part M4(3)(2a) of the building regulations, to vary Conditions 12 (Cycle Parking), and 13 (Electric Vehicle Charging) to refer to approved details and to vary Condition 26 (Unit numbers) to refer to 33 units

S106 table

S106 (not proposed for varying) secured under original application BH2018/00937.





Conclusion and Planning Balance

Recommendation is to <u>approve</u> subject to the below amended conditions:

Condition 2 (drawings table) is updated to include the submitted drawings

Condition 8 (Disability access) – updated to align with City Plan Part 2 requirements:

The wheelchair accessible / adaptable dwelling(s) hereby permitted shall be completed in accordance with the following;

- a) all private residential units and all affordable units not covered by part b) below shall be completed in compliance with Building Regulations Optional Requirement M4(3)(2a) (wheelchair user dwellings 'adaptable') prior to first occupation and shall be retained as such thereafter.
- b) all residential units where the Council is responsible for allocating or nominating the occupier shall be completed in compliance with Building Regulations Optional Requirement M4(3)(2b) (wheelchair user dwellings 'accessible') prior to first occupation and shall be retained as such thereafter.

All other dwelling(s) hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Condition 12 (Cycle Parking) and Condition 13 (Electric Vehicle Charging) are updated to secure implementation of works in accordance with details submitted.

<u>Condition 26 (Unit numbers)</u> updated to refer to fewer units proposed:

The development (ref. BH2018/00937) shall provide 33 no. dwellings (C3).

15-26 Lincoln Cottages

BH2022/03810



Application Description

- Demolition of existing building and erection of 9 residential to include 1no. 1bedroomed bungalow and 8 no 3-bedroomed houses.
- The three-bedroom houses would be flat-roofed, three storey dwellings, adjoining a single storey bungalow at the eastern end of the block which would have an asymmetrical pitched roof.
- The dwellings would have primarily brick frontages of varying colours to provide visual interest, with windows, doors and bike stores painted different colours on each house. The terraced dwellings would have a rendered third floor which would be set back from the front and rear to reduce the 'bulk' of the built form.

Existing Location Plan

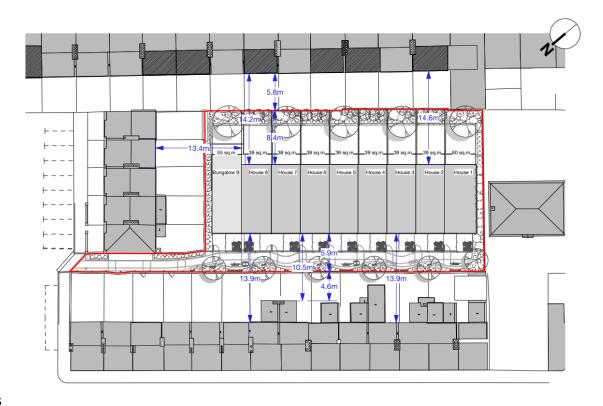






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Proposed Location Plan





Aerial photo of site





3D Aerial photo(s) of site





Street photos

Lincoln Cottages



Lincoln Street



City Council

Other photo(s) of site

Entrance to site



North-east to south-west



Photos of the site

South-west to south-east



Rear of site (east to west)



Brighton & Hove City Council

Photos of the site

Front of site east to west



North-west to south-west



City Council

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Existing Block Plan





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Proposed Block Plan





Comparison Block Plan





1712-09

Split of uses/Number of units

- Nine (9) residential units
- 1 x 1-bedroom bungalow
- 8 x 3 bedroom houses



Existing Elevations (Main Building)





Existing Elevations (Main Building)





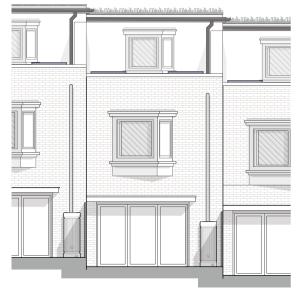
Proposed Front Elevation







Proposed Rear Elevation







Existing Contextual Elevations

Ewart Street to the rear





Proposed Contextual Elevations

Ewart Street to the rear





Existing Contextual Elevations

Lincoln Street to the rear





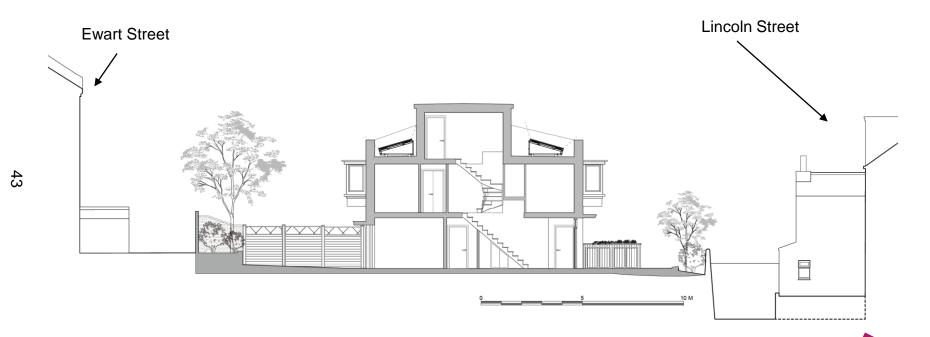
Proposed Contextual Elevations

Lincoln Street to the rear



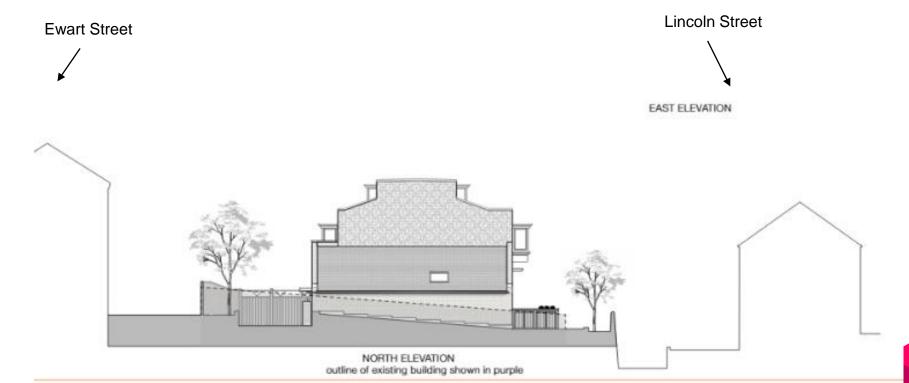


Proposed Site Section(s)





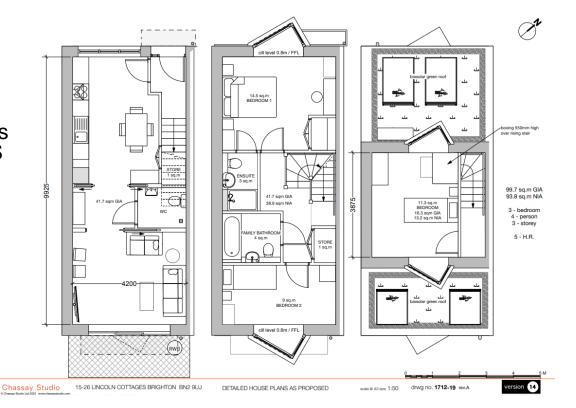
Proposed Site Section(s)





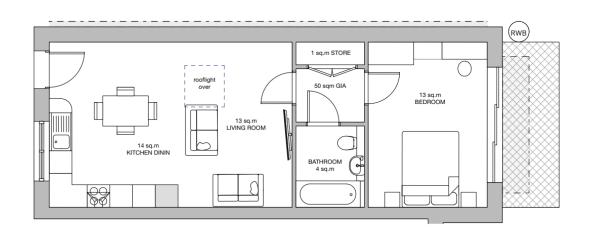
Proposed layout (house)

Meets the requirements of the NDSS





Meets the requirements of the NDSS



50sq.m GIA

1 - bedroom 2 - person

1 - storey

2 - H.R.



BRE daylight & sunlight review

Proposed dwellings:

- All habitable rooms would meet the Average Daylight Factor (ADF) recommendations
- Some overheating/heat loss issues in the bedrooms if appropriate glazing/framing is not used

Existing dwellings: 61 - 87 (odd) Lincoln Street, 10 - 14 Lincoln Cottage, 13 - 39 (odd) Ewart Street

- Total of ten rooms affected by a reduction in daylight.
- Impact on 9 rooms considered minor (falling within BRE Guideline limits)
- One room would have a minor to moderate reduction in daylight (but overall the impact falls within BRE Guidelines.)

Representations

In response to consultation, representations were received from 91 (ninety-one) residents objecting to the proposed development for the following reasons:

- Additional traffic
- Noise and disturbance
- Car free development but would put pressure on parking
- Implications for proposed Low Traffic Neighbourhood (LTN)
- Access for emergency vehicles is limited
- Access for refuse and recycling vehicles is limited
- Land registry concerns- CT1 and Prescriptive

Easement Applications made by properties on Lincoln Street

Maintenance and adoption of highway and access roads

Too close to boundaries

- Overdevelopment of the site
- Overbearing
- Inappropriate height
 - Poor design not in-keeping with Hanover

Poor landscaping plan

Out of character with area

No maintenance plan for green roofs

Overshadowing and loss of light

Overlooking and loss of privacy



Representations (Cont.)

- Noise and disturbance
- Light pollution
- Restriction of view
- Impact from additional activity including refuse[®] collection points
- Dust dirt and odour and impact on health
- Fly tipping
- Inadequate drainage
- Restricted access
- Poor outlook
- Poor natural light and ventilation
- Application should contain affordable housing
- Concerns over impact of Airbnb and student housing
- Loss of habitat
- Impact on birds
- Impact on climate change objectives

- Notice B should be served as title deed has not been transferred
- Loss of commercial floor space not recognised
 - Traffic Management report refers to art studio but applications states the land is derelict
- Concerns over community engagement
- Construction Management Plan submitted late and unworkable and no reference to demolition
- Impact on property value
- Impact on commercial garage at the end of Lincoln Cottages
- Impact on the local infrastructure in Hanover
- Structural damage to neighbouring properties through construction
- Existing and previous tenants have been subject to significant rent rises and pressures to leave site



Application

- Principle of development
- Design and appearance
- Standard of accommodation
- Residential amenity
 - Affordable Housing
 - Highways issues
 - Ecology
 - Sustainability



 An affordable housing contribution is sought by way of a commuted sum totalling £586,800 (20%).



Conclusion and Planning Balance

- Site designated in CPP2 for residential development.
- Site is registered on the Brownfield Land Register Ref. SHLAA0075 "Land South of Lincoln Cottages 15-26 Lincoln Street."
- Provision of 9 new dwellings should be given significant weight in the planning balance
- The number, layout, form and finish of the proposed dwellings considered appropriate
- The dwellings would provide a high standard of accommodation
- Impacts on neighbouring amenity not to a degree that should warrant the refusal of the application
- The scheme would provide an affordable housing contribution in line with policy CP20 of the Brighton & Hove City Plan Part 1
- Subject to conditions, the development is appropriate in terms of impact on highways and ecology
- The application is therefore recommended for approval.

9 The Village Barn

BH2023/00953



Application Description

 Roof alterations incorporating the addition of solar panels and rooflights;

Installation of glazed roof to atrium.





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Existing Location Plan





Locally Listed Barn

Aerial photo of site





3D Aerial photo of site





Site Photos - Front









Site Photos - Rear







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Locally listed barn - opposite

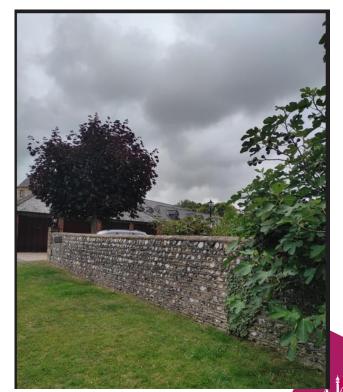






View of roofslope from street





Brighton & Hove City Council

Existing Elevations







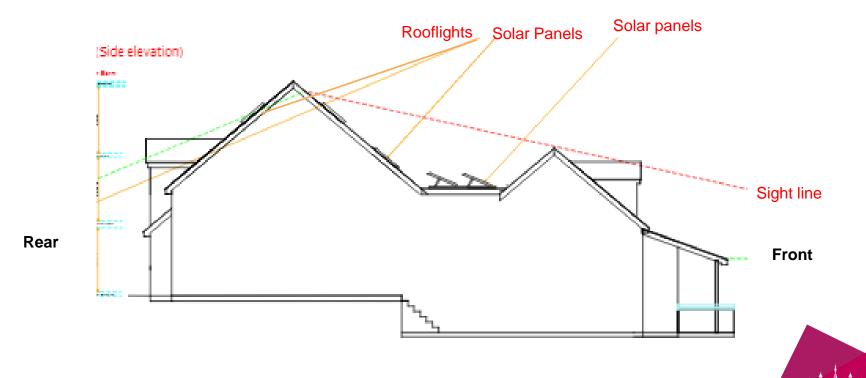
Proposed Elevations



Brighton & Hove

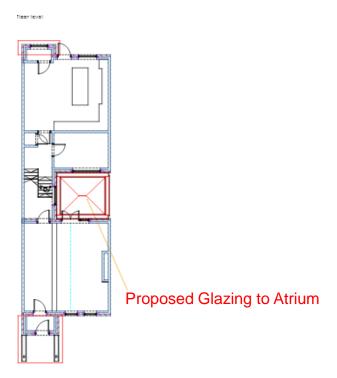
City Council

Proposed Side Elevation



Brighton & Hove City Council

Proposed Ground Floor – Glazing to Atrium





Representations

Ten (10) letters received <u>objecting</u> to the proposed development for the following reasons:

- Out of character with locale
- Impact on heritage assets
- Loss of symmetry
- Impact on slate rooflines
- Impact on views
- Sets a precedent for further development



Key Considerations

 Impact on heritage assets – conservation area and adjacent locally listed barn;

Impact on neighbour amenity;

Sustainability issues.



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Conclusion and Planning Balance

- The roof alterations would be barely visible at ground level or in context with the adjacent locally listed barn or conservation area;
- The level of harm caused to the heritage assets would clearly be very minor and less than substantial under the terms of the NPPF;
- The proposal would positively contribute towards meeting the objectives of the City Plan policies in terms of energy efficiency and renewables;
- The benefits of the scheme are considered to far outweigh the very minor impact on the heritage assets;
- Approval recommended subject to obscure glazing/ non-opening front rooflights to protect neighbour privacy.

6 West Hill Street

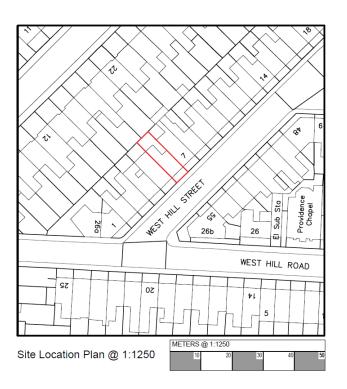
BH2023/01539



 Erection of a single storey rear extension, revised fenestration and the insertion of two new sky lights to rear outrigger.



Existing Location Plan





Proposed Location Plan







Aerial photo of site





3D Aerial photo of site







Other photo(s) of site





Photo from existing first floor rear window





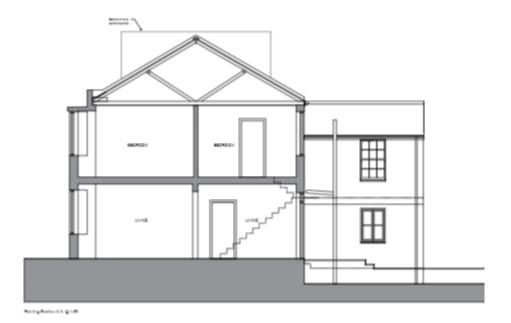
Existing Elevations





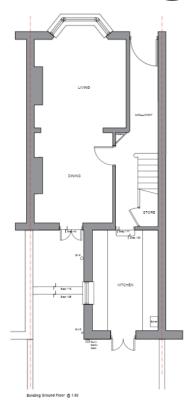
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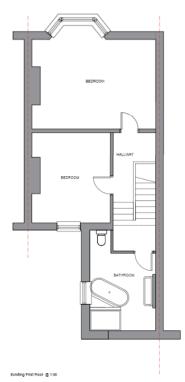
Existing Side Elevation

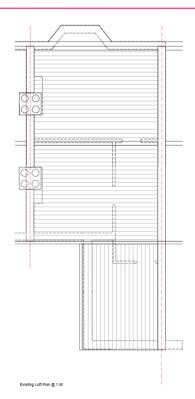






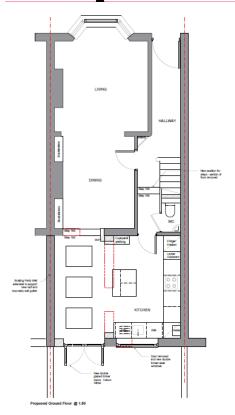


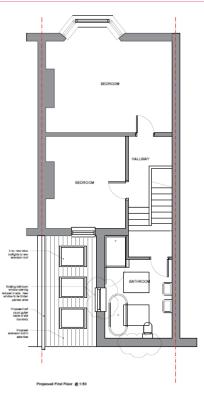


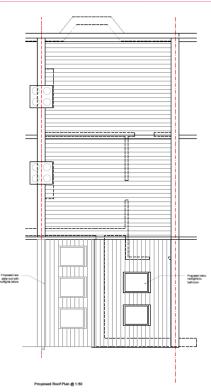




Proposed Floor Plans









PL-008 C

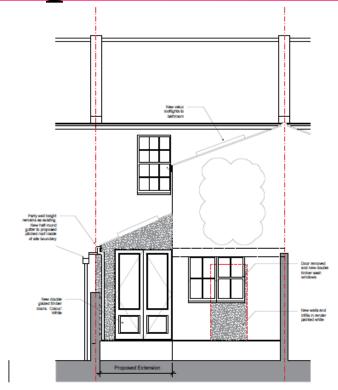
Proposed Side Elevation



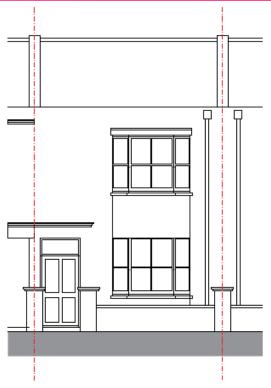


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Proposed Elevations



Proposed Rear Elevation @ 1:50



Proposed Front Elevation @ 1:50 (NO CHANGE)



Representations

Six objections received. Key material issues raised.

- Overshadowing;
- Impact of the rear window on neighbouring amenity;
- Poor design;
- Adverse impact on the Conservation Area;
- Close proximity to the boundary;

One (1) support comment received. Key material issues raised:

- There are lots of similar extensions in the area;
- Good design;



Application

- Impact on the Conservation Area.
- Design and Appearance.
- Impact on Amenity.



- Extension and revisions of fenestration would be to the rear so no impact on character of area;
- Modest in depth, modern design and materials in keeping with dwelling
- No significant impacts on neighbours;
- Recommend Approval



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100-104 Church Road

BH2023/00722

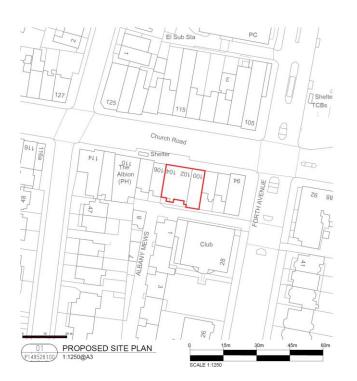


 External alterations including changes to rear lift shaft, louvres and boundary wall, installation of new plant and associated works.





Proposed Location Plan







Aerial photo(s) of site





3D Aerial photo of site







Street photo of site





Street photo of site – 100 Church Road





Street photo of site – 102 & 104 Church Road





Photo - rear of site





Photo -rear of site





Existing Front Elevation





Proposed Front Elevation





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Existing Rear Elevation





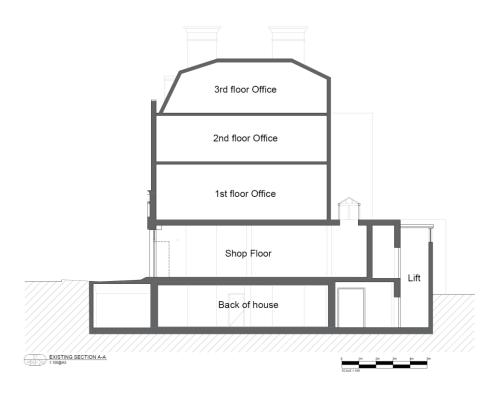
Proposed Rear Elevation





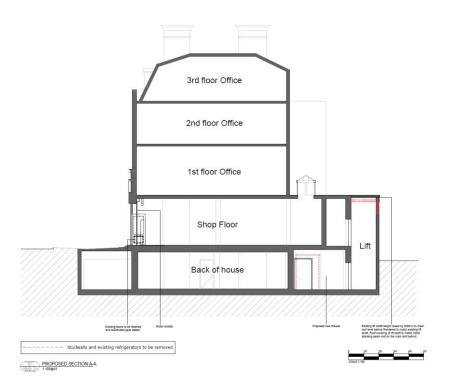


Existing Site Section(s)





Proposed Site Section(s)





Representations

Five (5) letters of <u>objection</u>, have been received raising the following concerns:

- Some elements of the proposals are welcomed
- No deliveries or servicing to the rear is a positive
- Concerns regarding disturbance from the proposed plant units
- Concerns regarding the methodology of the noise assessment as the measurements were taken at the front of the premises and not the rear where the issues previously arose.

Note: Following the consultation of the application, an updated noise survey has been carried out at the rear.



Key Considerations in the Application

- Design, appearance and Heritage
- Impact upon amenity
- Transport and Highways



Conclusion and Planning Balance

- The continued occupation of a retail unit within the Hove Town Centre is supported in principle.
- The proposed external alterations would have a beneficial impact upon the appearance of the grade II listed building and are considered to be acceptable.
- The replacement of the existing, unauthorised plant would have a beneficial impact upon neighbouring amenity.
- The proposed plant is accompanied by an updated Noise Assessment which has been reviewed by the Environmental Health consultee and is considered acceptable.
- The Highways consultee has confirmed that the amendments to retain the front double doors on inward-opening hinges would overcome their previous objection relating to obstruction of the highway.
- As no change of use is proposed it would not be reasonable to restrict deliveries and servicing by condition. However, the applicant has confirmed deliveries would be undertaken from Church Road rather than Albany Mews to the rear.
- Approval is therefore recommended, subject to conditions.

Land Rear Of 69 Centurion Road BH2023/00789





Application Description

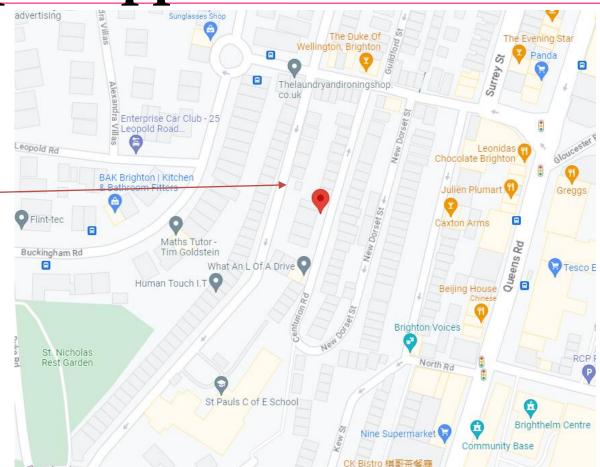
Demolition of existing garage building and erection of new garage.





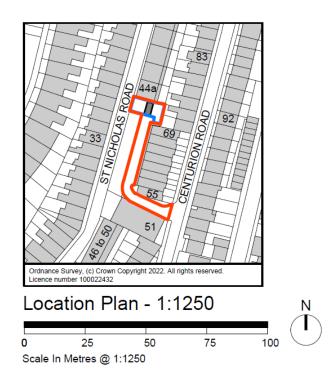
Map of application site

Garage to the rear of 69 Centurion Road (application site)



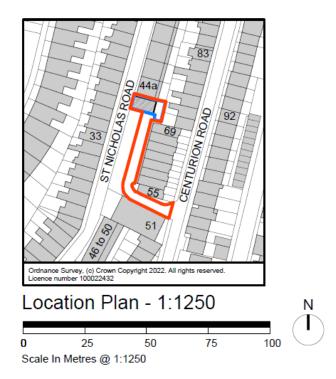


Existing Location Plan





Proposed Location Plan





Aerial photo of site





3D Aerial photo of site







Street photo of site



Looking west over Centurion Road, brick-built properties are 55-69 Centurion Road. Driveway to south is access to rear car parking area,



Access to/from site



Access from Centurion Road to rear car parking area and garages.



Access from rear car parking area and garages to Centurion Road.



Existing Garage



Existing Garage at northern end of rear car parking/garage area to the rear of 55-69 Centurion Road.



Space around existing garage



Space to the west of the existing garage



Space to the east of the existing garage



Photos from St Nicholas Road



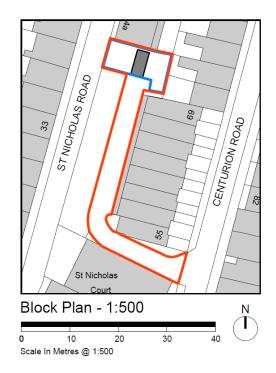
Looking (south) down over the site



Looking (north) down over the site

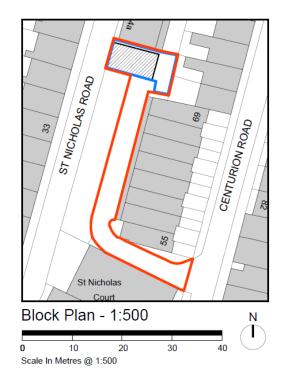


Existing Block Plan



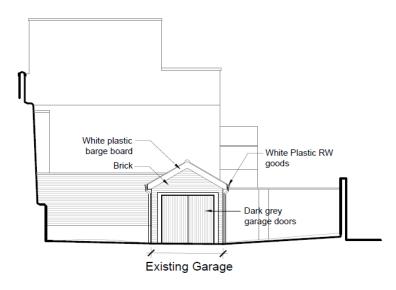


Proposed Block Plan





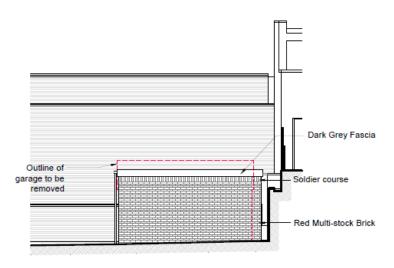
Existing Front Elevation

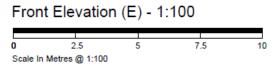






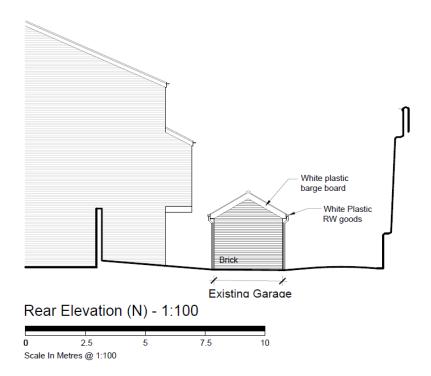
Proposed Front Elevation



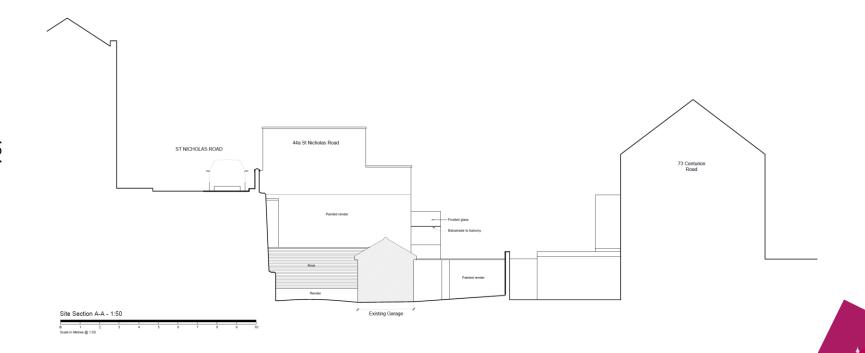




Existing Rear Elevation

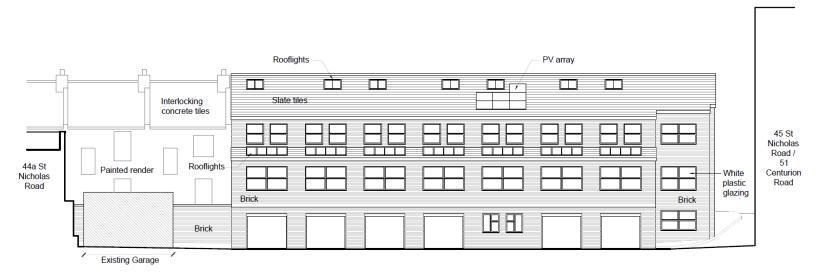






Brighton & Hove City Council

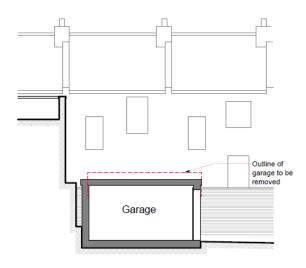
Existing Site Section

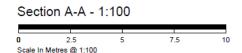






Proposed Site Section







Proposed Visual



3807.IMG.02 - Photomontage of Proposed Development - Rev:A Overview of car park looking north.



Proposed Visual



3807.IMG.01 - Photomontage of Proposed Development - Rev:A View from car park looking north.

Land rear of 69 Centurion Road



Representations

Fifteen (15) letters have been received • objecting to the proposed development • for the following reasons:

- Additional traffic
- Detrimental impact on property value
- Noise and disturbance from use and vehicular movements
- Overdevelopment
- Too close to boundary
- Alignment of garage door will mean narrow entrance for garage.
- Potential for collision with neighbouring boundary walls
- Impacts would be greater than the existing garage.
- Adverse effect on listed building

- Adverse effect on conservation area
- Poor design
- Applicant does not live here; application is purely for money.
- Use of the space as a rented parking space would cause problems for existing residents.
 - Overdevelopment
- Residential Amenity
- Garage has only been used for domestic purposes for 40 years.
 - Garage should not have a commercial storage purpose which would be inappropriate in this location,



Representations (Cont.)

- Light pollution
- Air pollution
- Security risk to neighbours
- Garage will impact on neighbours' ability to maintain boundary walls
- Overshadowing
- Restriction of view
- Inappropriate height of development
- Traffic or Highways impacts,
- Council owns the large retaining wall between the rear^o
 of Centurion Road and St Nicholas Road, and this will
 impact on the maintenance of the wall.
- Council own land next to retaining wall.
- Historic issues of illegal parking in this area.
- Contrary to polices DM18, DM21 and DM40.

- Obstructs existing users.
- Reduction in safety
- Entrance should not be repositioned.
 - Notice no served on Council Asset management team.
- If approved, the larger garage should not be able to be rented out or the adjacent parking area.
- No exceptional circumstances for a 'personal use'.
- Larger space means there could be more uses (e.g. parking and space for DIY).

Use should be linked to 55 Centurion Road.



Key Considerations in the

Application

- Principle of a garage
- Design and Appearance
- Impact on West Hill Conservation Area
- Impact on Amenity
- Transport and Highways



Conclusion and Planning Balance

- The applicant has said the proposed garage will be for personal parking and storage (no change from existing) and this is secured through a condition which also prohibits future commercial use.
- The proposal would have no impact on the West Hill Conservation Area.
- Acceptable in terms of impacts on neighbouring amenity.
- No loss of existing parking spaces.
- The amended design (relocated door and reduction in internal parking spaces) resolves Transport and Highway concerns.
- Conditions are also recommended to secure a biodiversity gain (bee brick) and a condition relating to if contamination is discovered on site during construction.

Recommend: Approval



Studio Workshop At Rear, 49 Elm Drive BH2023/01017

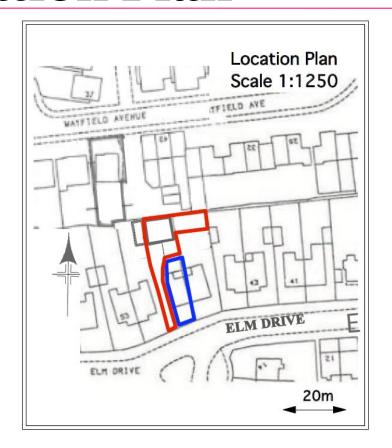


Application Description

 Erection of a new roof, incorporating a dormer and rooflights. Incorporates fenestration alterations, and the removal of existing summerhouse with additional landscape planting.



Site Location Plan





Aerial Photo of Site





3D Aerial Photo of Site





Site Photo (Front)



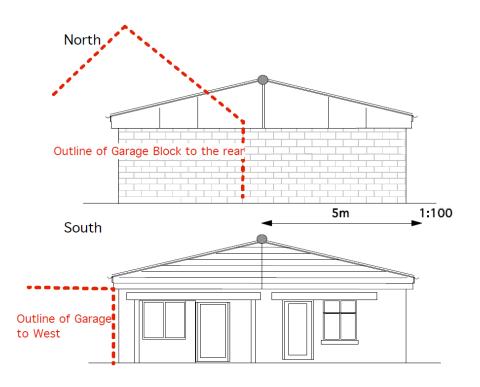


Site Photo (Rear)





Existing Elevations (Front and Rear)





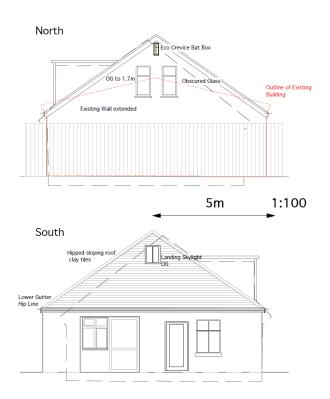
Existing Elevations (East Side and West Side)

West East



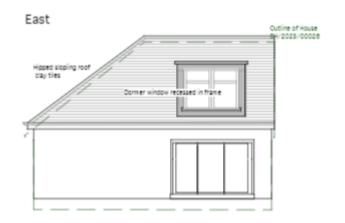
Proposed Elevations (Front and Rear)

Approx 9m width by 5.8m height





Proposed Elevations (East Side and West Side)

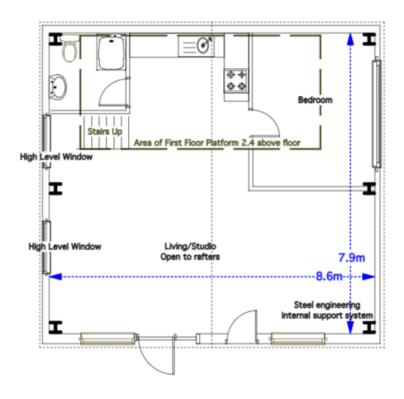




Approx 5.8m height, 2.86m eaves height, and 8.46m depth

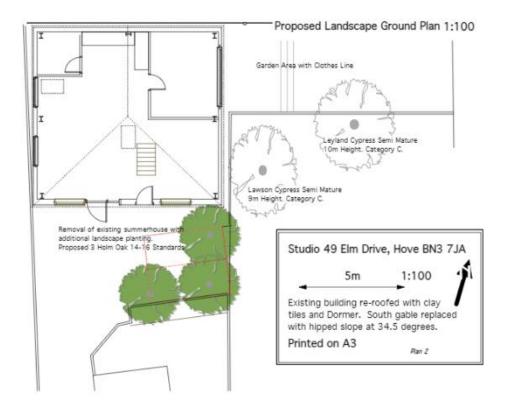


Existing Ground Floor Plan





Proposed Ground Floor/Site Plan

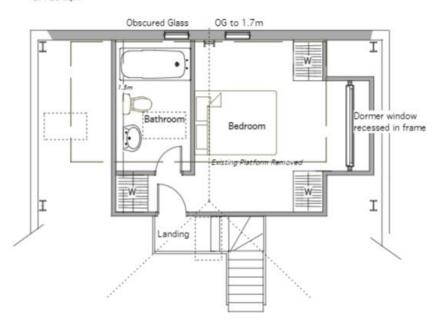




Proposed Loft Plan

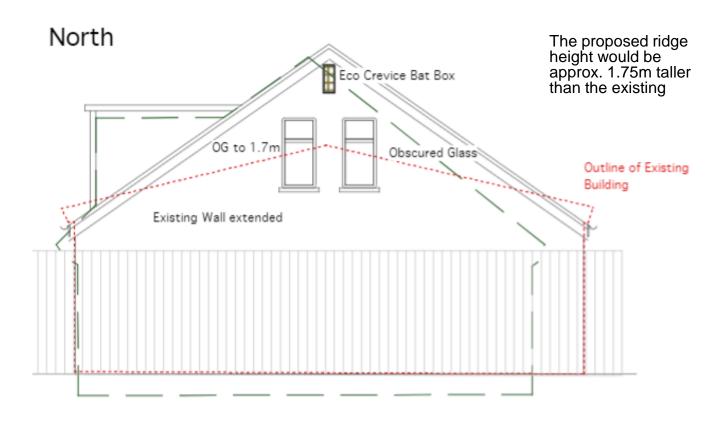
Proposed Attic Floor Plan 1:100

GIA 20 sqm





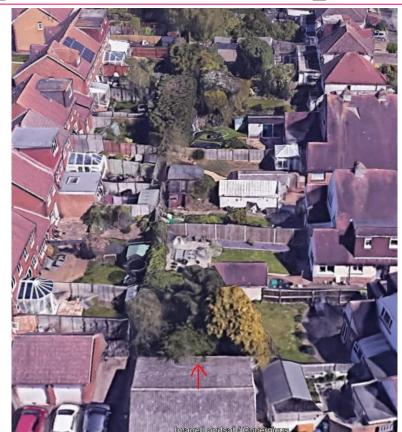
Comparison with Existing Building (Existing Outlined in Red)





East Facing View From Proposed Dormer

Immediate view eastwards would be impeded by dense vegetation. Oblique views would be impeded by the window being recessed within the dormer.





Window Measurements

Window	Existing	Proposed
2x loft windows, north facing	N/A	1.2m height by 0.6m width
3x rooflights, west and south facing	N/A	0.75m height by 0.6m width
Dormer window, east facing	N/A	1.46m height by 1.99m width
Ground floor, east facing	2.1m height by 2.9 m width	2.1m height by 2.98m width
2x Ground Floor, west facing	0.5 height by 1.45 width	As Existing
Ground floor, south facing west side	1.18m height by 1.35m width	1.33m height by 1m width
Ground Floor, south facing east side	1.25m height by 1m width	1.33m height by 1m width



Representations

Fourteen (14) (from 13 different occupiers) representations have been received, objecting to the proposal on the following grounds:

- Inappropriate height of development
- Noise pollution
- Light pollution
- Overdevelopment/excessive building density in local area
- Overshadowing/light loss
- Overlooking/loss of privacy
- Concerns that the obscure glazed windows will be openable
- Would create additional traffic/parking stress

- Concerns over emergency services access
- Poor design/not in keeping with character of local area
- Too close to boundary
- Damage to local trees
- Sets undesirable precedent.
- Potential for being converted into an HMO
- Potential for using PD rights to add additional dormers
- Concerns over standard of accommodation for occupants
- Concerns that work has already commenced
- Negative impact on the streetscene



Application

- Impact on appearance of area;
- Impact on neighbouring amenity;
- Highway impact;
 - Arboricultural impact.



Conclusion and Planning Balance

- Would retain existing footprint and not be visible from public realm so acceptable visual impact;
- Windows facing dwellings would be obscureglazed, with other views no worse than existing, and no loss of light/outlook;
- No increased impact on highway given small scale, and well served by public transport.

Recommend: Approval

