

PLANNING COMMITTEE ADDENDUM Presentations

2.00PM, WEDNESDAY, 4 OCTOBER 2023

COUNCIL CHAMBER, HOVE TOWN HALL

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ADDENDUM

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1

Former Dairy

35-39 The Droveaway

BH2022/00456



Brighton & Hove
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Application Description

In March 2023, Planning Committee agreed the grant of permission for the following development, subject to a s106 legal agreement:

BH2022/00456: Change of use from former dairy depot (B8) to mixed-use development comprising 19no. dwellings (Use Class C3) and commercial space (Use Class E), including erection of a new northern wing and a new central wing to courtyard; onsite car and cycle parking and associated works. (part-retrospective)

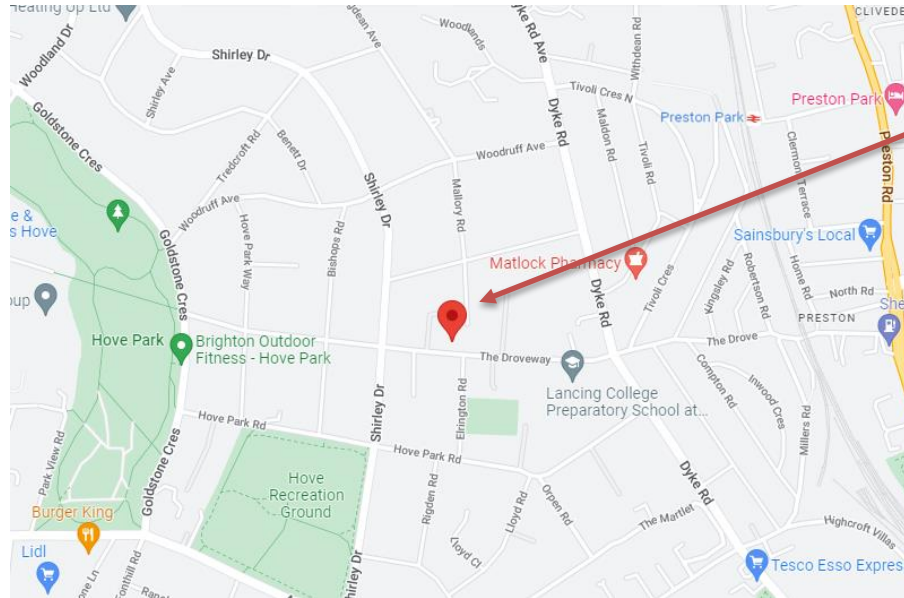
2 The applicant is seeking to vary one of the Heads of Terms of the s106 which required the following:
“On-site affordable housing of 3 units (2x affordable rent and 1x shared ownership)”

The applicant is seeking to vary this to still provide affordable housing, but instead by way of a commuted financial sum proportionate to the level of on-site provision previously sought.

The amended Head of Term would therefore read:

“Affordable housing contribution of £787,300 as a commuted sum.”

Map of application site



Application site

3D Aerial photo of site



Site photos



Approved site layout plan



Proposals

- Amend Heads of Terms
- From:
- On-site affordable housing of 3 units (2x affordable rent and 1x shared ownership)”
- To:
- Affordable housing contribution of £787,300 as a commuted sum.”
- Housing Strategy team raise no objections.

Conclusion and planning balance

- Sites such as this with smaller numbers of homes available have more recently been rejected for purchase by the Registered Provider's as not viable.
- The developer has provided evidence that they have contacted a number of RP's, with each confirming that they are not able to take these units on given the size of the development.
- ∞
- The councils Affordable Housing Brief, sets out that commuted sums in lieu of onsite provision are acceptable where no registered provider has come forward to purchase homes.
- These commuted sums are used by the council to fund alternative affordable homes elsewhere in the city, securing homes for rent through council led initiative such as New Homes for neighbourhood and Home Purchase.
- **Recommend: Deed of Variation Permitted**

6 48 St Aubyns

BH2022/00487

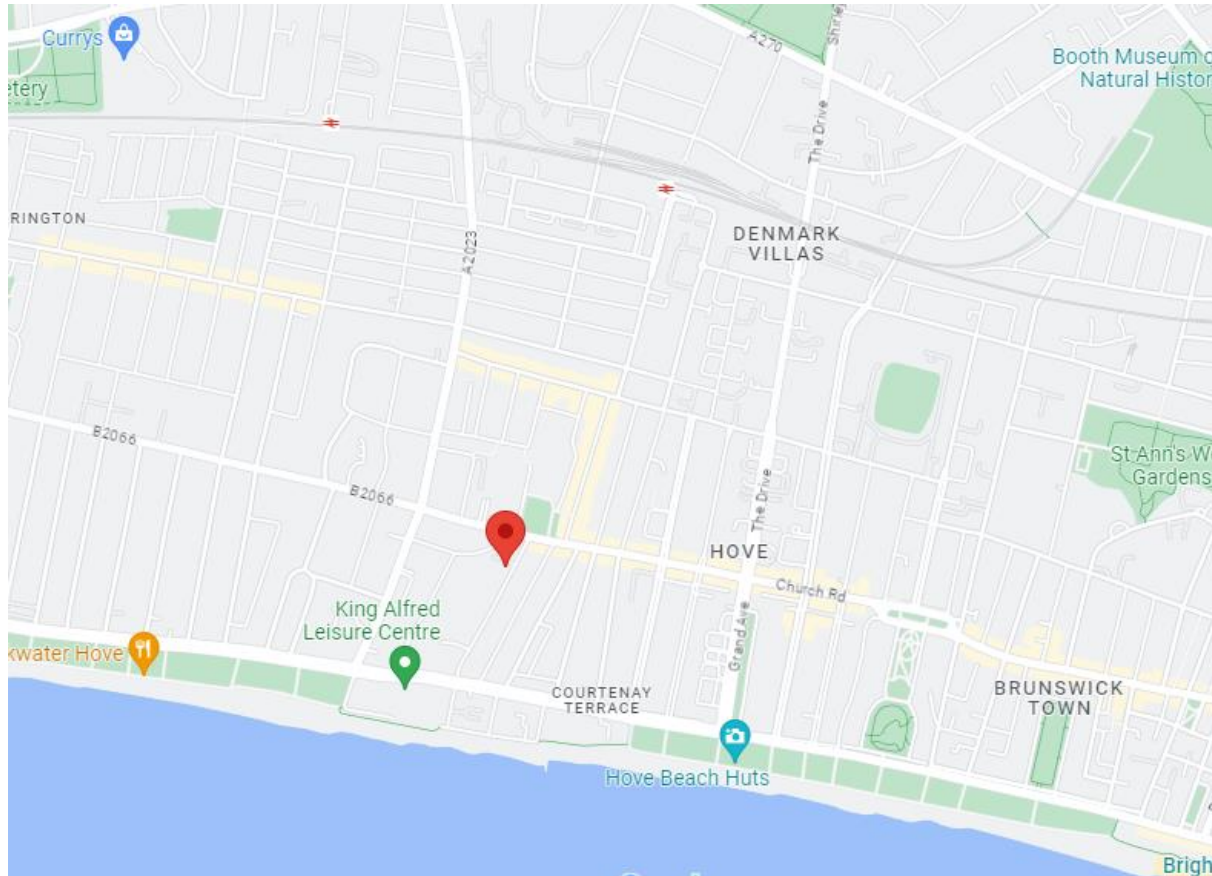


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City Council

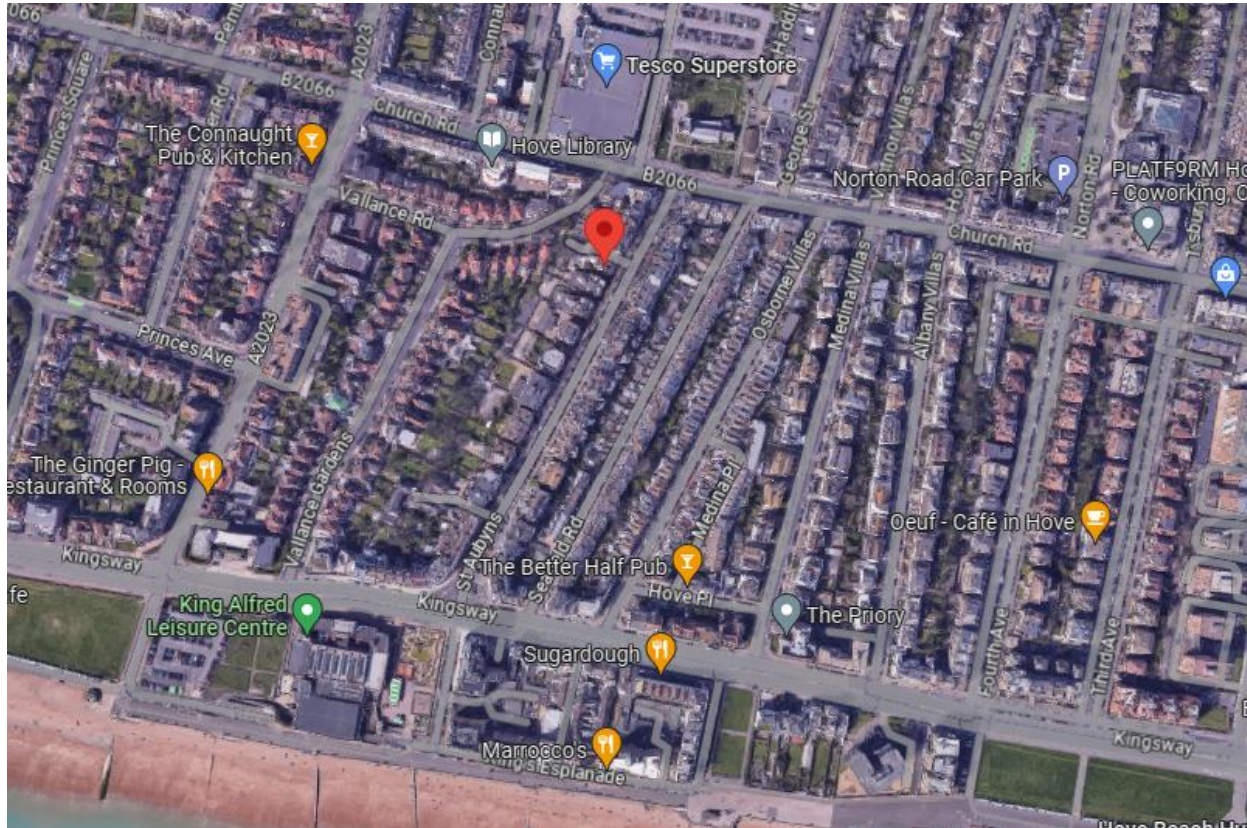
Application Description

- Demolition of garages at rear of site and erection of terrace of 2no two storey dwellings (C3) with associated landscaping

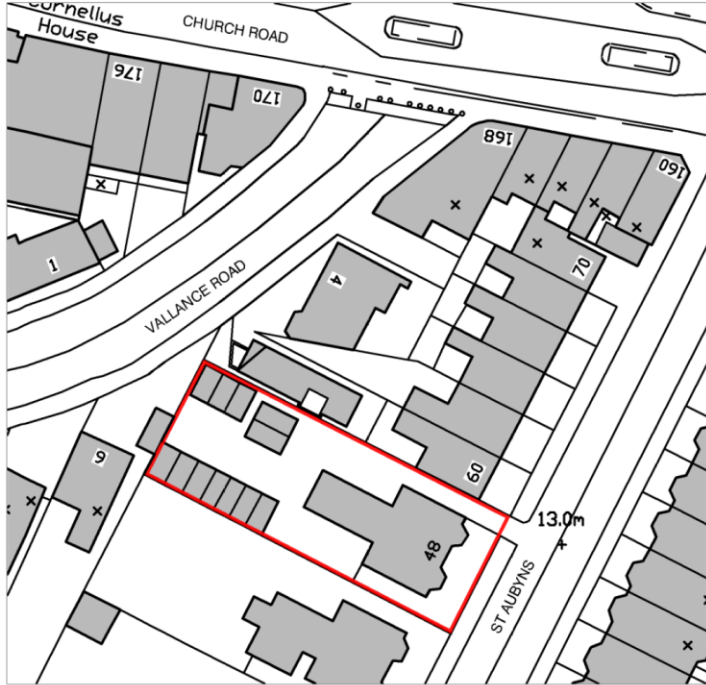
Map of application site



Map of application site



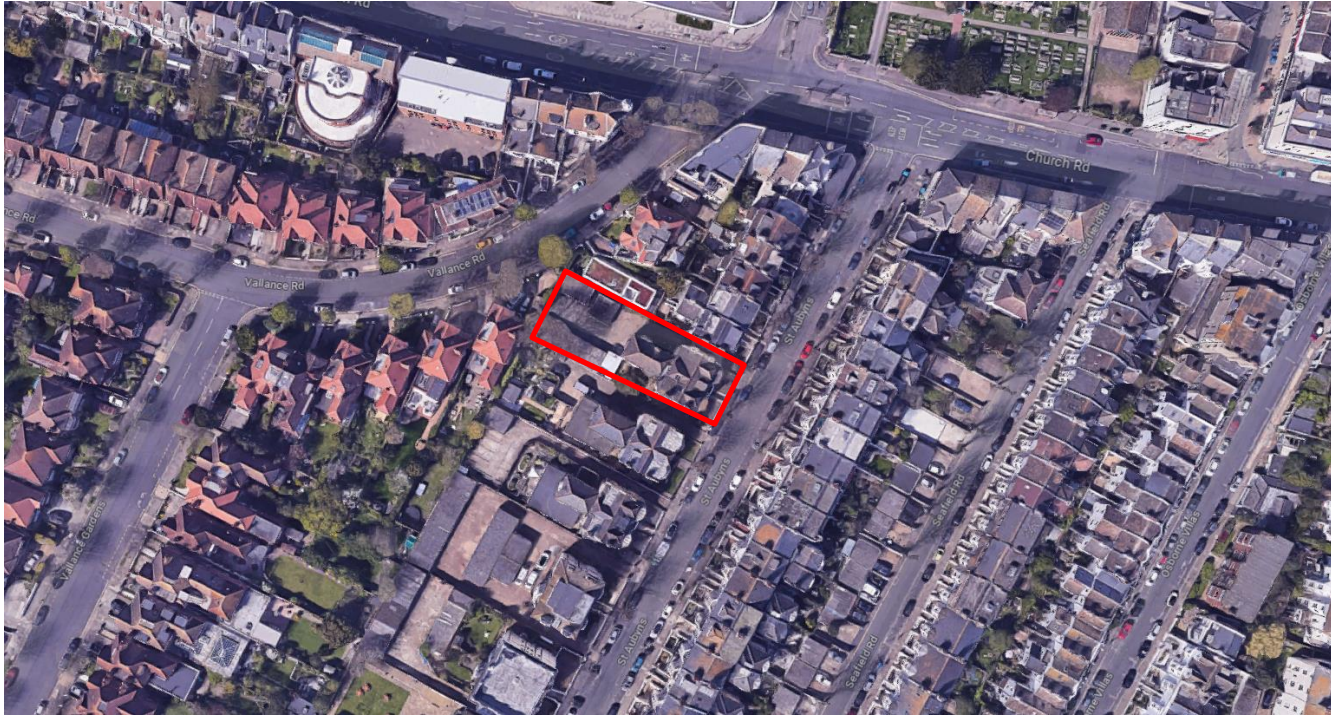
Site Location Plan



Existing Site Location Plan
Scale 1:1250 @A3



Aerial photo(s) of site



Brighton & Hove
City Council

3D Aerial photo of site



Street photo(s) of site (St Aubyns)



Other photo(s) (south side of 48 St Aubyns)



Street photo(s) of site (rear from Vallance Rd)



Other photo(s) of site (view west)



Other photo(s) of site (view south west)



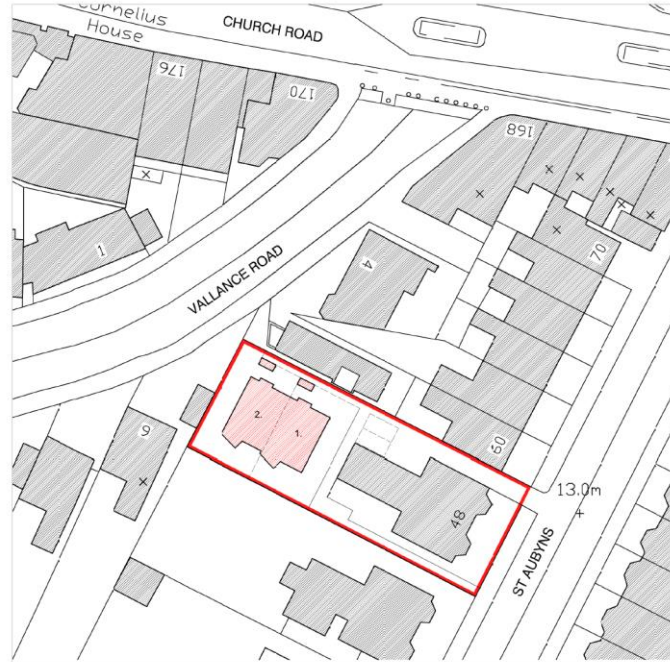
Other photo(s) (towards rear of 48 St Aubyns and view to north boundary)



Other photo(s) of site (View south – overall context)



Proposed Block Plan



Proposed Block Plan Scale 1:500 @A3



Proposed site layout



Contextual Front Elevation

25



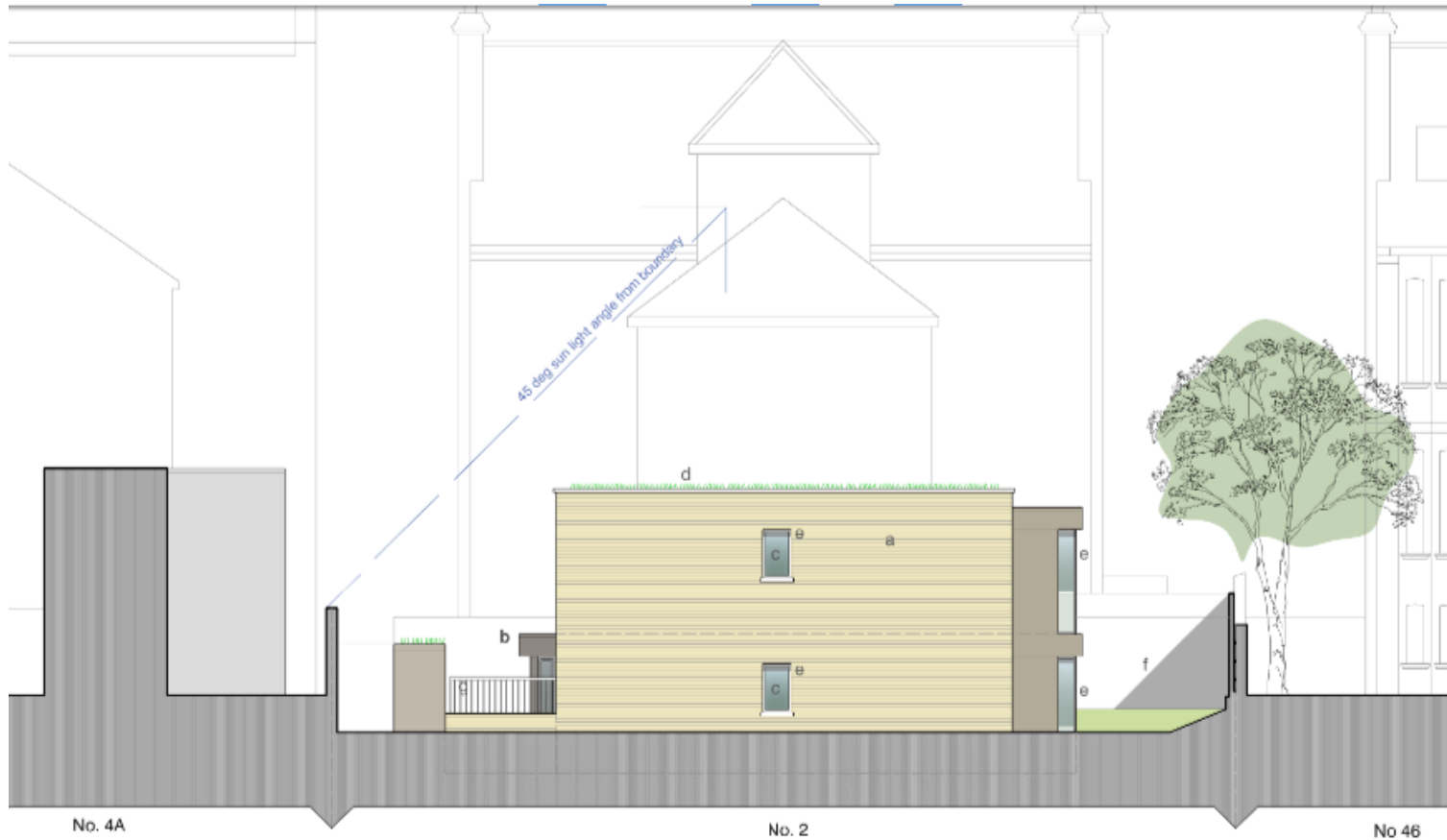
Proposed Front Elevation



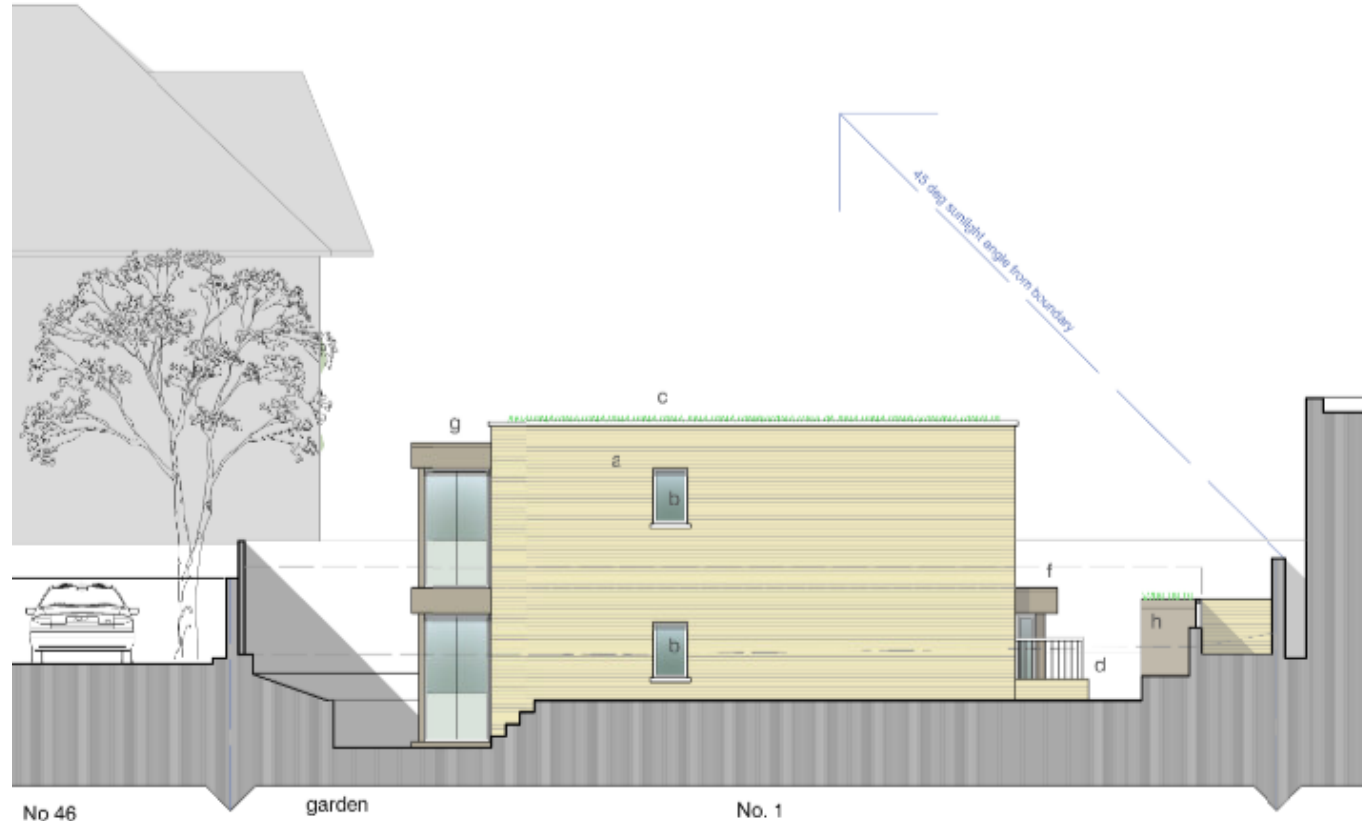
Proposed Rear Elevation



Proposed Side Elevation (west)

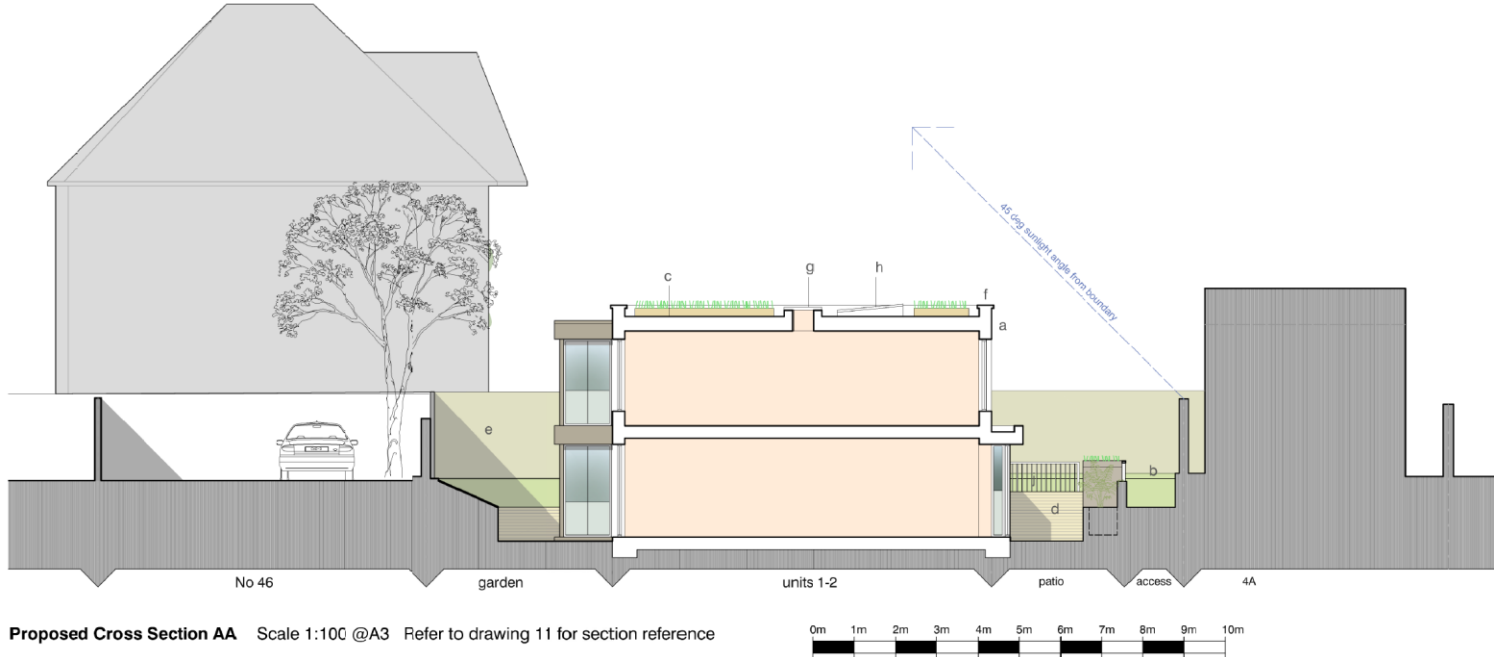


Proposed Side Elevation (east)



Proposed Site Section(s)

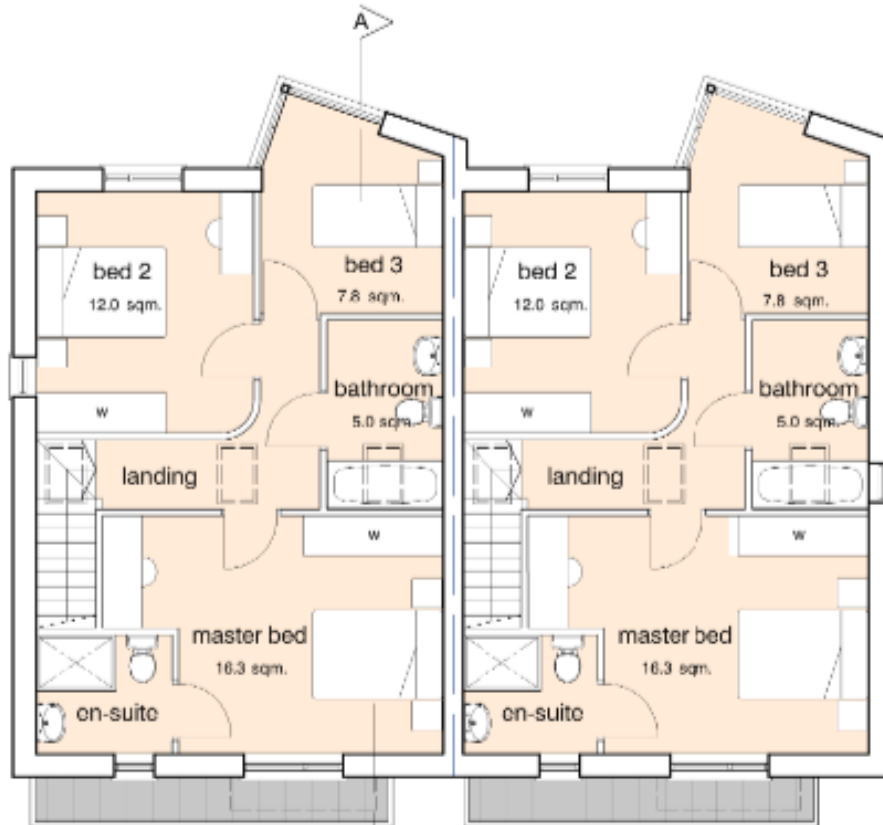
30



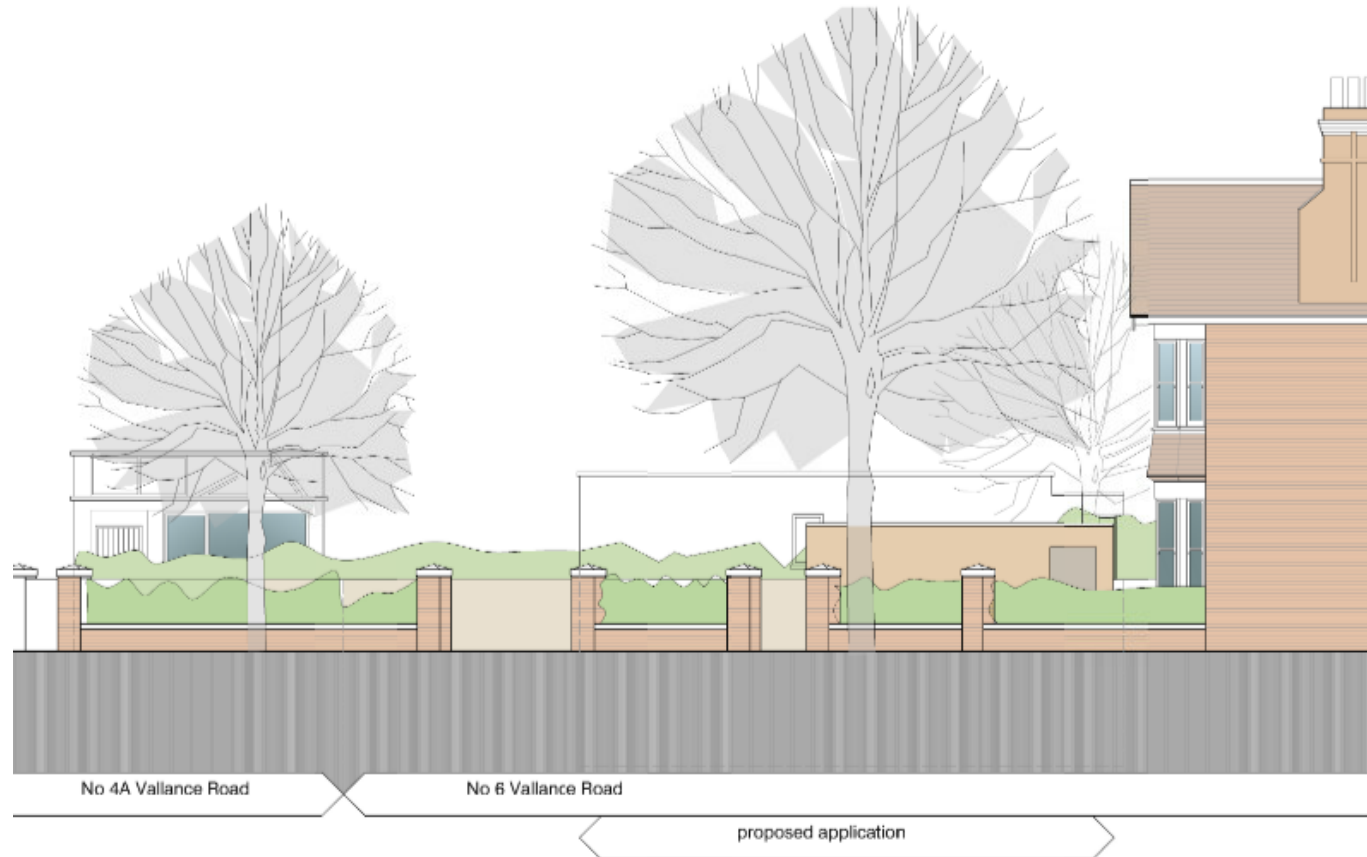
Proposed Ground Floor



Proposed First Floor



Proposed Streetscene (Vallance Rd)



Representations

Three (3) letters have been received from one (1) individual supporting the proposed development for the following reasons:

- Good design
- Much needed family homes in a good location

Twelve (12) letters from **six (6)** individuals have been received objecting to the proposed development for the following reasons:

- Traffic and parking
- Overdevelopment
- Loss of privacy
- Loss of light and overshadowing
- Excessive height
- Too close to boundary
- Access for emergency vehicles
- Noise and disturbance

- Waste issues
- Impact on property values
- Harm to trees
- Hotel does not need additional rooms
- Harm to the Conservation Area
- Dust and noise from construction

Key Considerations in the Application

- Principle of the development
- Impact of the works on the surrounding area and conservation area
- Standard of accommodation proposed
- Impact on neighbouring occupiers amenity
- Sustainability
- Transport and Access
- Impact on Trees

Conclusion and Planning Balance

- Scheme provides acceptable Standard of Accommodation
- Would provide 2x family homes (three bedrooms with outside amenity space)
- Improvement in overall quality of the site
- Minimal impact on amenity of neighbours including principle building
- No harm to Conservation Area or streetscene
- Conditions recommended to secure landscaping, CEMP and ensure no impact on trees
- Recommend Approval

248 Dyke Road

BH2023/00568



Brighton & Hove
City Council

Application Description

- Part-retrospective application for the change of use of single dwellinghouse (C3) to form 7no bedroom large house in multiple occupation for 11no persons (sui generis) with external works including installation of cycle parking facilities, revisions to fenestration, and associated alterations.

Location Plan



Location Plan 1:1250



Scale 1:1250
0 10 20 30 40 50m

Aerial photo(s) of site



3D Aerial photo of site



Street photo of site



Other photo(s) of site



Proposed Block Plan



Block Plan 1:500

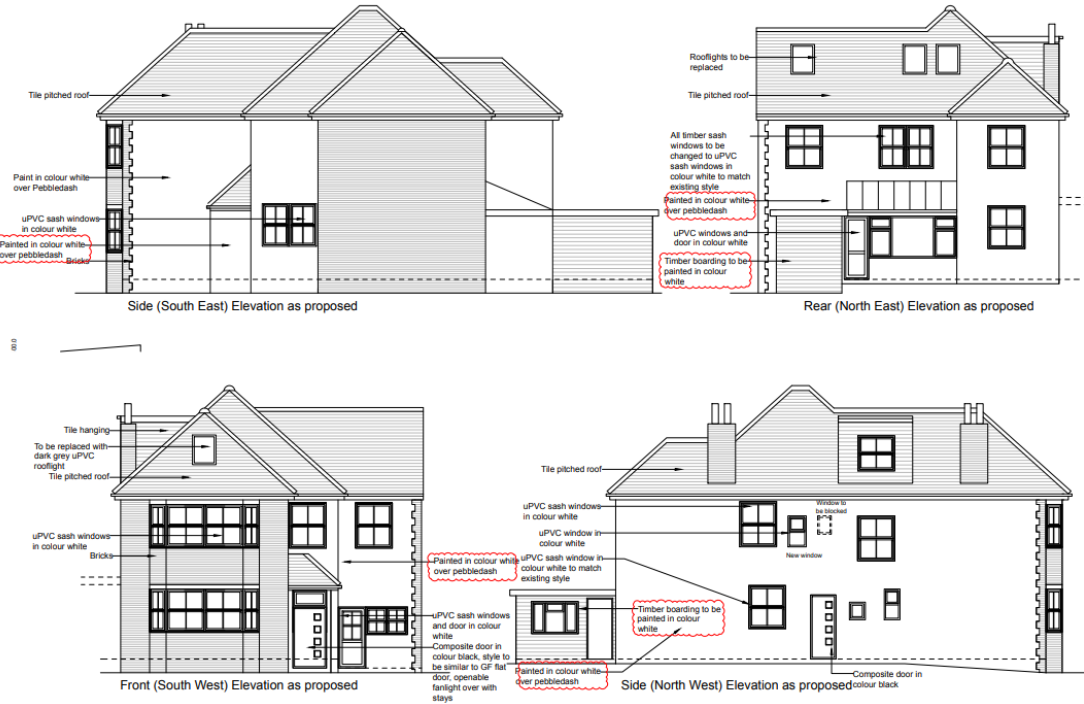


Scale 1:500
0 5 10m 20m

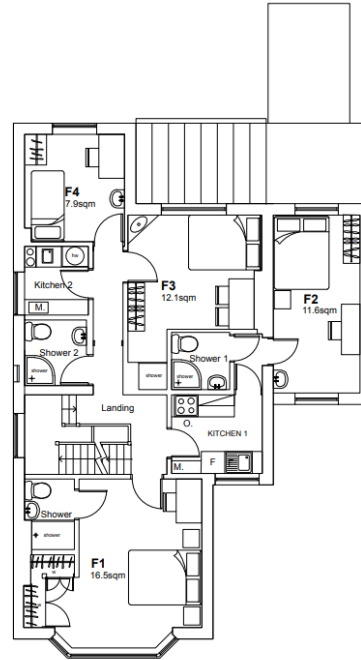
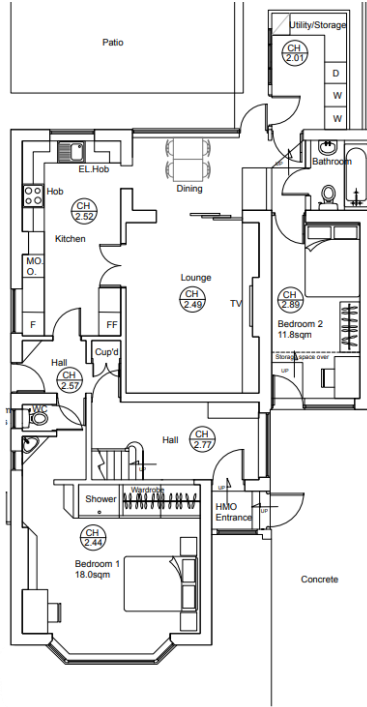
Existing Elevations



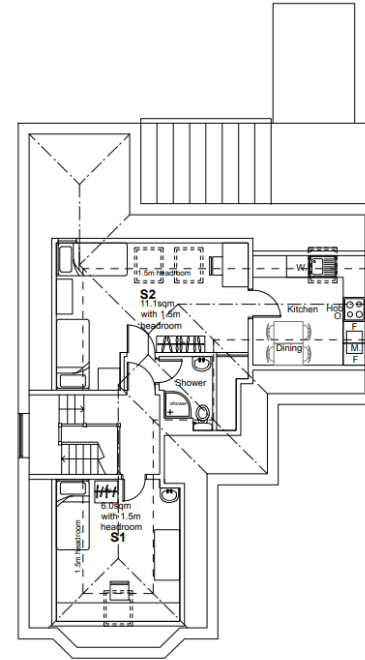
Proposed Elevations



Existing Floor Plans

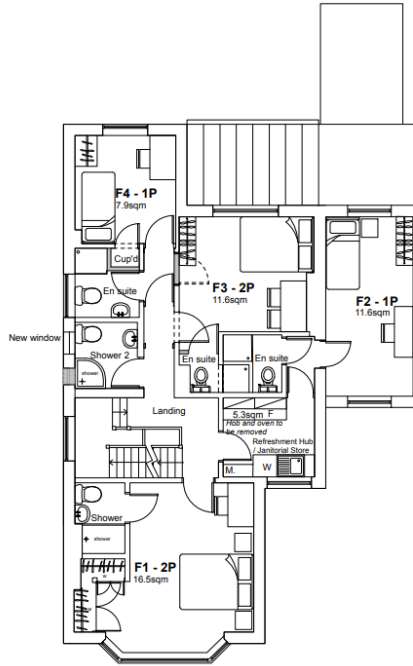
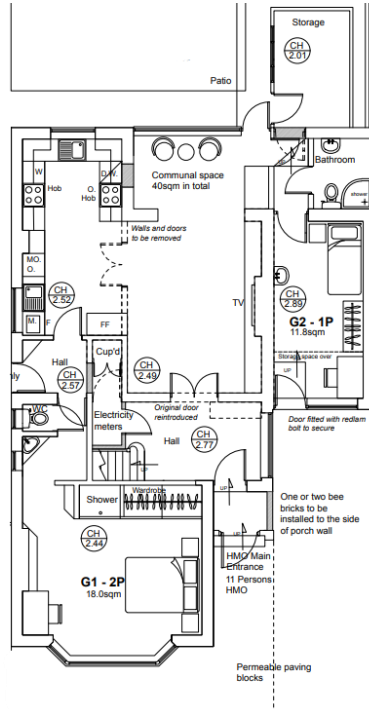


First Floor Plan as existing

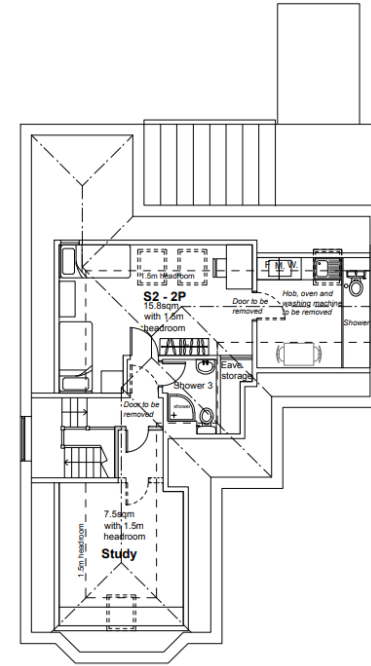


Second Floor Plan as existing

Proposed Floor Plans



First Floor Plan as proposed



Second Floor Plan as proposed

Representations

Seven (7) representations have been received, objecting to the proposal on the following grounds:

- It is unknown if more than 10% of the dwellings within 50m of the application site are in use as HMOs.
- Loss of a family home
- The building is currently unsightly, and this will get worse with more inhabitants.
- Overdevelopment
- Detrimental impact on local highway including parking provision.
- Potential of delivery scooters being parked on the property.
- Littering
- Noise nuisance
- Light pollution from security lighting
- Clarification on why security is required.
- Anti-social behaviour such as late-night parties/gatherings
- Unknown 'if the applicant is a suitable person to run a large HMO'. Lack of contact details.
- Lack of public consultation and advertisement of the

application.

- Clarification on whether the property will be an Air B'n'B party house.
- Detrimental impact on property value.
- The development is not fair on local residents.
- The proposed development would fail to meet HMO Licensing Standards due to the lack of two fully equipped kitchens.
- The head rooms annotated in the loft-level bedrooms may be incorrect.

Concerns have been raised that local residents were not properly advised about the application or consulted. This application was advertised in accordance with the LPA's consultation procedure, with adjacent properties being sent letters and the scheme being advertised on the Council's website.

Key Considerations in the Application

- Principle of the Change of Use
- Impact on Amenity
- Impact on Highway Safety
- Standard of Accommodation

Conclusion and Planning Balance

- The change of use would not lead to an over intensification of HMOs in the local or wider area.
- The impact on the amenities of local residents (primarily noise-related) can be managed through conditions or through non-planning legislation.
- Any overspill parking would be controlled through management of the Controlled Parking Zone.
- The standard of accommodation is acceptable in terms of size and layout, for up to eleven occupants.

41 Upper North Street

BH2023/01414



Brighton & Hove
City Council

Application Description

Change of use from existing single dwelling house (C3) to 5no bedroom small house in multiple occupation (C4) including alterations to existing first floor rear terrace and addition of bike store (Part-retrospective).

Existing Location Plan



Aerial photo(s) of site



Brighton & Hove
City Council

3D Aerial photo of site



North

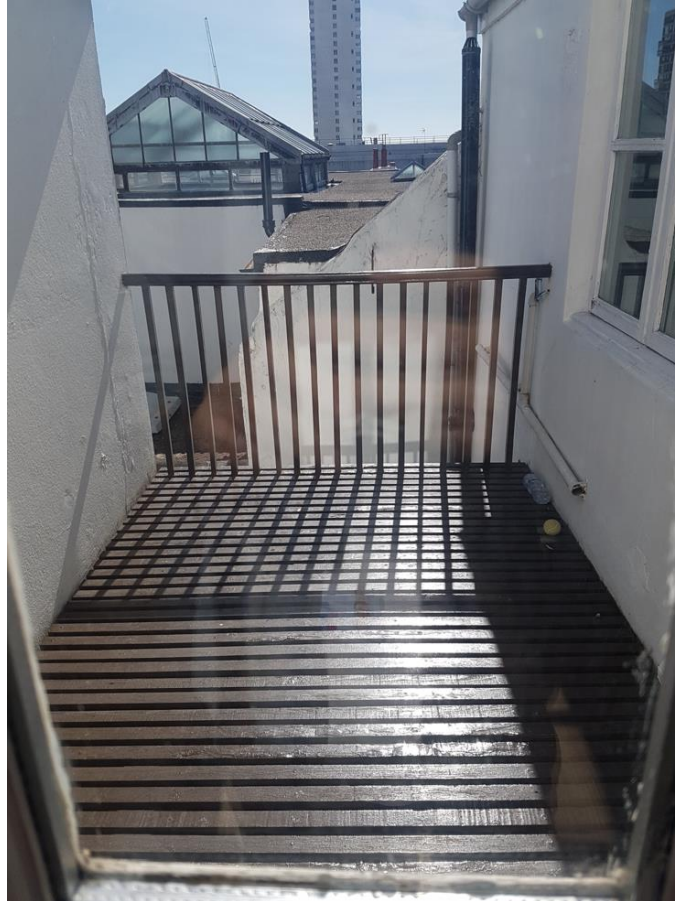
Photo of site

Rear amenity space.

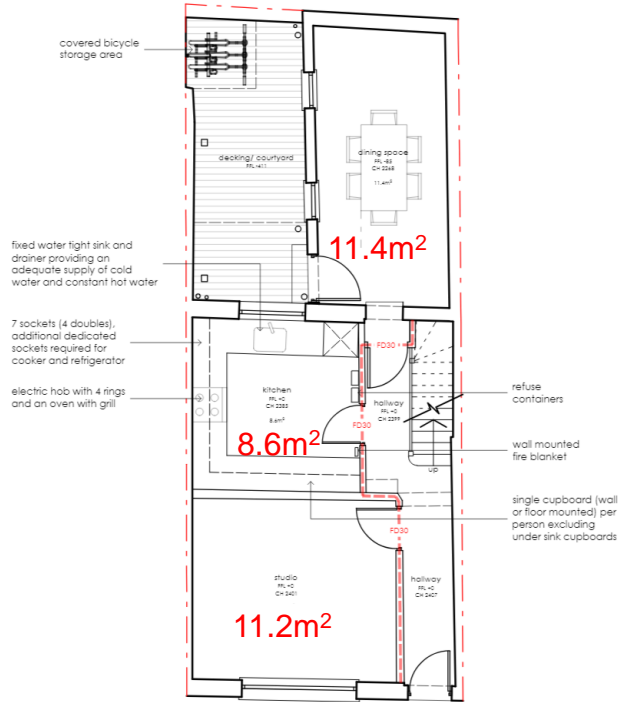


Other photo(s) of site

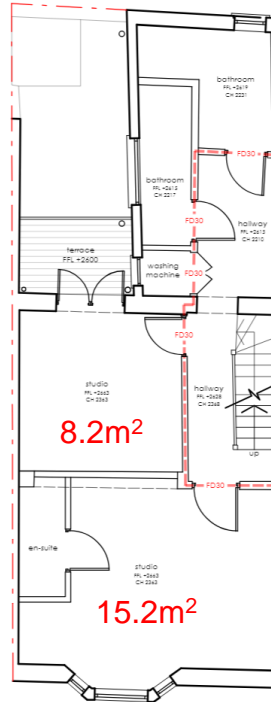
Existing first floor rear terrace



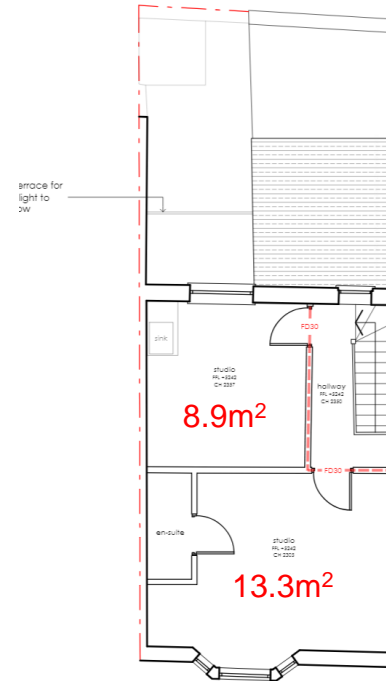
Proposed Floor Plans



04
240 Proposed Ground Floor Plan
Scale: 1:100



05
240 Proposed First Floor Plan
Scale: 1:100



06
240 Proposed Second Floor Plan
Scale: 1:100

Existing Elevations



02 Existing Rear Elevation
241 Scale: 1:100

03 Existing Front Elevation
241 Scale: 1:100



Proposed Elevations



Representations

Upon receipt of the application, the proposals were advertised in May 2023. **Seven (7)** letters of objection were received, raising the following points:

- Harm to Conservation Area
- Poor design
- Poor outdoor space for residents
- Inadequate cycle store
- Fire safety concerns
- Overdevelopment
- Loss of property value
- Noise and disturbance
- No. 39 Upper North Street already a 'party house'

Following receipt of amended plans, the application was readvertised in August 2023. **Four (4)** letters of objection were received, with no new points raised other than those identified above.

Key Considerations in the Application

- Principle of change of use
- Standard of accommodation provided
- Impact upon amenity
- Transport

Conclusion and Planning Balance

- Change of use to HMO complies with policies CP21 and DM7
- The internal layout 'as existing' would not be supported, however the proposed amended layout is considered to provide an acceptable standard of accommodation with appropriately sized bedrooms and communal areas. The proposed relocation of the communal space to the ground floor would avoid overlooking into the bedrooms from the courtyard area.
- Occupation by 5 persons unlikely to result in significant additional disturbance for neighbours, compared to current lawful use as a dwellinghouse
- Cycle parking is proposed within the rear courtyard. Whilst not ideal in terms of convenience or accessibility the site is constrained for alternative locations.
- Approval is therefore recommended, subject to conditions.

45 George Street

BH2023/01522

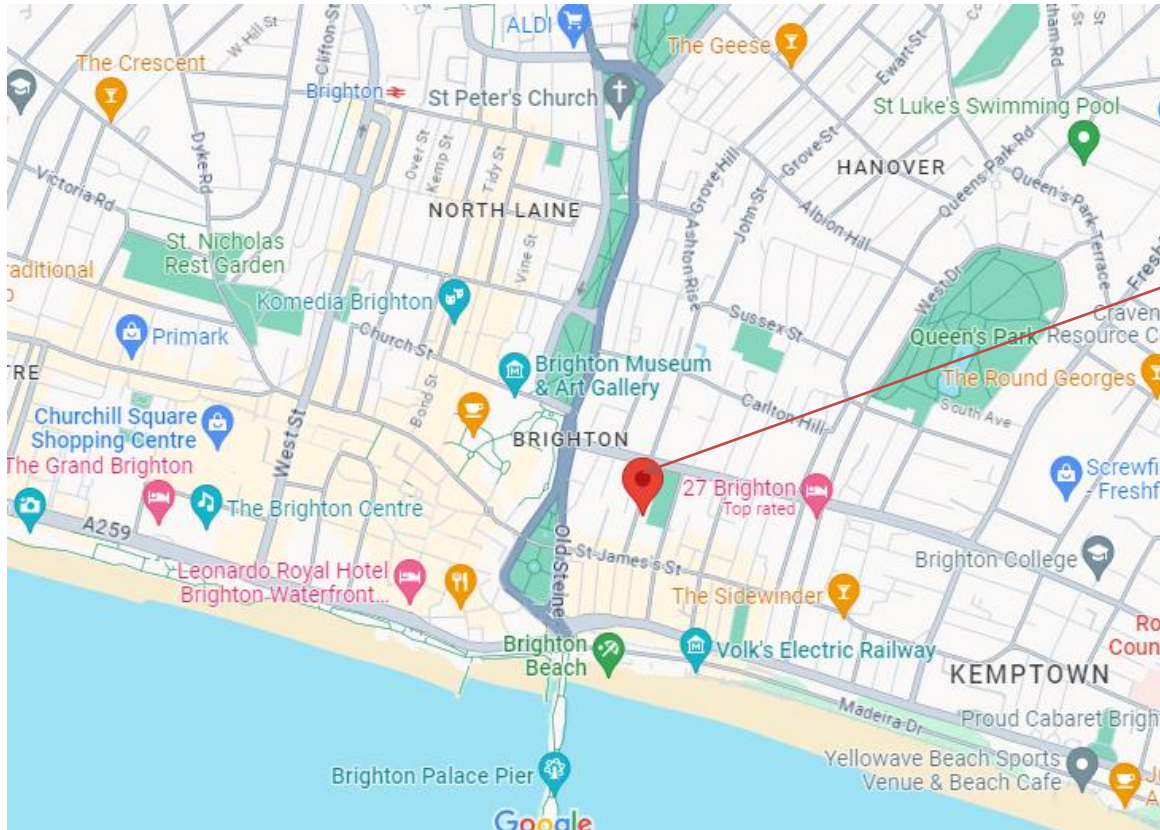


Brighton & Hove
City Council

Application Description

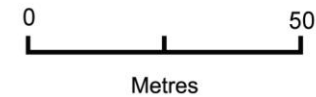
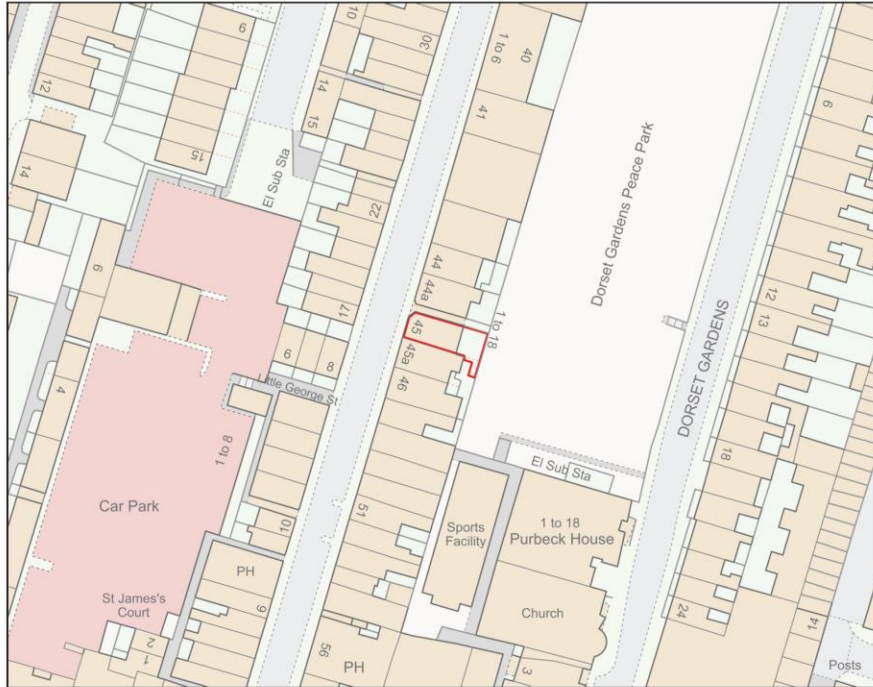
- Change of use from tattoo parlour (Sui Generis) to low/non-alcoholic bar (Sui Generis). (Retrospective).

Map of application site



Application site

Location Plan



Aerial photo(s) of site



Brighton & Hove
City Council

3D Aerial photo of site



Street photos of site



Application site



Other photos of the site

Application site



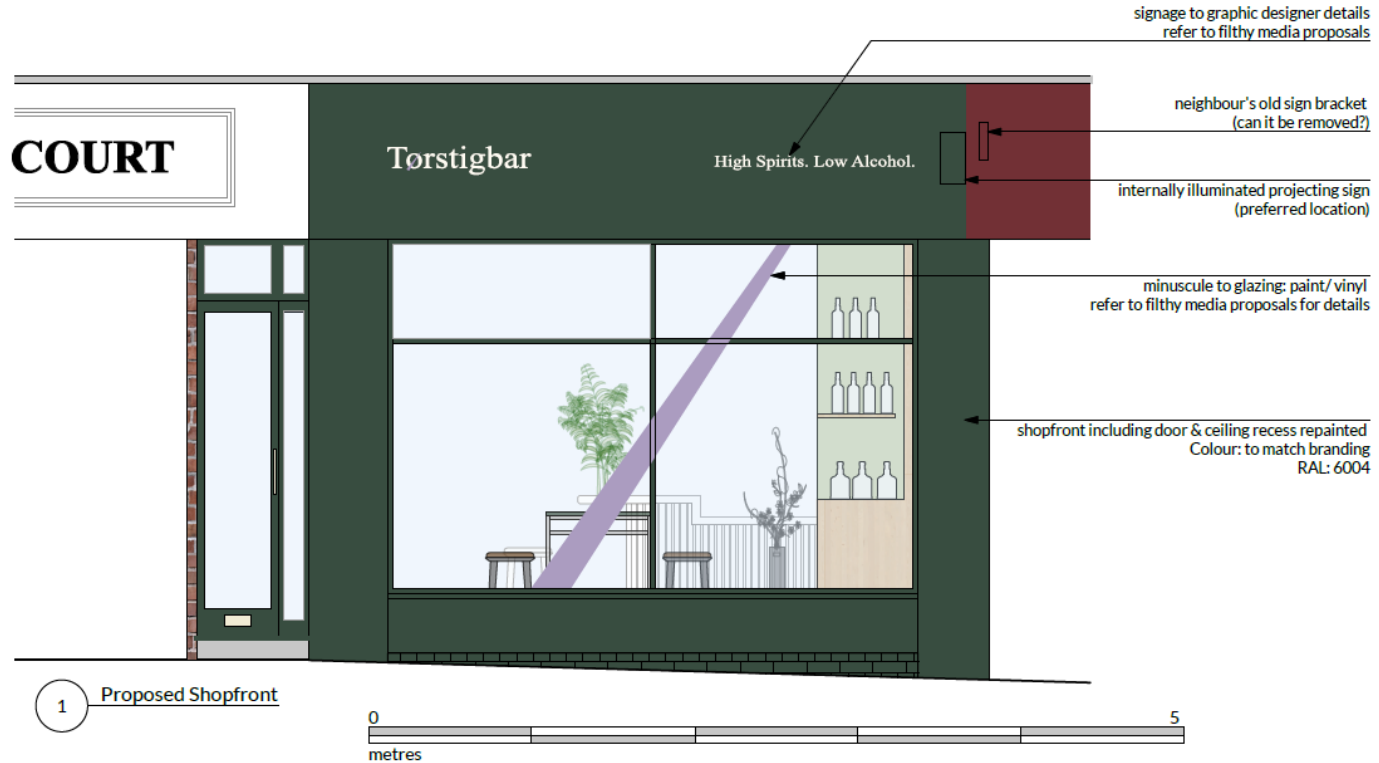
Interior of the bar



Pre-existing front elevation

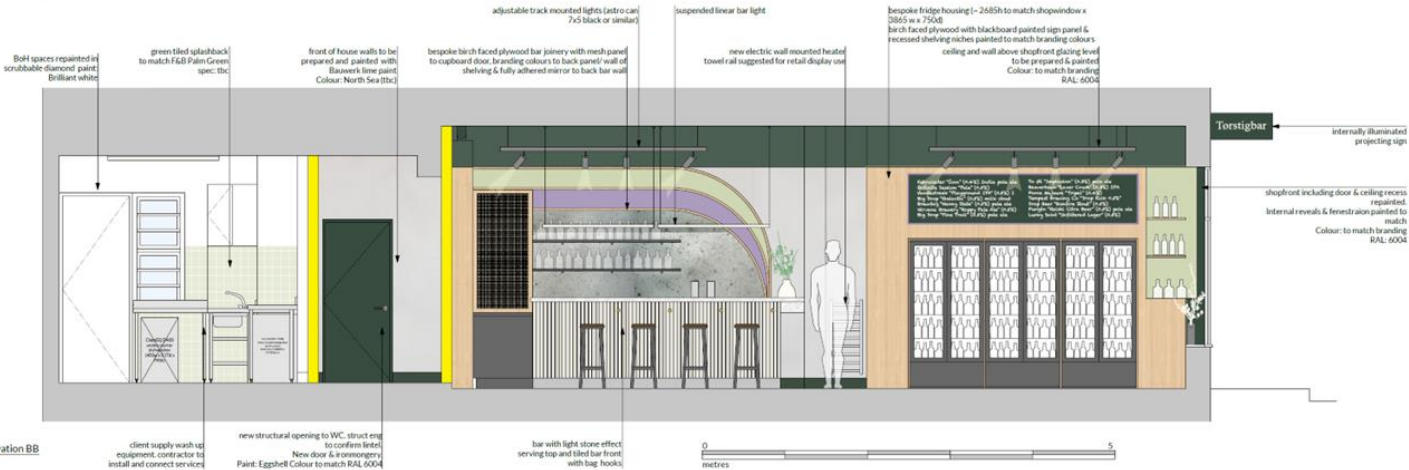
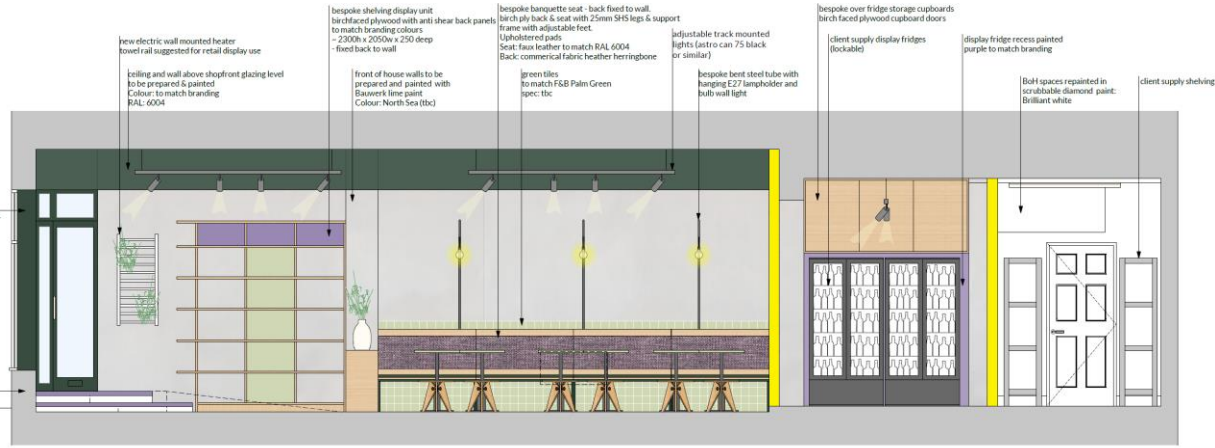


Existing Front Elevation



Site Sections

78



D20

2 Internal Elevation B&B

Representations

Fifteen (15) letters of representation have been received objecting to the proposed development on the following grounds:

- There have been noise nuisance complaints
- Questioned whether appropriate noise checks have been carried out
- Music played until late at night
- Late opening hours
- The buildings above are residential and suffer frequent disturbance
- The change of use is unsuitable
- The building pre-dates modern construction standards and noise travels throughout the building
- People gather on pavements outside the entrance to the residential units
- George Street already has too many bars/coffee shops
- Impact on property values
- The previous commercial uses have been during the daytime

Representations (cont.)

Ninety Six (96) letters of representation have been received in support of the application on the following grounds:

- The bar is a welcoming, inclusive and safe place
- The bar provides a safe venue for those who cannot or choose to not drink alcohol
- The council should support small and innovative businesses
- People travel into the city to visit the bar and boost the local economy
- The bar is a community and cultural asset
- The bar decreases anti-social behaviour
- This is the only non-alcoholic bar in the city
- The bar is less disruptive than a traditional bar
- The street already has traditional bars/pubs on it
- The bar works alongside local suppliers and businesses
- Never issues with antisocial behaviour
- Supports the mental health of Brighton residents
- The bar is considerate to neighbours
- The bar helps to lift the look of the street
- The bar provides choice and variety for non-drinkers

Key Considerations in the Application

- Principle of the change of use
- Design and appearance
- Impact on conservation area
- Impact on Amenity
- Highways

Conclusion and Planning Balance

- The former use of the site as a tattoo parlour is not protected by local plan policies and the loss of this former use is therefore considered acceptable.
- It is considered that the change of use will still maintain the commercial character of the street at ground floor level, providing an active shop front and therefore will not impact the character of the conservation area.
- The proposed use of the site as a commercial bar is appropriate in this mixed-use location and is not considered to result in harmful amenity impact to neighbouring properties.
- The application is acceptable on highways grounds.
- The application is therefore recommended for **approval**.

18 Woodland Way

BH2023/01950

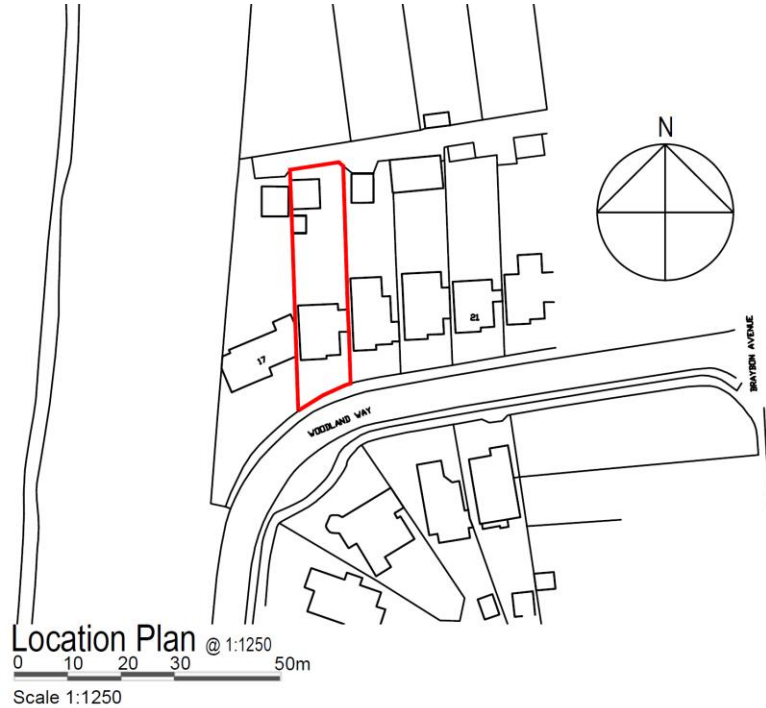


**Brighton & Hove
City Council**

Application Description

Replacement of rear garage with a single storey garden annex building, and for the use of this building as a holiday let (sui generis).

Existing Location Plan



Aerial photo(s) of site



3D Aerial photo of site



Street photo(s) of site

Unmade access road leading to rear of site

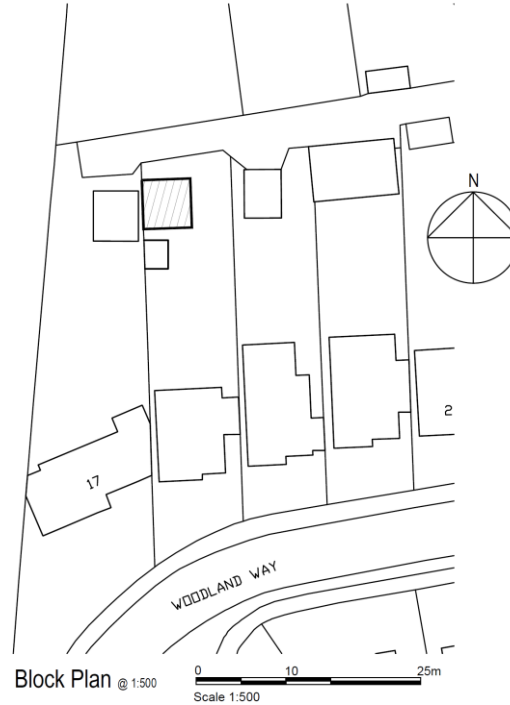


Other photo(s) of site

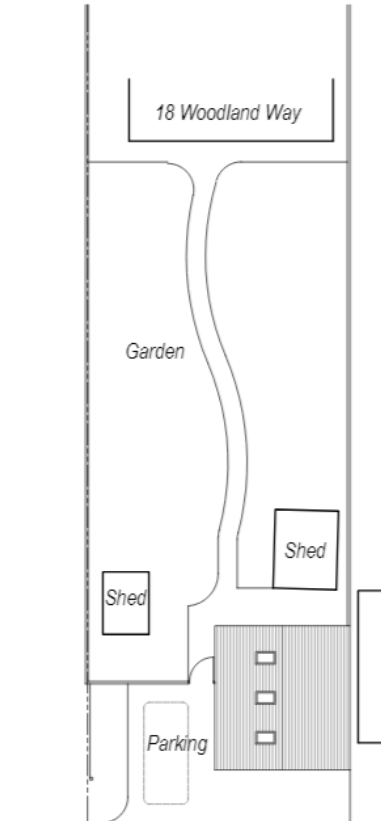
Existing garage to be replaced



Existing Block Plan

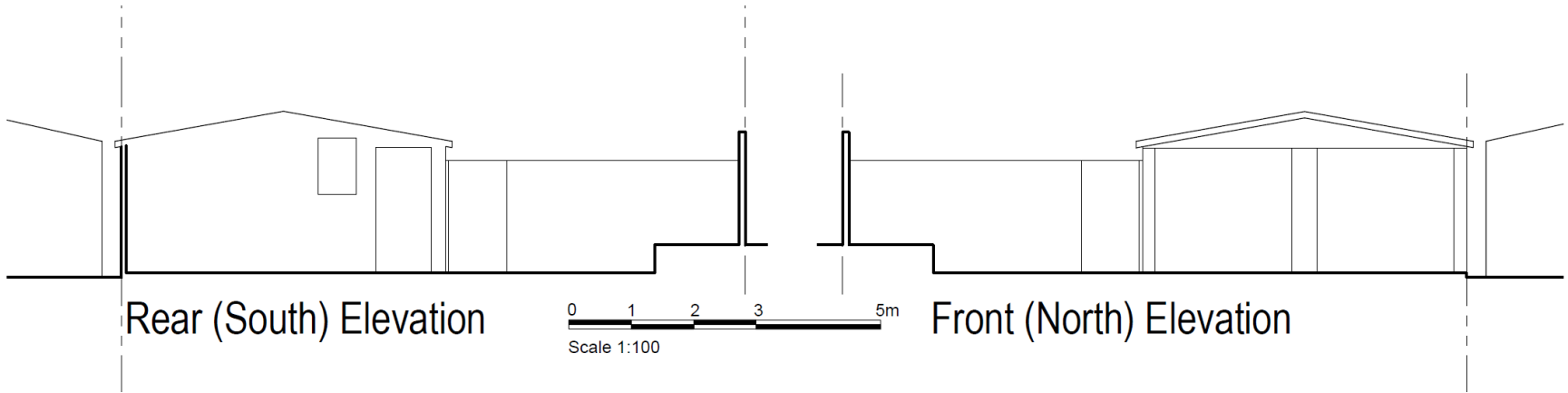


Proposed Block Plan



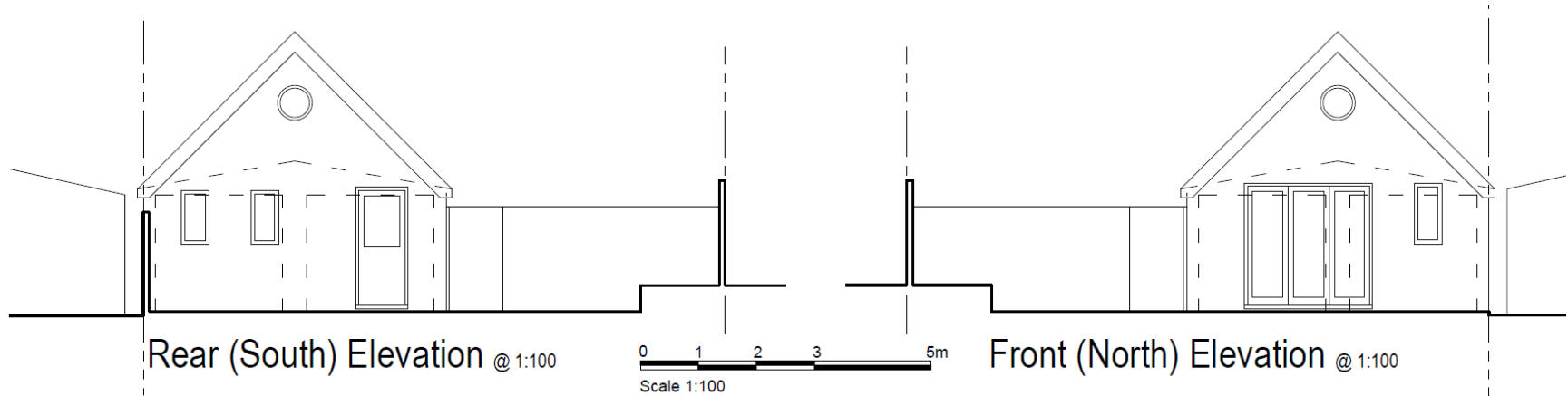
Existing Elevations

92

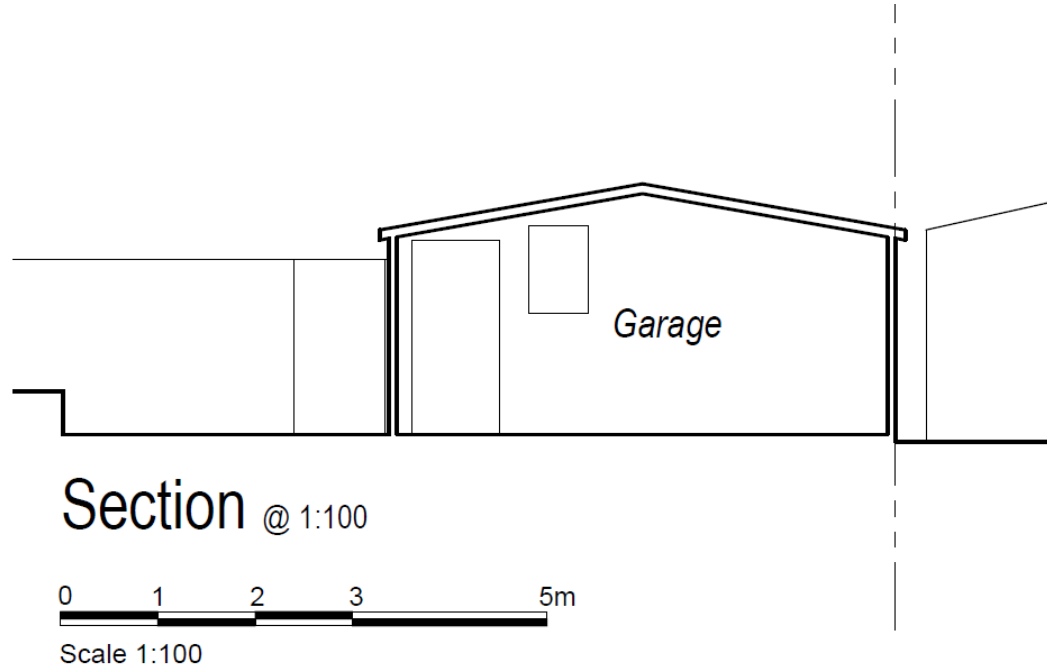


Proposed Elevations

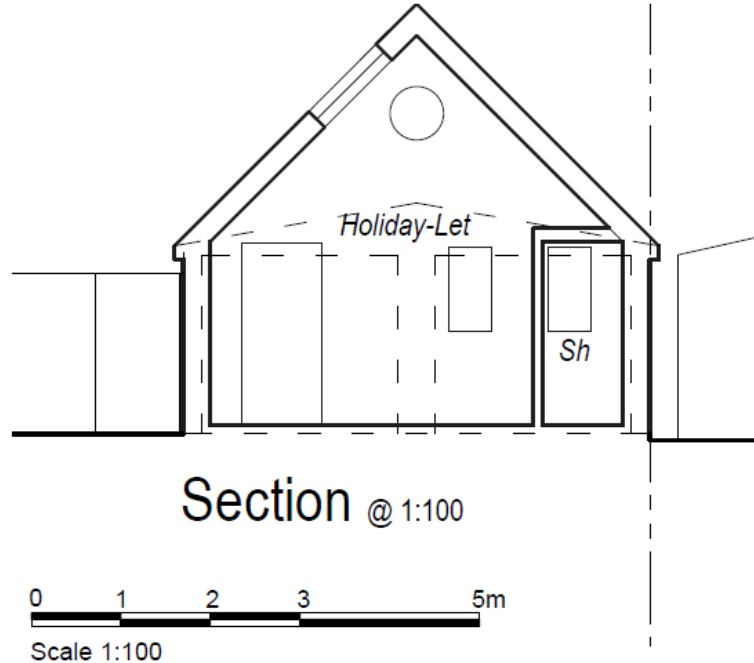
93



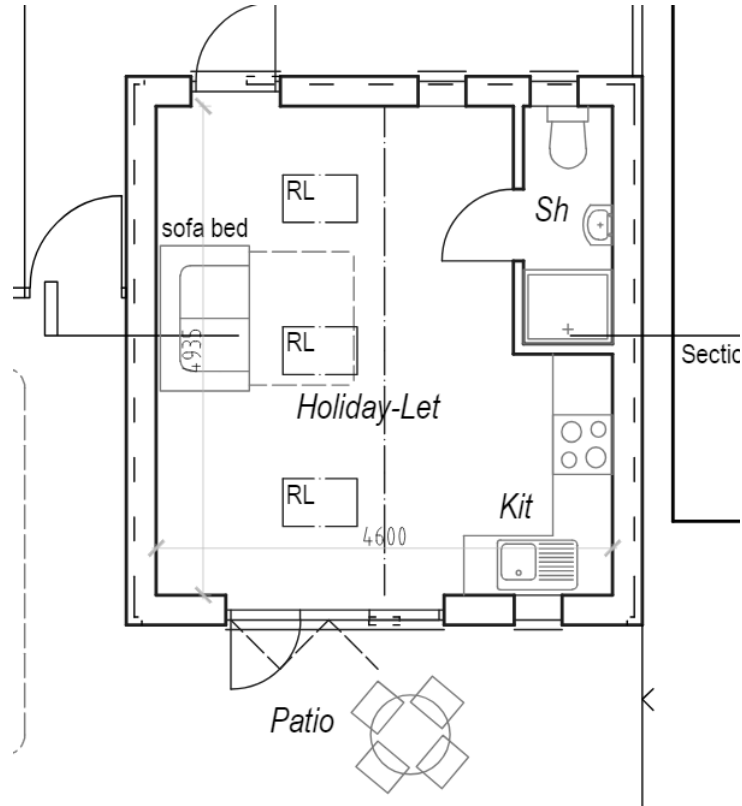
Existing Site Section(s)



Proposed Site Section(s)



Proposed Floorplan



Representations

Six (6) letters of objection:

- Additional traffic
- Noise
- Loss of privacy
- Out of character for neighbourhood
- Use of private track
- Drainage and sewage capacity
- Precedent for similar developments
- Anti-social behaviour from holiday let occupiers

Key Considerations in the Application

- Principle of development
- Design and appearance
- Impact upon neighbours
- Transport

Conclusion and Planning Balance

- Provision of 'wide ranging' types of visitor accommodation supported by Policy CP6
- The proposal would not be visible from the public realm, however it is nevertheless considered acceptable in terms of design and appearance.
- Modest scale of building is considered to limit the potential noise disturbance generated by the proposed use. Conditions are recommended to limit occupancy to a maximum of two (2).
- Location does not lend itself to 'party house' use
- Vehicle movements and comings and goings are considered unlikely to significantly increase compared to current use as a double garage.
- Transport team have raised no objection to the loss of the two garage spaces.
- Approval is therefore recommended, subject to conditions.

Former Peter Pan's Playground Site, Madeira Drive

BH2023/01955

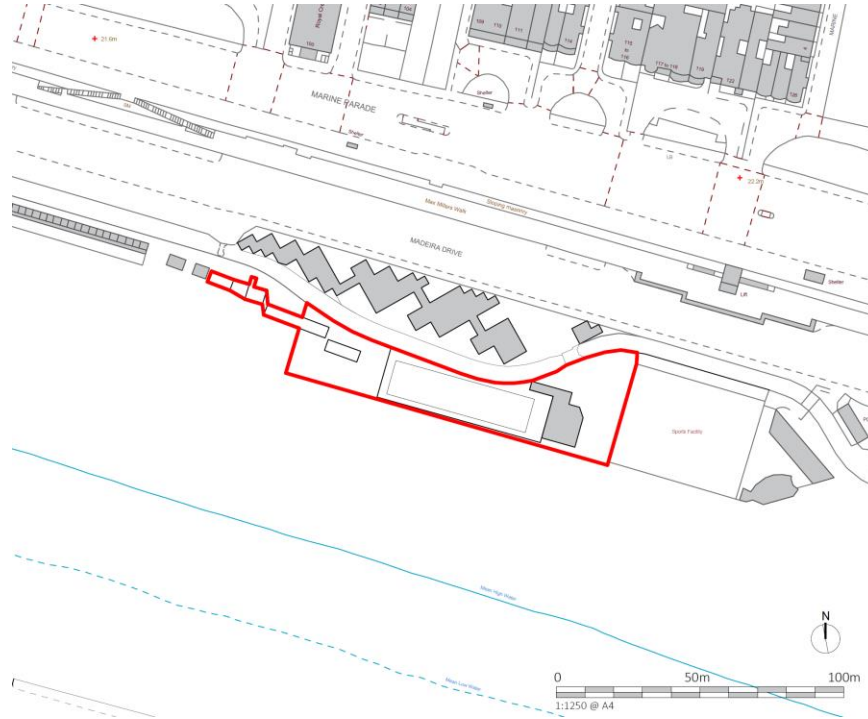


Brighton & Hove
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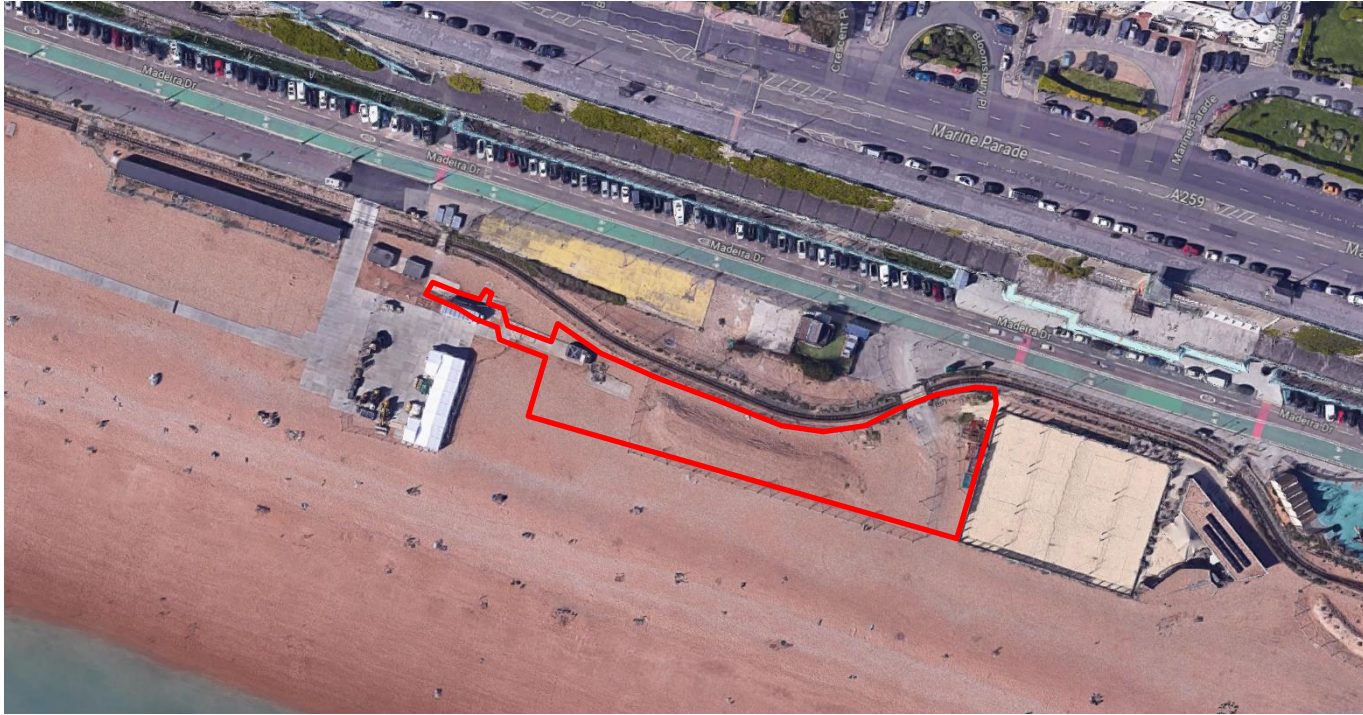
Application Description

- **Erection of 4no beach locker blocks (retrospective).**

Existing Location Plan



Aerial photo(s) of site



3D Aerial photo of site



Street photo(s) of site



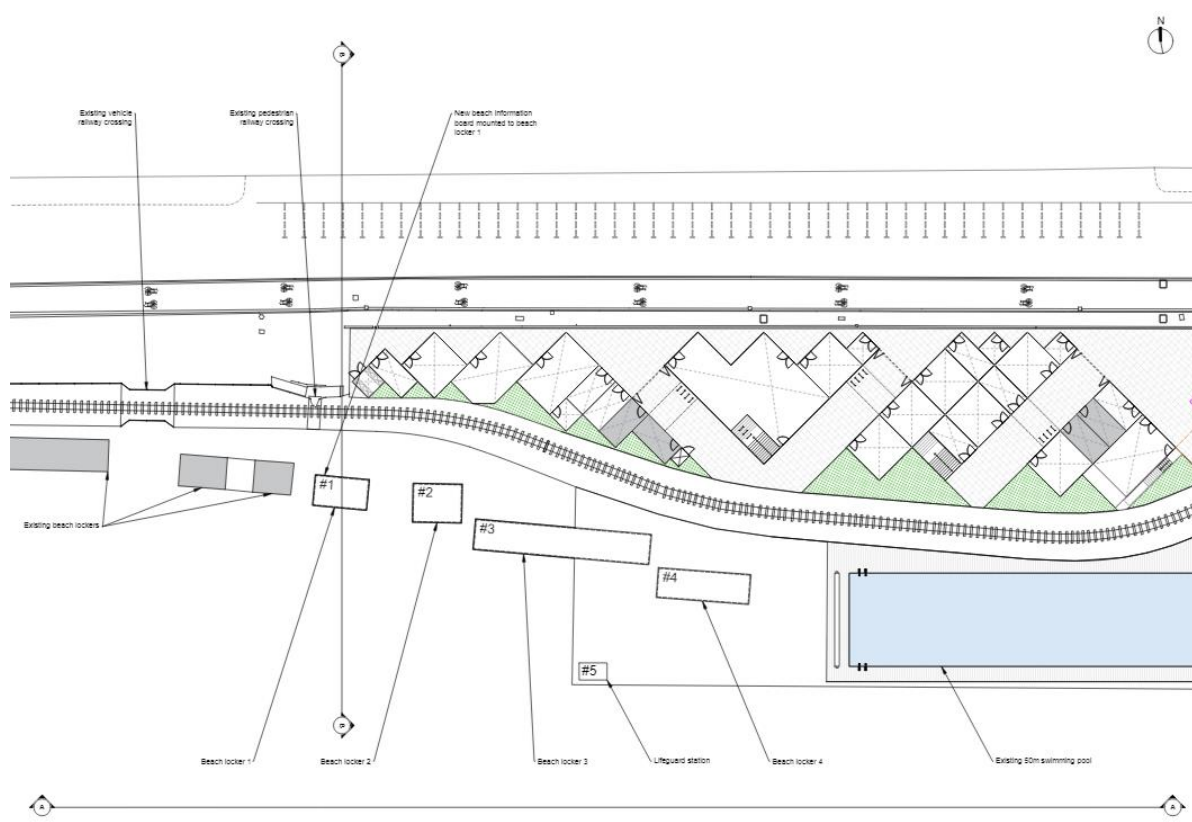
Other photo(s) of site



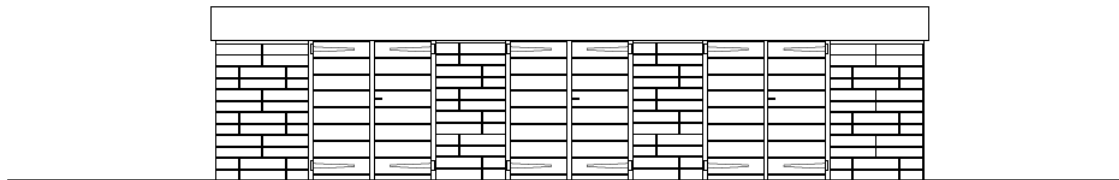
Other photo(s) of site



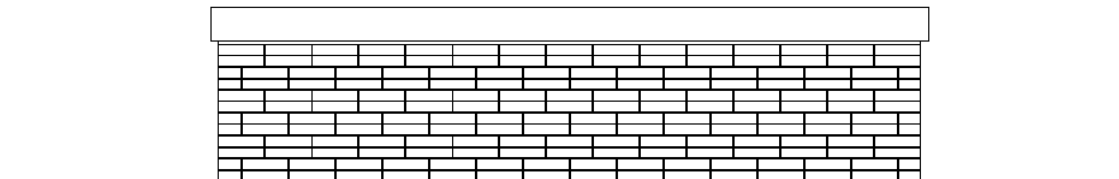
Proposed Block Plan



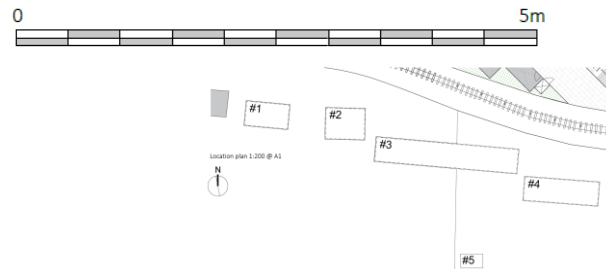
Proposed Elevations (Block 1)



Block 1 - South elevation 1:50 @ A1



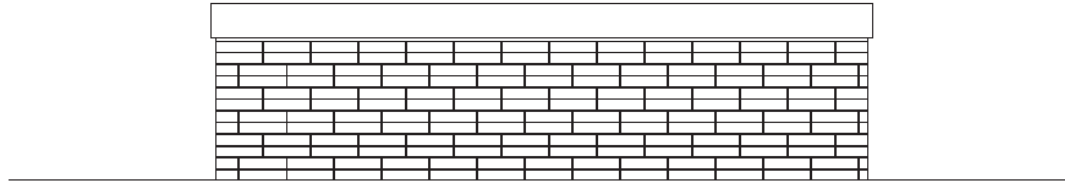
Block 1 - North elevation 1:50 @ A1



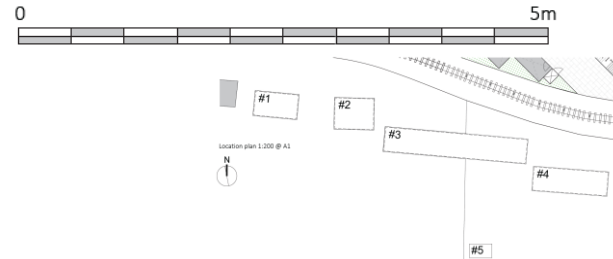
Proposed Elevations (Block 2)



Block 2 - South elevation 1:50 @ A1



Block 2 - North elevation 1:50 @ A1

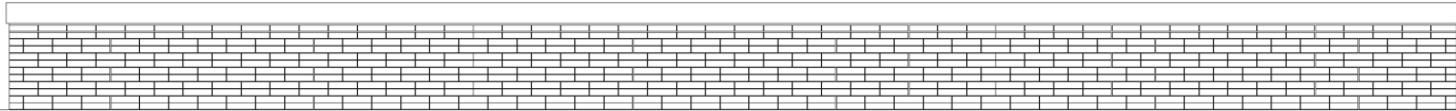


Proposed Elevations (Block 3)

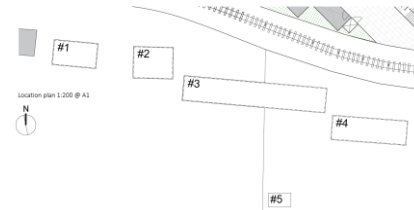
112



Block 3 - South elevation 1:50 @ A1



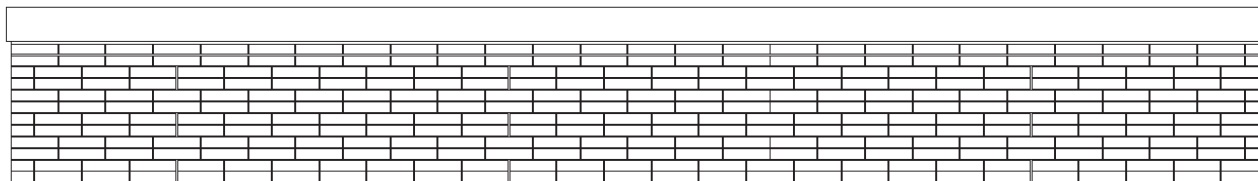
Block 3 - North elevation 1:50 @ A1



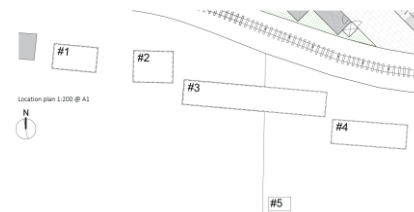
Proposed Elevations (Block 4)



Block 4 - South elevation 1:50 @ A1

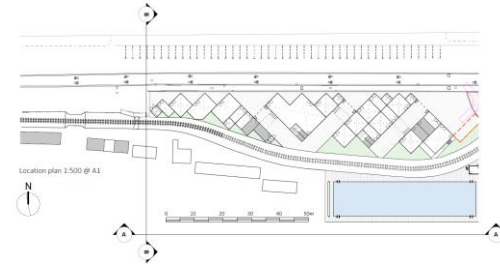


Block 4 - North elevation 1:50 @ A1

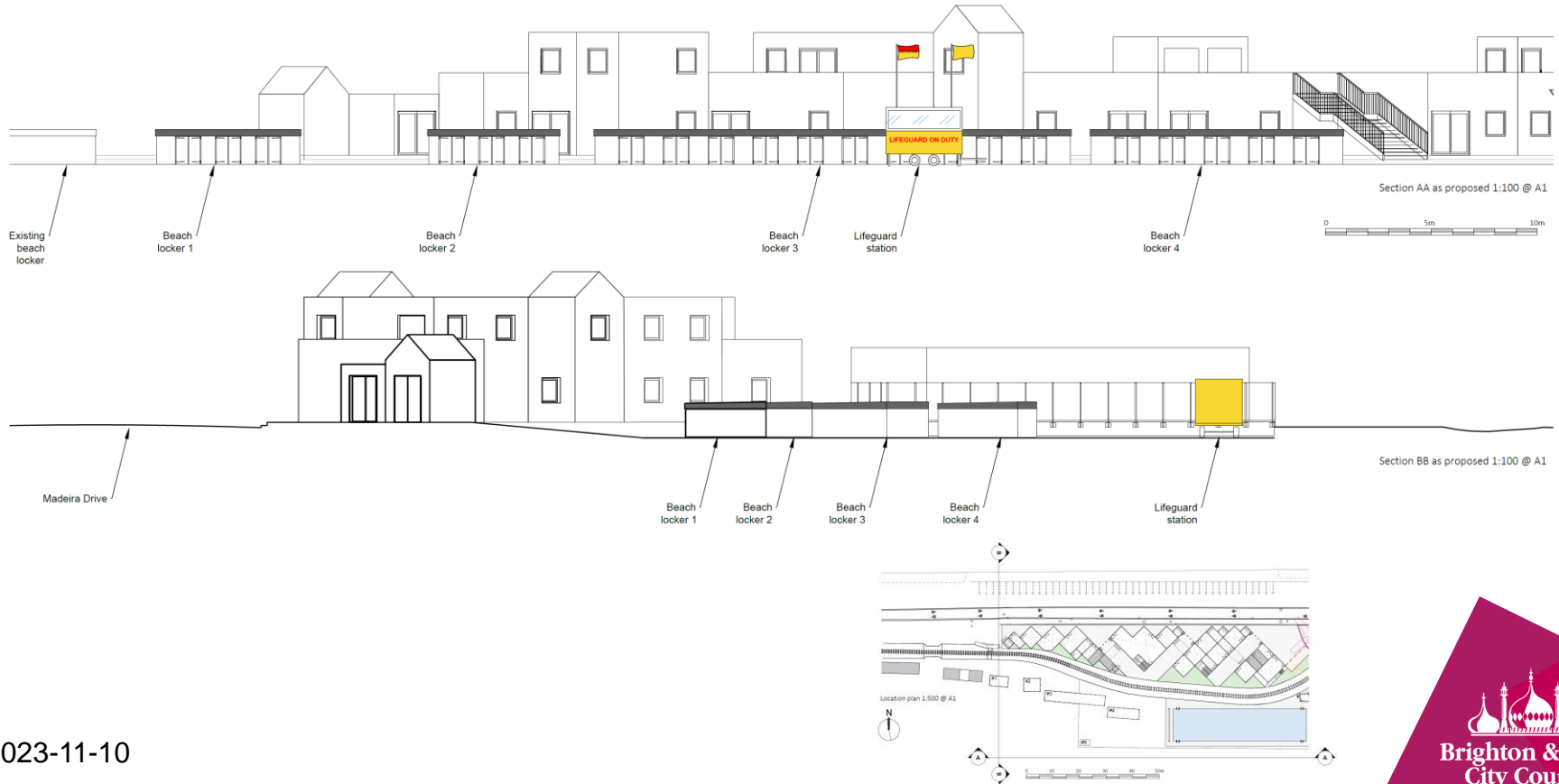


Existing Site Section(s)

114



Proposed Site Section(s)



Representations

Forty-six (46) letters of support, raising the following points:

- Good design
- Enhances Sea Lanes development
- Vital storage for charity after losing previous venue
- Promotes safety of seafront as club members aid the public
- Endorse statement by the BSLSC
- Attractive murals

Ten (10) letters of objection, raising the following points:

- Overdevelopment
- Poor design
- Loss of view
- Surf Lifesaving Club is a club with a membership fee

- Have been built without permission
- Development creep/privatisation across the beach
- Object to the faux-graffiti style painting of the lockers
- Poor location blocking view of the sea
- The pedestrian crossing over the railway and the access to the lockers should be improved
- The land is owned by the Council

Lloyd Russell-Moyle MP has written to support the application for the following reasons:

- Replacement of pre-existing structures, to a higher standard
- Views not obstructed

Key Considerations in the Application

- Principle of development
- Design, Appearance, Heritage

Conclusion and Planning Balance

- Proposals are considered an appropriate use for the seafront and use by local charities/organisations is supported
- However, concerns are held regarding visual impact and failure to conserve and enhance the Conservation Area.
- An appropriate balance is considered to be to allow the proposals for a temporary time period, to align with the Sea Lanes structures to the north of the Volks Railway Line.
- Approval is therefore recommended, subject to conditions.

10-12 New Church Road

BH2023/01305

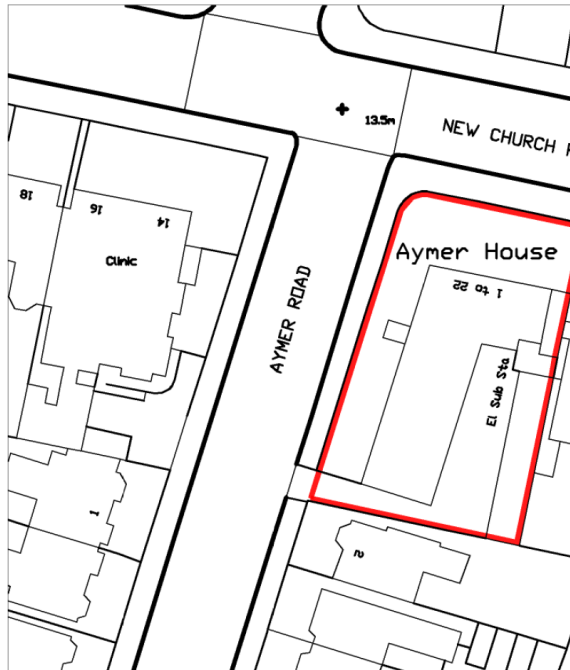


**Brighton & Hove
City Council**

Application Description

- Demolition of car port and erection of garage block.

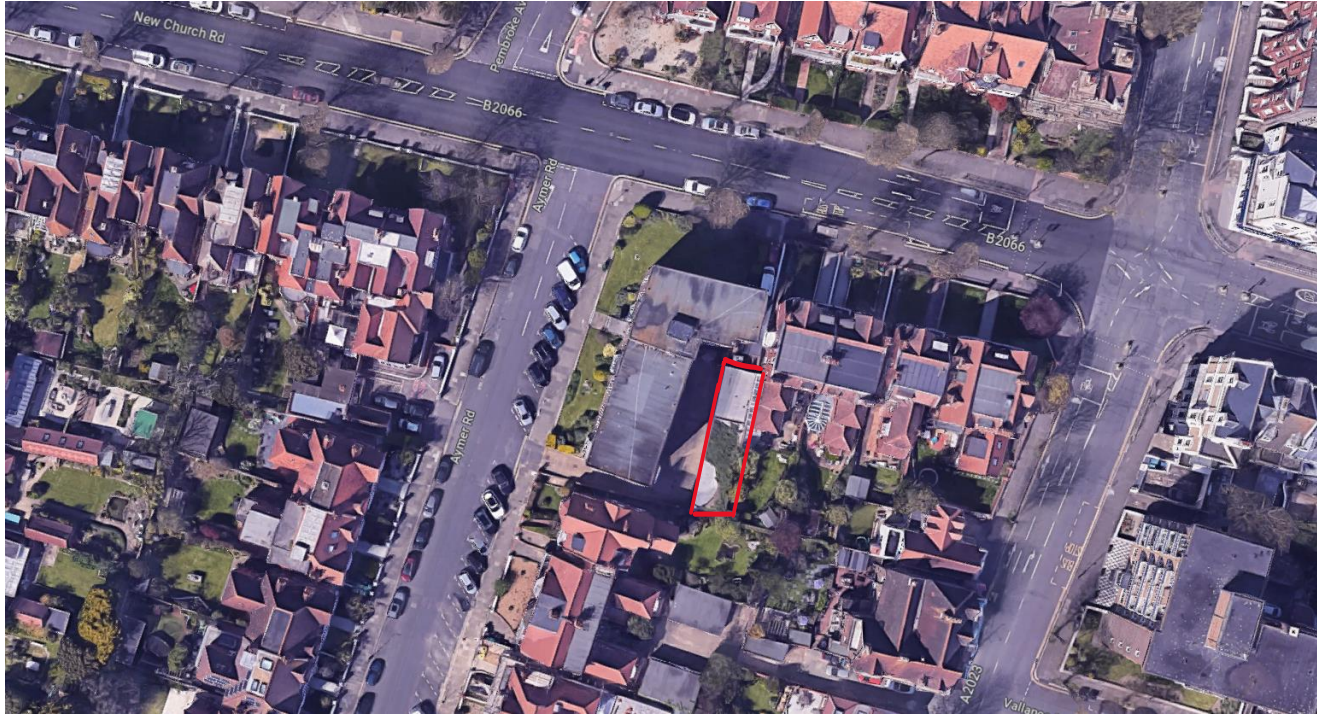
Location Plan



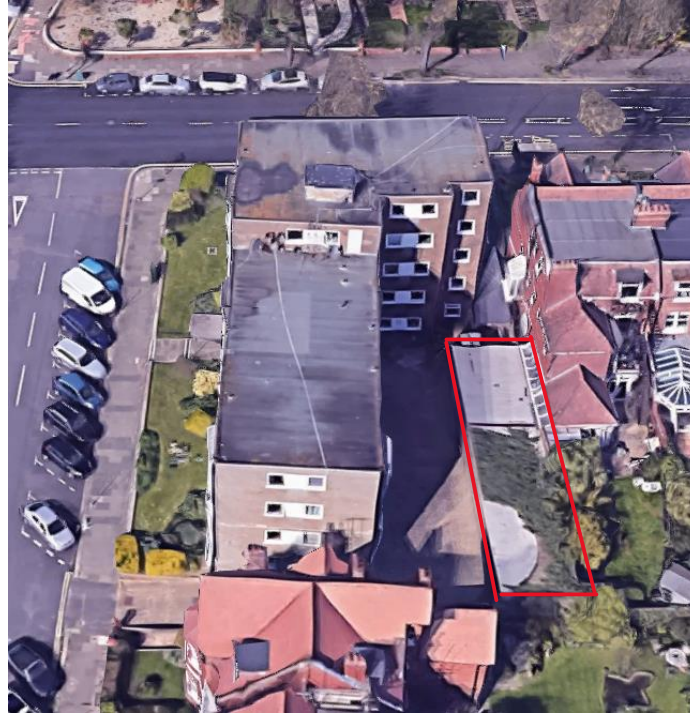
Existing site location plan
Scale 1:1250@A3



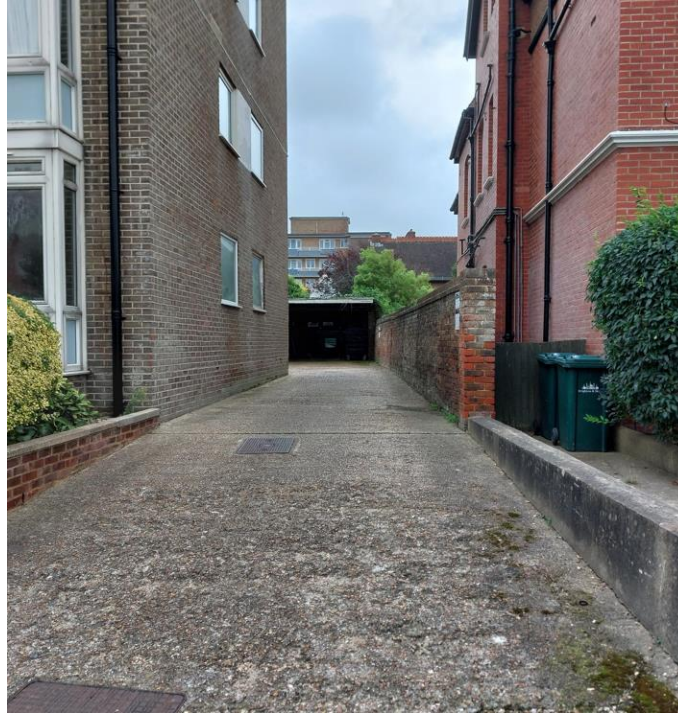
Aerial photo(s) of site



3D Aerial photo of site



Street photo(s) of site



Other photo(s) of site



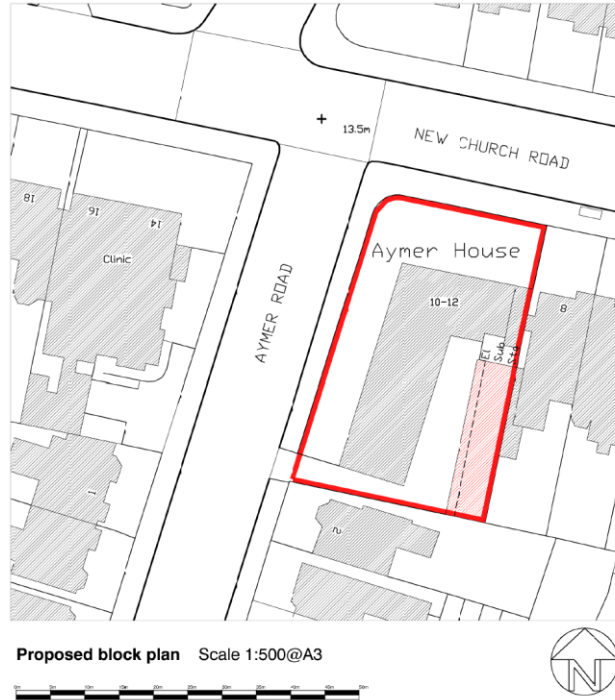
Other photo(s) of site



Other photo(s) of site



Proposed Block Plan



Proposed block plan Scale 1:500@A3



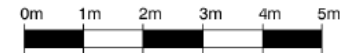
Number of units

- 6 x single car garages (net increase of +2)
- 1 x cycle parking store
- 1 x refuse & recycling store

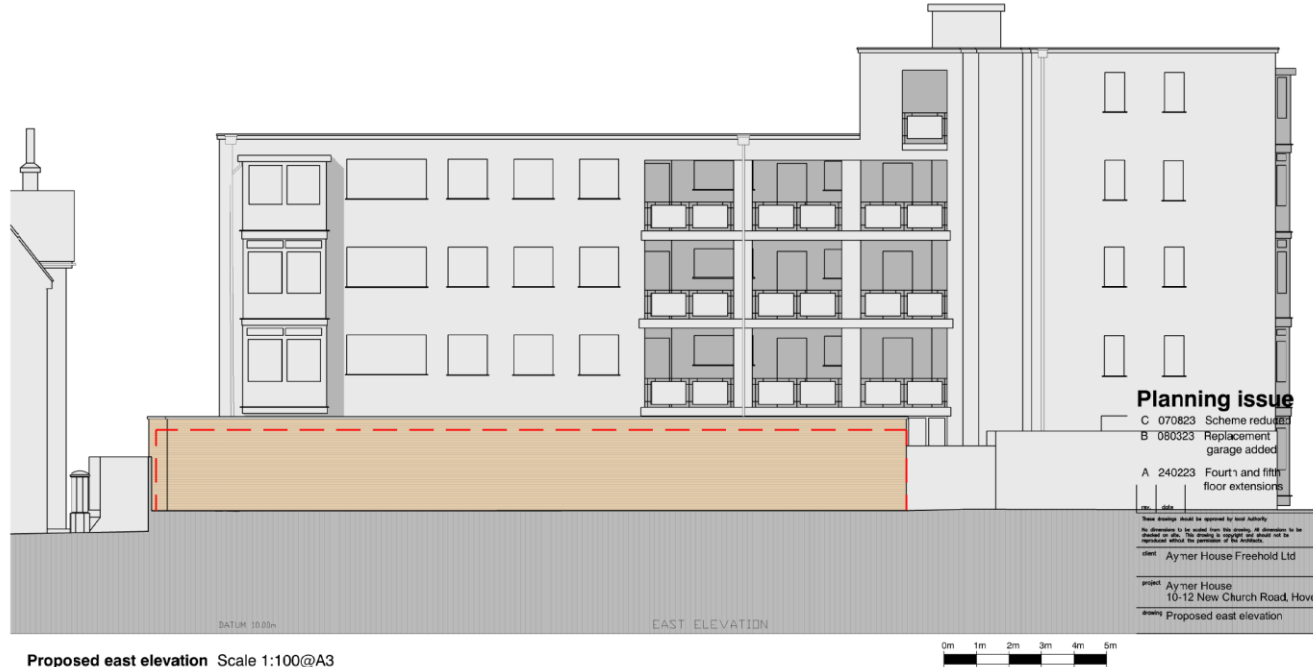
Proposed Front Elevation (Garages)



Proposed front / west elevation Scale 1:100@A3



Proposed Rear Elevation



Proposed east elevation Scale 1:100@A3

Existing Contextual Front Elevation



Existing Aymer Road / west facing street elevation Scale 1:200@A3

Proposed Contextual Front Elevation



Proposed Aymer Road / west facing street elevation Scale 1:200@A3

Proposed Site Section(s)



Proposed cross section AA Scale 1:100@A3
See drawing TA 1478 - 12 & 13 for section reference



Representations

Thirteen (13) representations have been received between 4th and 15th June, objecting to the initial proposal on the following grounds:

- Loss of sunlight, privacy, and views due additional storeys
- Additional storeys will cause visual harm to the significance of the conservation area.
- Additional residential units will cause additional parking stress and noise.

It should be noted that none of the objections received specify the garage block as a concern.

Following the amendment to the application, reducing the schedule of works down to include only the erection of the garage block and a further consultation period, no further representations have been received.

Key Considerations in the Application

- Design and Appearance
- Impact on Amenity
- Impact on Highway Safety

Conclusion and Planning Balance

- Considered to be an improvement both in terms of appearance and functionality.
- Increased impact on amenities of adjacent occupiers due to greater height/scale, but harm is not considered to be significant or to outweigh the benefits of the scheme.

