

# **PLANNING COMMITTEE ADDENDUM Presentations**

**2.00PM, WEDNESDAY, 4 DECEMBER 2024**

**COUNCIL CHAMBER, HOVE TOWN HALL**

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## **ADDENDUM**

<b>ITEM</b>		<b>Page No.</b>
A	BH2023/01058 - 15-26 Lincoln Cottages, Brighton - Full Planning	3 - 22
B	BH2024/01723 - St Margarets, High Street, Rottingdean, Brighton - Full Planning	23 - 42
C	BH2024/01289 - Land to the Rear of 15 Dean Court Road, Rottingdean, Brighton - Full Planning	43 - 68
D	BH2024/01717 - 8 Stanford Close, Hove - Householder Planning Consent	69 - 100
E	BH2024/02094 - 44 Saxon Road, Hove - Removal or Variation of Condition	101 - 120
<b>43</b>	<b>RIGHTS OF WAY DEFINITIVE MAP MODIFICATION ORDER</b>	<b>121 - 132</b>



# 15-26 Lincoln Cottages

## BH2023/01058

4<sup>th</sup> December 2024



Brighton & Hove  
City Council

# Application Description

- ▶ **Erection of 8x three-storey dwellings**
- ▶ **To replace existing garages/storage units**
- ▶ **Associated works include landscaping, cycle and bin storage**

# History

- ▶ **Permission for 9 dwellings secured at Appeal (BH2022/03810)**
- ▶ **Proposed scheme similar to extant permission scheme**
- ▶ **Amendments:**
  - ▶ 8 dwellings (instead of 9)
  - ▶ Increased landscaping/ communal garden space
  - ▶ Bin collection point location amended
  - ▶ Affordable Housing contribution of £112,000 following DVS viability assessment (policy compliant amount £545,800)

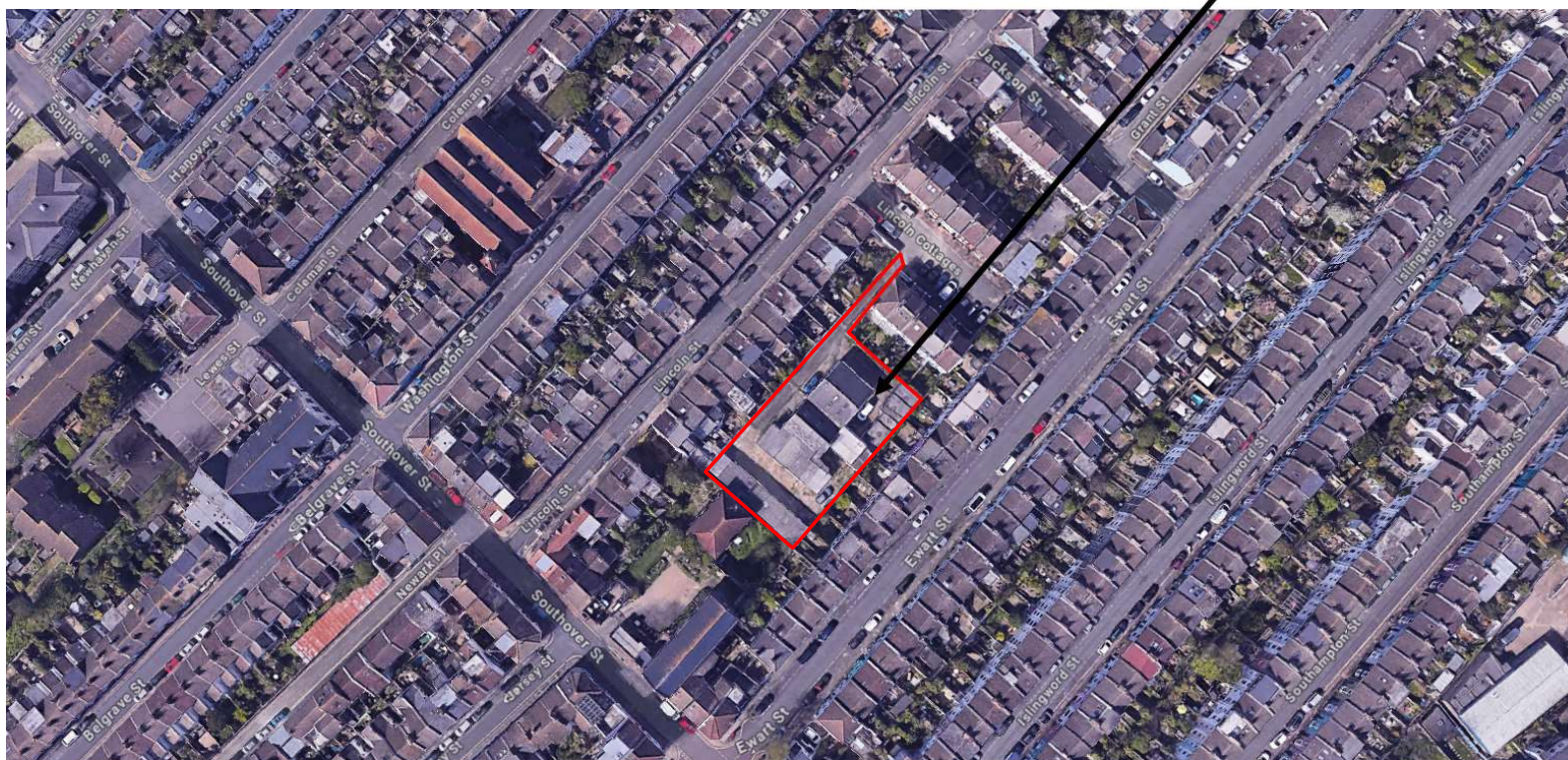
# Existing Location Plan



1712-01



# Aerial Photo of Site



Site



# 3D Aerial Photo of Site



Site

# Street Photos

## Lincoln Cottages



## Lincoln Street





# Site Photos

**Entrance to site**



**North-east of site**





# Site Photos

**South-east site boundary**



**South of site**

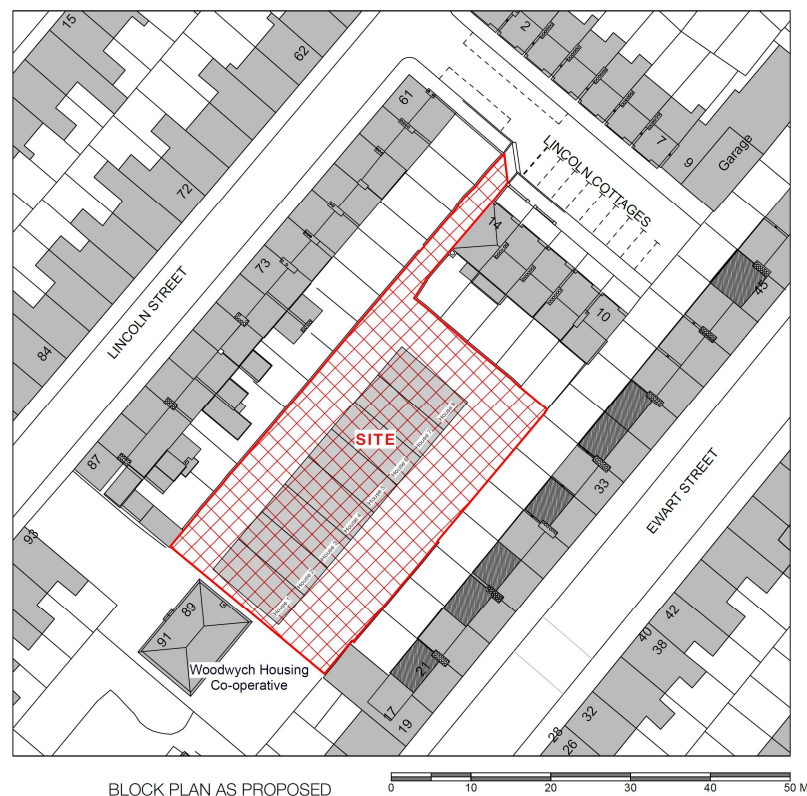
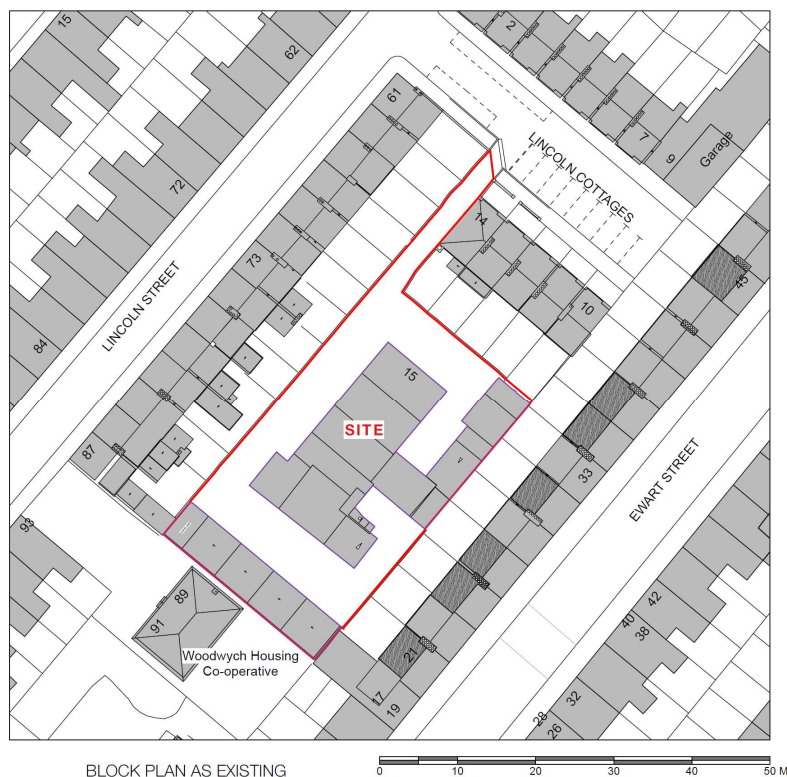


# Site Photos

## North-east site boundary

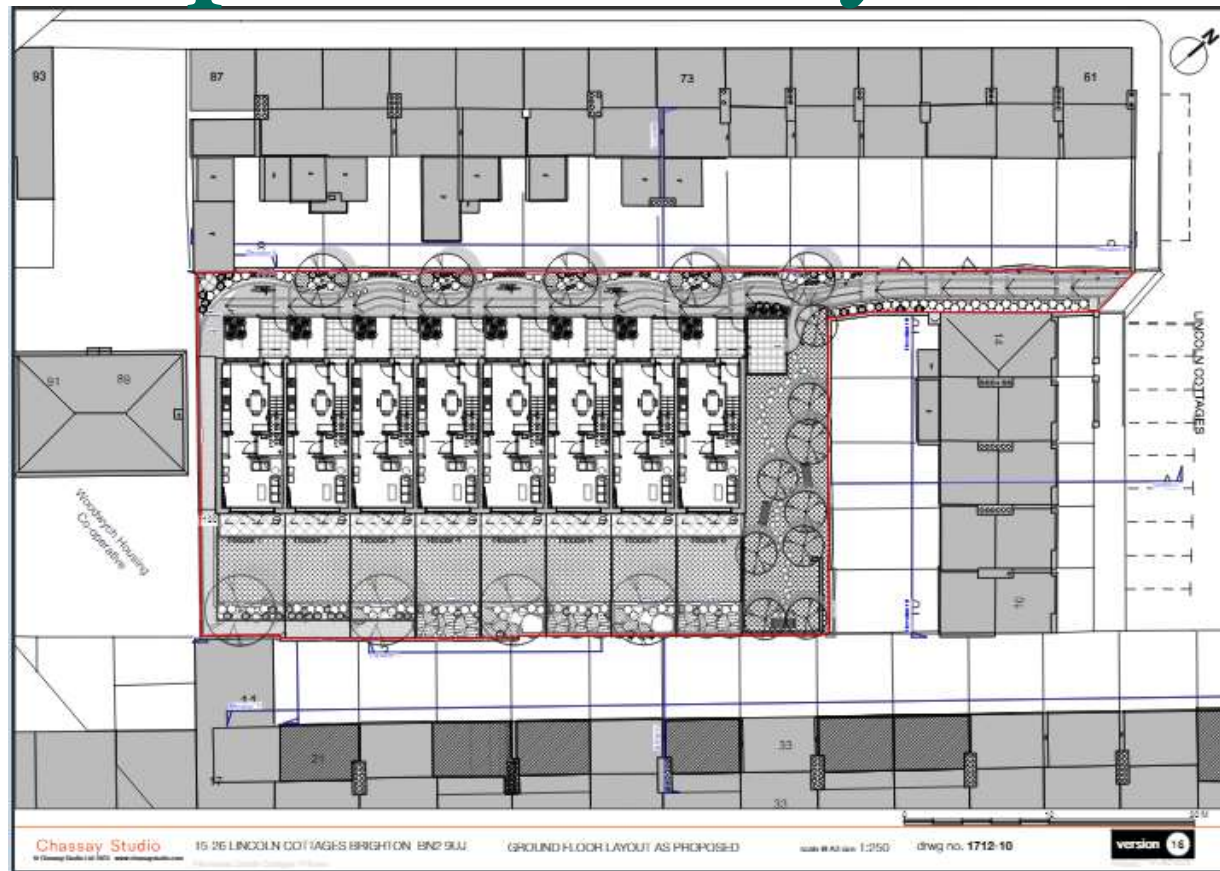


# Existing/ Proposed Block Plan





# Proposed Site Layout



1712-10 V16

# Proposed Contextual Elevations



1712-14 V16

# Proposed House Elevations



1712-17 V16

# Comparison with Appeal Scheme

## Proposed



## Appeal

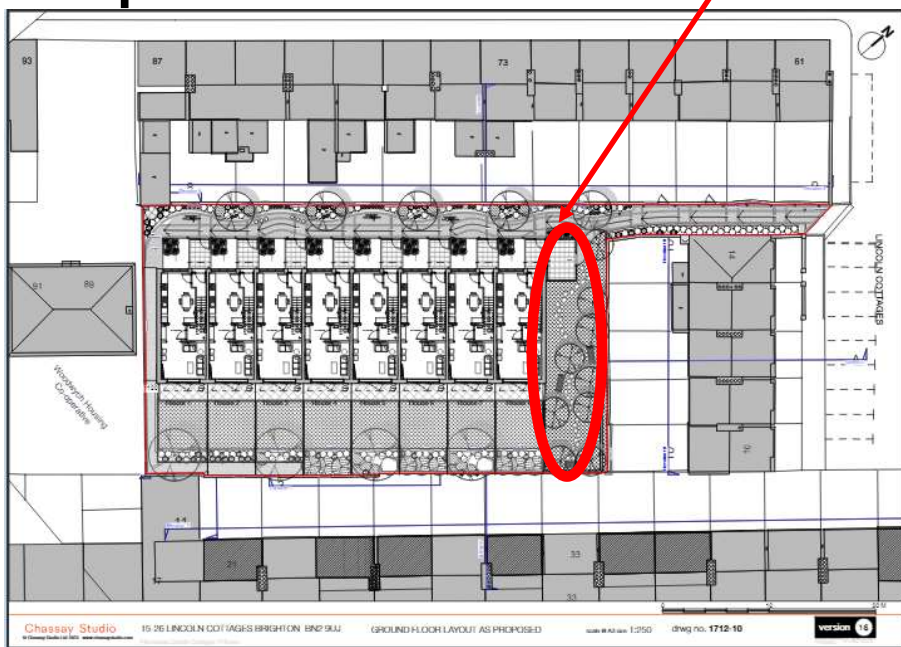




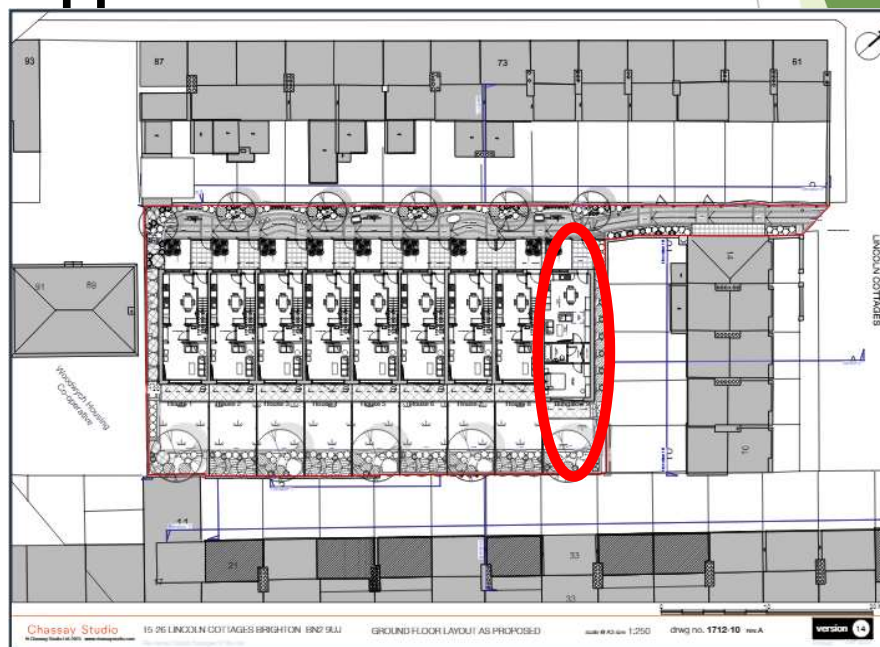
# Comparison with Appeal Scheme

## Proposed

- Bungalow deleted
- Communal Garden Provided
- Bin Storage Area moved here



## Appeal





# Representations

## **Ninety-six** objecting:

- ▶ Overdevelopment
- ▶ Inappropriate design
- ▶ Loss of employment space
- ▶ Height
- ▶ Noise
- ▶ Overshadowing and loss of light
- ▶ Overlooking and loss of privacy
- ▶ Parking issues
- ▶ Increased traffic
- ▶ Insufficient waste and refuse
- ▶ Light pollution
- ▶ Lack of open space
- ▶ Impact on trees/ biodiversity
- ▶ Lack of affordable housing

## **Sixty-two** objecting (Letter from planning consultancy):

- ▶ Overdevelopment
- ▶ Design and Appearance
- ▶ Detrimental Impact on Neighbouring Amenity
- ▶ Loss of Employment Floorspace
- ▶ Traffic & Transport
- ▶ Access
- ▶ Landscaping
- ▶ Bin Storage

## **Seven(7)**: supporting

- ▶ Significant improvement on original plan
- ▶ Improved landscaping
- ▶ Community supportive in principle of amendments
- ▶ **All objections were received in respect of the plans as first submitted**
- ▶ **Since the submission of amended plans, comments received were supportive of the scheme in principle.**

# Key Considerations

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

## S106 table:

Affordable Housing – following assessment of Financial Viability by the DVS:

- ▶ Developer contribution of £112,000 towards affordable housing provision in the city as an equivalent financial contribution.
- ▶ Review mechanism to ensure any uplift in profit is reflected in the amount secured.

# Conclusion and Planning Balance

- ▶ Site allocated in CPP2 policy H1 for residential use. Loss of the employment uses, and principle of residential development has therefore been established.
- ▶ The merits of a residential development have been considered as part of the preceding application which was allowed at appeal and is still extant.
- ▶ The Planning Inspector noted that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits of the scheme.
- ▶ The general design, siting and scale of the proposed development are comparable to the extant planning permission.
- ▶ There are not material considerations that would change the previous conclusion that the principle of a residential development of this design and quantum is acceptable.
- ▶ The application is **recommended for Approval** subject to the agreed Affordable Housing Contribution, Review Mechanism and Conditions in line with those applied by the Planning Inspector.

# St Margarets, High Street, Rottingdean

BH2024/01723

4th December 2024

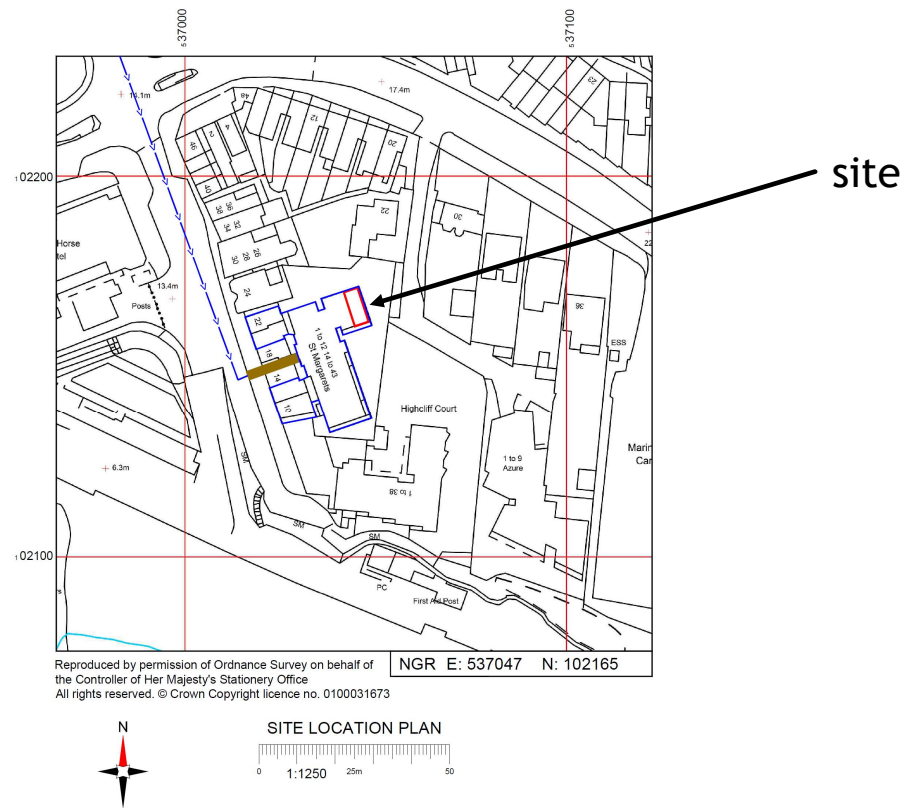


Brighton & Hove  
City Council

# Application Description

- Installation of 1No. EE and 1No. H3G Antenna Aperture on Valmont frame on plinths, EE and H3G BOBs behind antennas, 1No. H3G unilateral cabinet on steel grillage, 2No. EE Unilateral cabinets on steel grillage, EE/H3G MK5 Link AC on steel grillage, 1No. EE and 1No. H3G antenna aperture on Valmont frame on plinths, EE & H3G BOB'S behind antennas, 4No. EE and 4No. H3G RRU'S on pole on Valmont tripod, 2No. EE & H3G 600Ø dishes on antenna pole, 2No. EE & H3G 600Ø dishes on antenna pole (behind) and ancillary equipment for the purposes of telecommunications development.

# Location Plan





# Aerial Photo of Site





# 3D Aerial Photo of Site



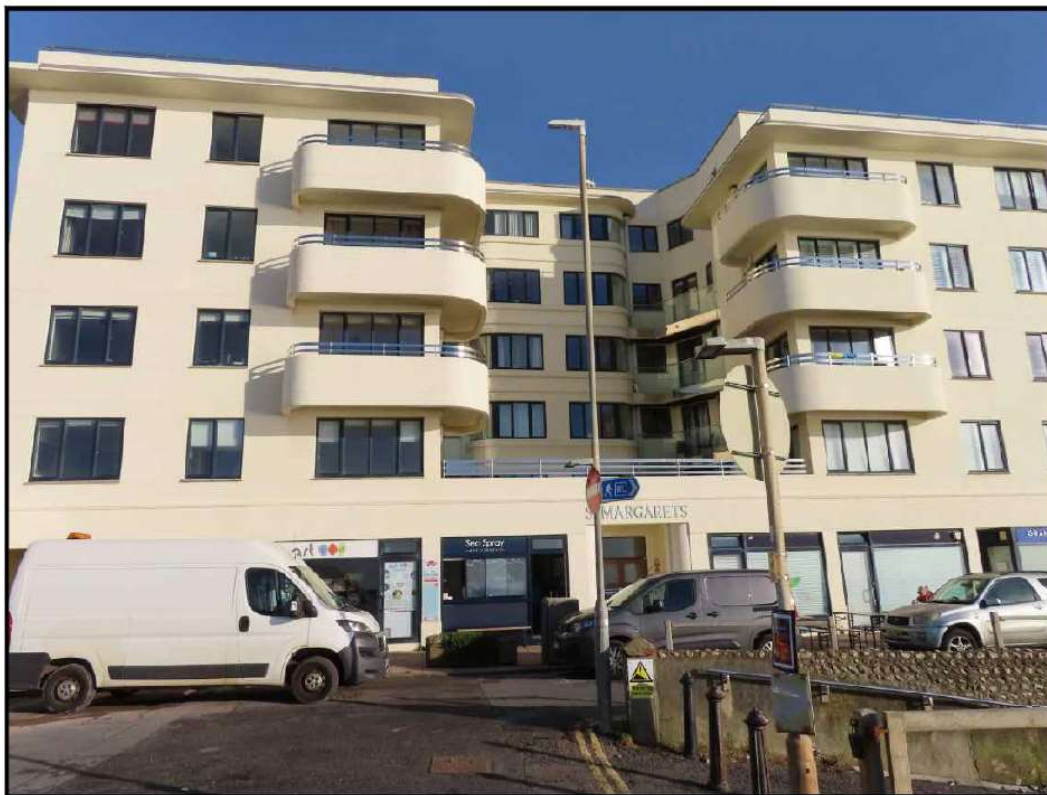
Previous site  
at White  
Horses, now  
removed

Proposed  
development  
(proposed  
equipment in  
location  
marked in  
green)

Existing  
temporary  
base station

# Street Photo of Site

View from High  
Street



002

# Street Photo of Site

View from  
Marine Drive,  
northeast of  
the site





# Street Photo of Site

View from  
land east of  
Marine Cliffs  
Car Park, east  
of the site



002

# Street Photo of Site

View from  
corner of West  
Street Car  
Park, north-  
west of the  
site



# Other Photo of Site

View of  
existing base  
station on  
application  
site rooftop

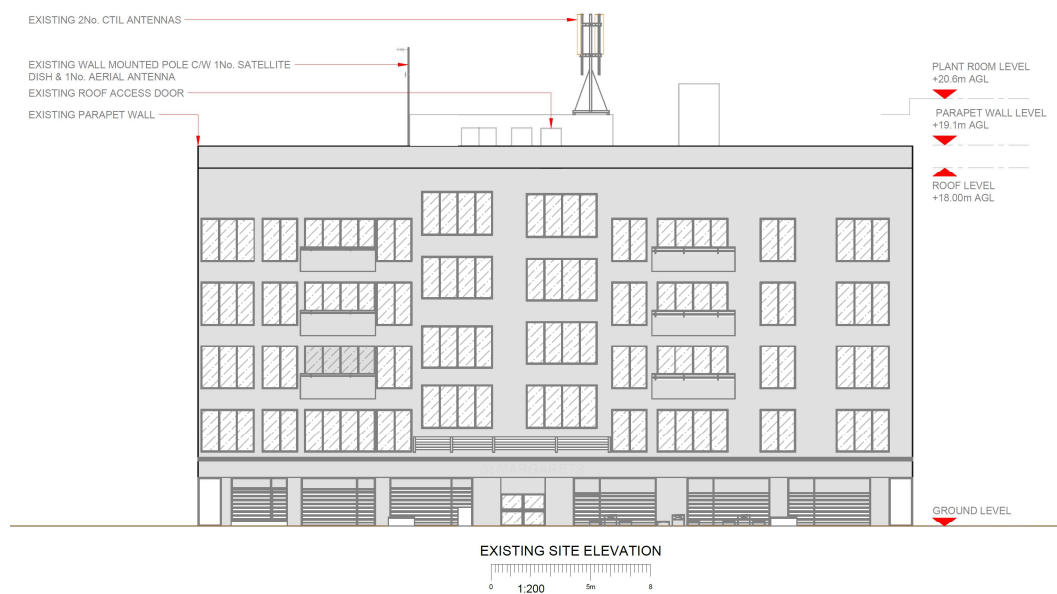




# Photo of temporary site

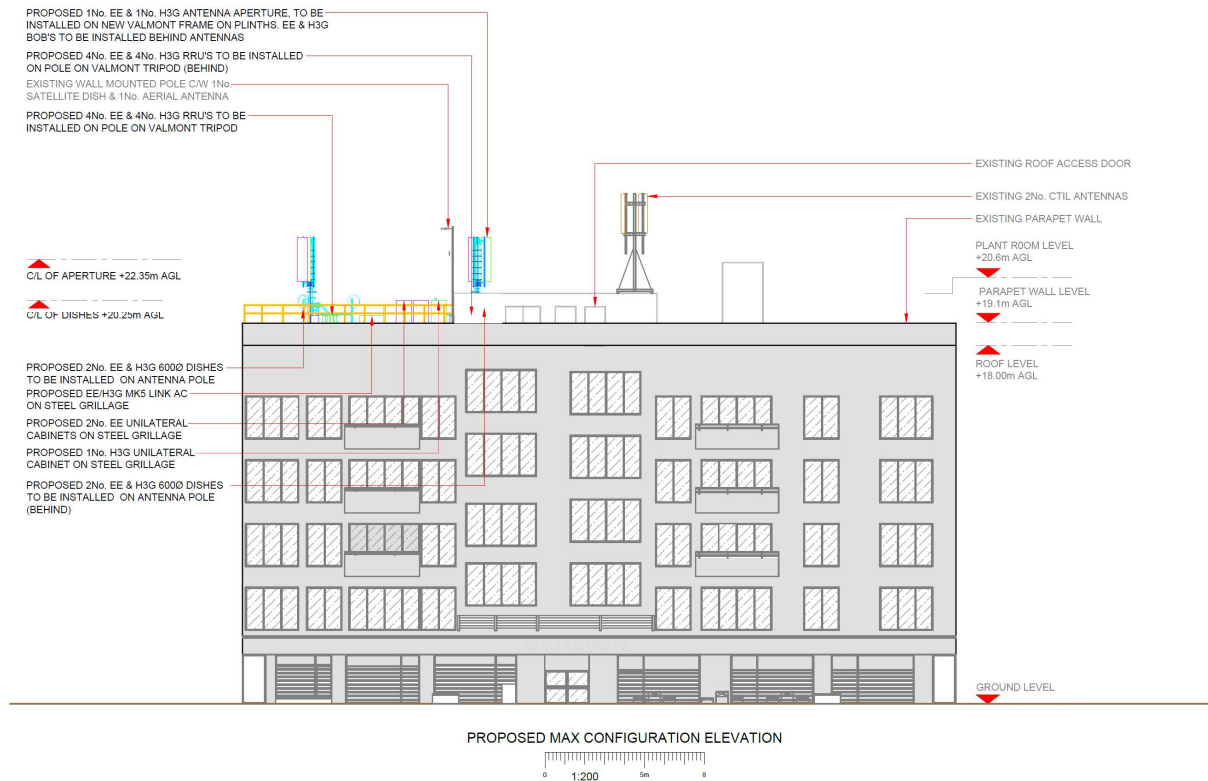


# Existing Elevations

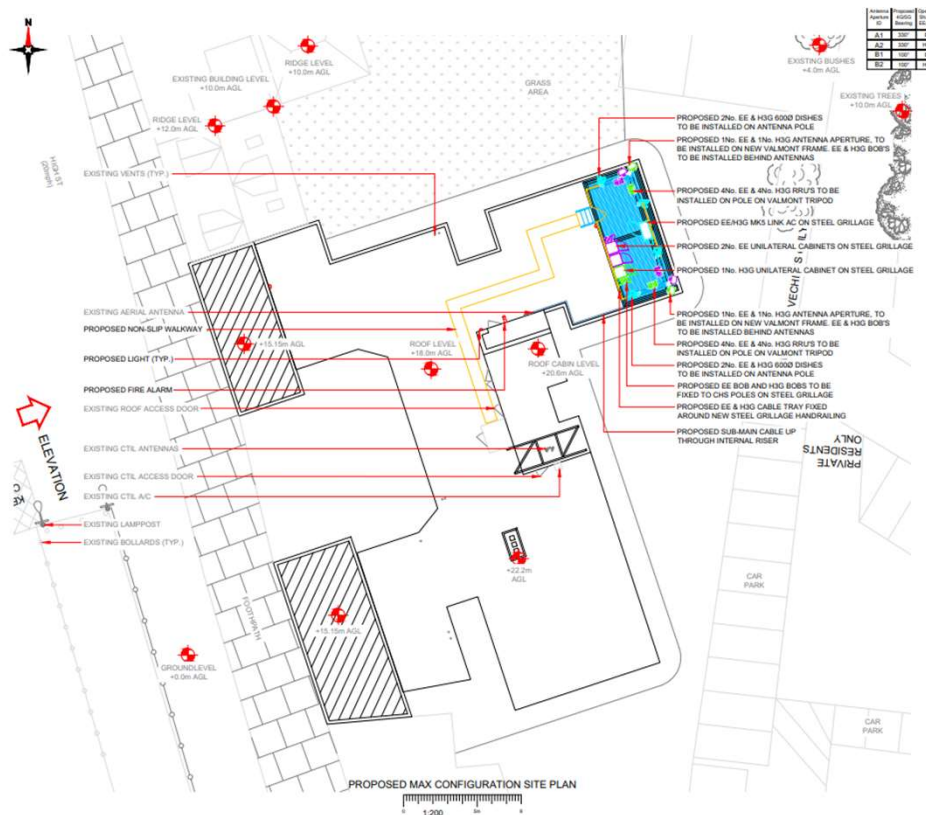




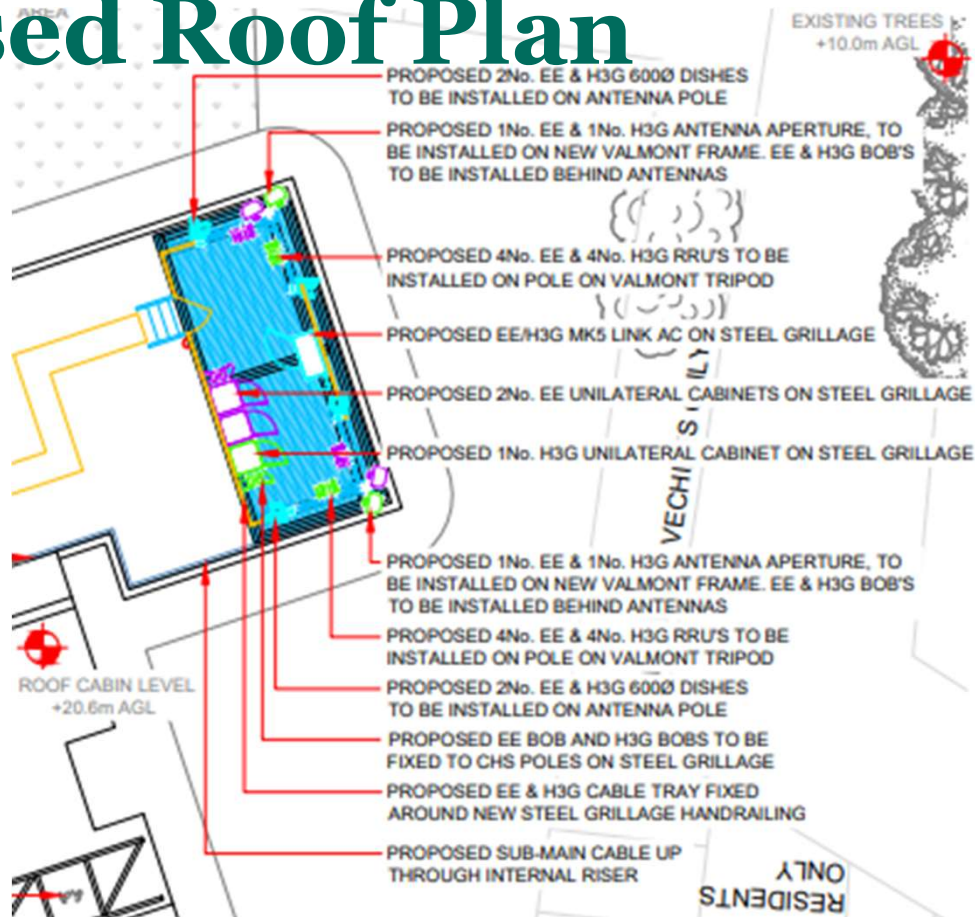
# Proposed Elevation



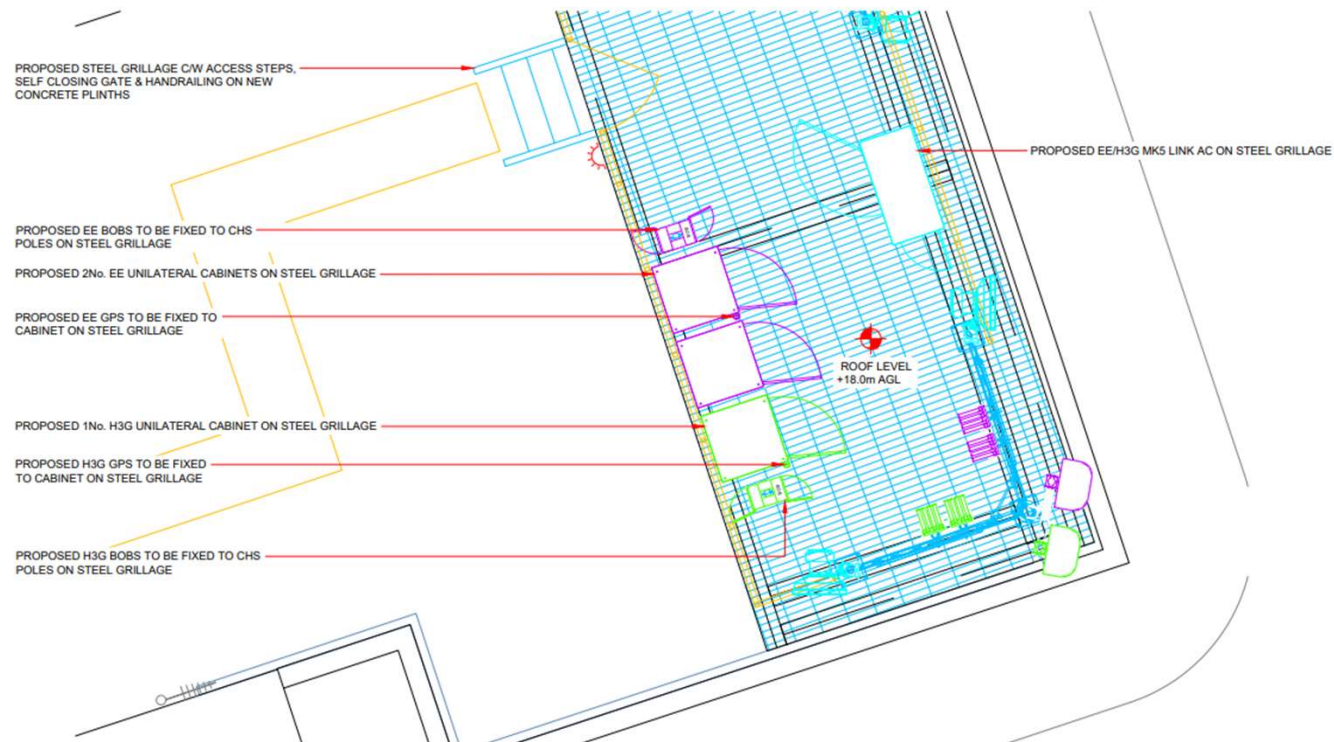
# Proposed Roof Plan



# Proposed Roof Plan



# Proposed Equipment Layout



# Representations - Objections

- ▶ Twenty-four (24) **objections** have been received, on the following planning grounds:
- ▶ Loss of rooftop amenity space
- ▶ Detrimental impact on historic significance of locally listed building
- ▶ Highly visible
- ▶ Detrimental impact on human health
- ▶ Noise nuisance
- ▶ Alternative sites should be assessed

# Representations – Supporting Comments

- ▶ Seven **(7) supporting** comments have been received, on the following planning grounds:
- ▶ Improvement/Update to existing telecommunications base station
- ▶ Impact on residents is acceptable
- ▶ Would allow the removal of the temporary base station within the Marine Cliffs car park



# Key Considerations

- ▶ Principle of Development, and the maintenance of a robust telecommunications network.
- ▶ Design and Appearance, and the impact on the historic significance of the locally listed building.
- ▶ Impact on Amenity, for residents and visitors to Rottingdean.



# Conclusion and Planning Balance

- ▶ The proposed development is considered to have a detrimental impact on the visual amenity of the local built environment and the historic significance of the locally listed St Margarets block of flats, by reason of its functional and cluttered appearance that would be highly visible atop the roofscape in views from the north, east and west.
- ▶ Inadequate justification for mounting the equipment in this location has been submitted, with the site selection process contained within the planning statement omitting several buildings and areas of open space in the area.
- ▶ The proposed development would provide public benefits in terms of maintaining a robust telecommunications network, but this is not considered to justify the harm when alternative sites have not been adequately assessed.
- ▶ For the foregoing reasons the proposal is considered to be in conflict with policies SA1, CP12 and CP15 of the Brighton & Hove City Plan Part One, DM18, DM25 and DM28 of the Brighton & Hove City Plan Part Two, and S1 and H2 of the Rottingdean Neighbourhood Plan.
- ▶ **Recommendation - Refuse**

# Land Rear Of 15 Dean Court Road BH2024/01289

6<sup>th</sup> November 2024



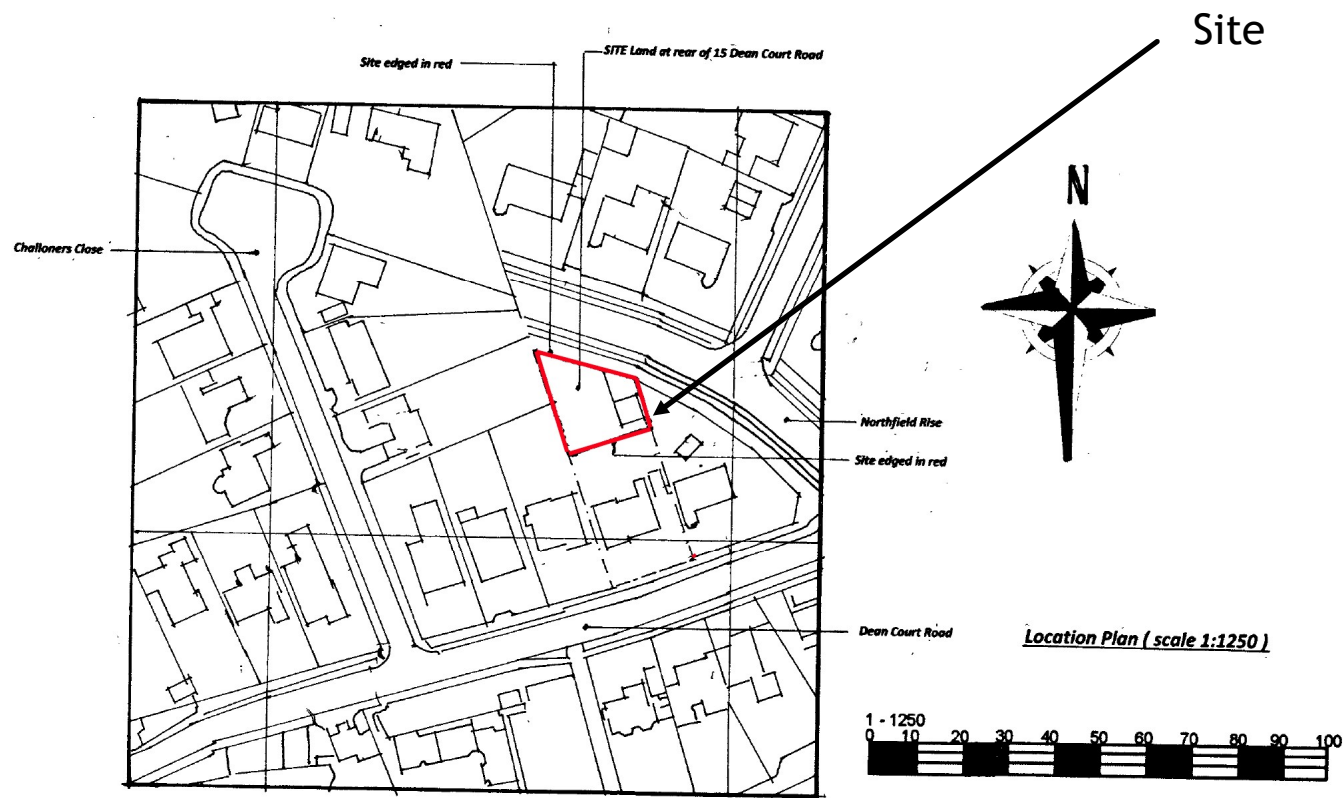
Brighton & Hove  
City Council

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# Application Description

- ▶ Demolition of existing garage to facilitate the erection of a 3no bedroom single storey detached dwelling (C3) with associated landscaping works.

# Location Plan



PA.1472024/02A



# Aerial Photo of Site



Site



# 3D Aerial Photo of Site



Site

## Rear of site, onto Northfield Rise



Site



# From top of Northfield Rise



Site



# From bottom of Northfield Rise



Site  
(behind  
hedge)

# From Gorham Avenue



Site

# Within site, towards rear boundary





# Within site, towards existing dwelling





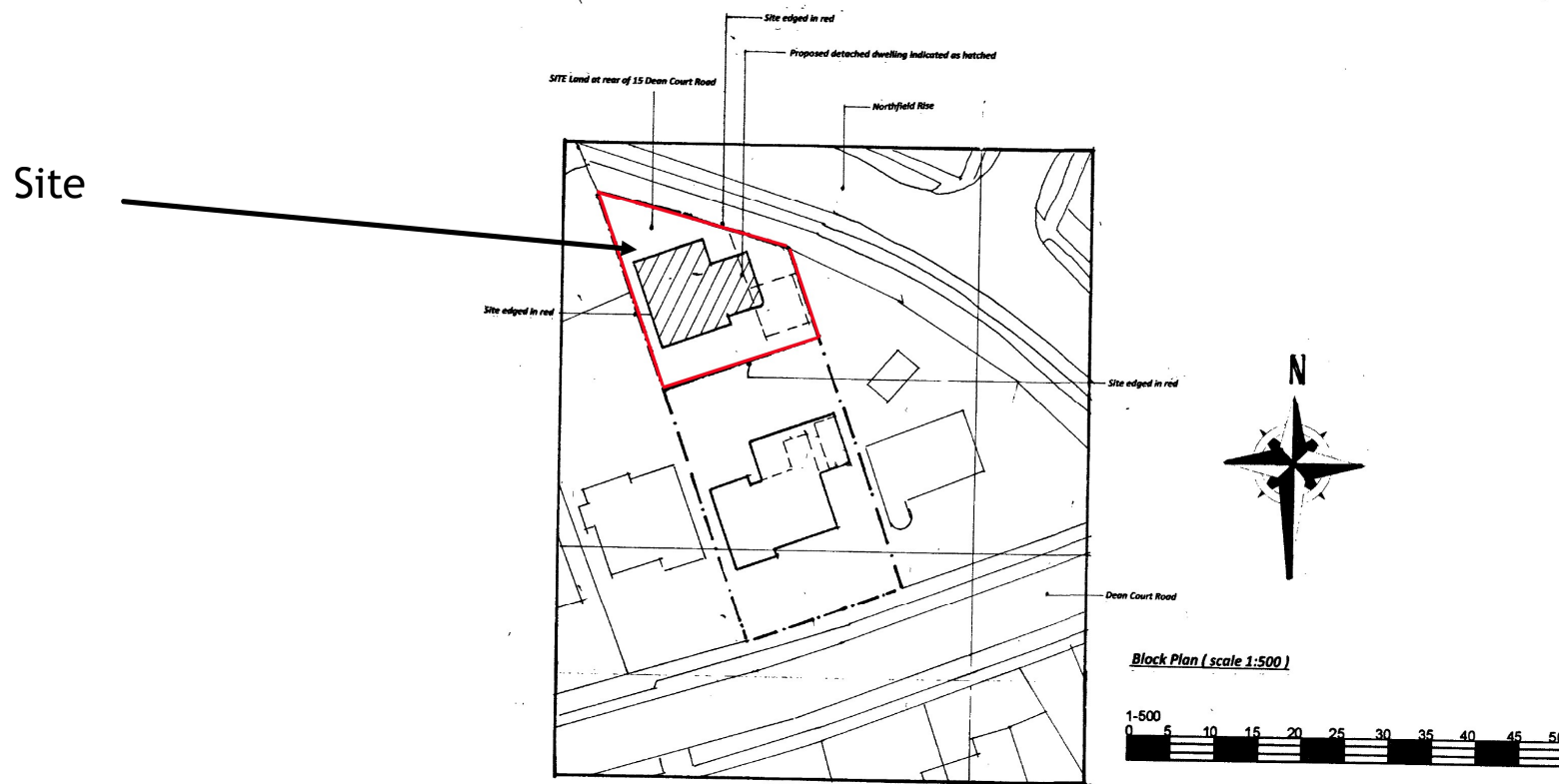
# Boundary with no. 13 Dean Court Road



# Boundary with 17 Dean Court Road



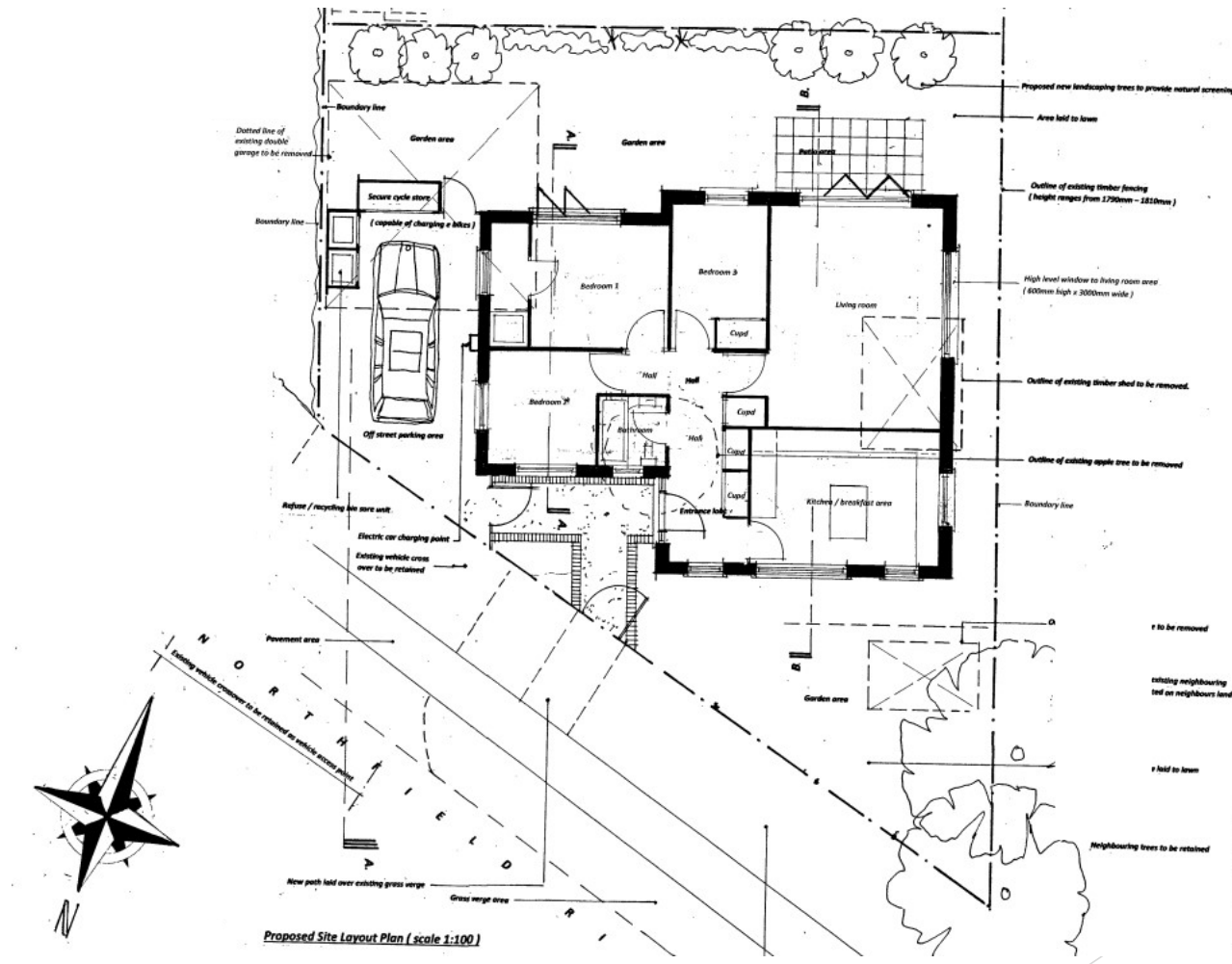
# Proposed Block Plan



PA.1472024/02A

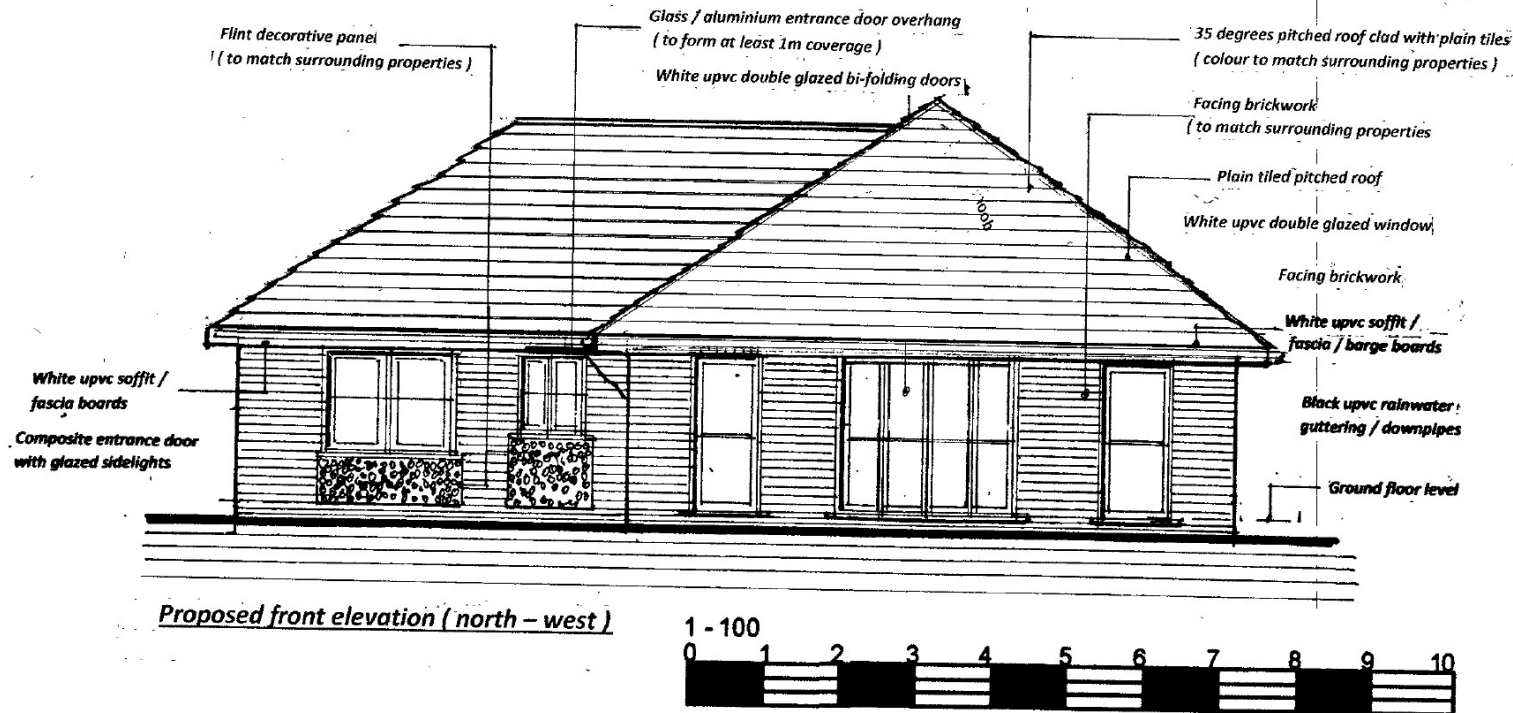


# Proposed Site Plan



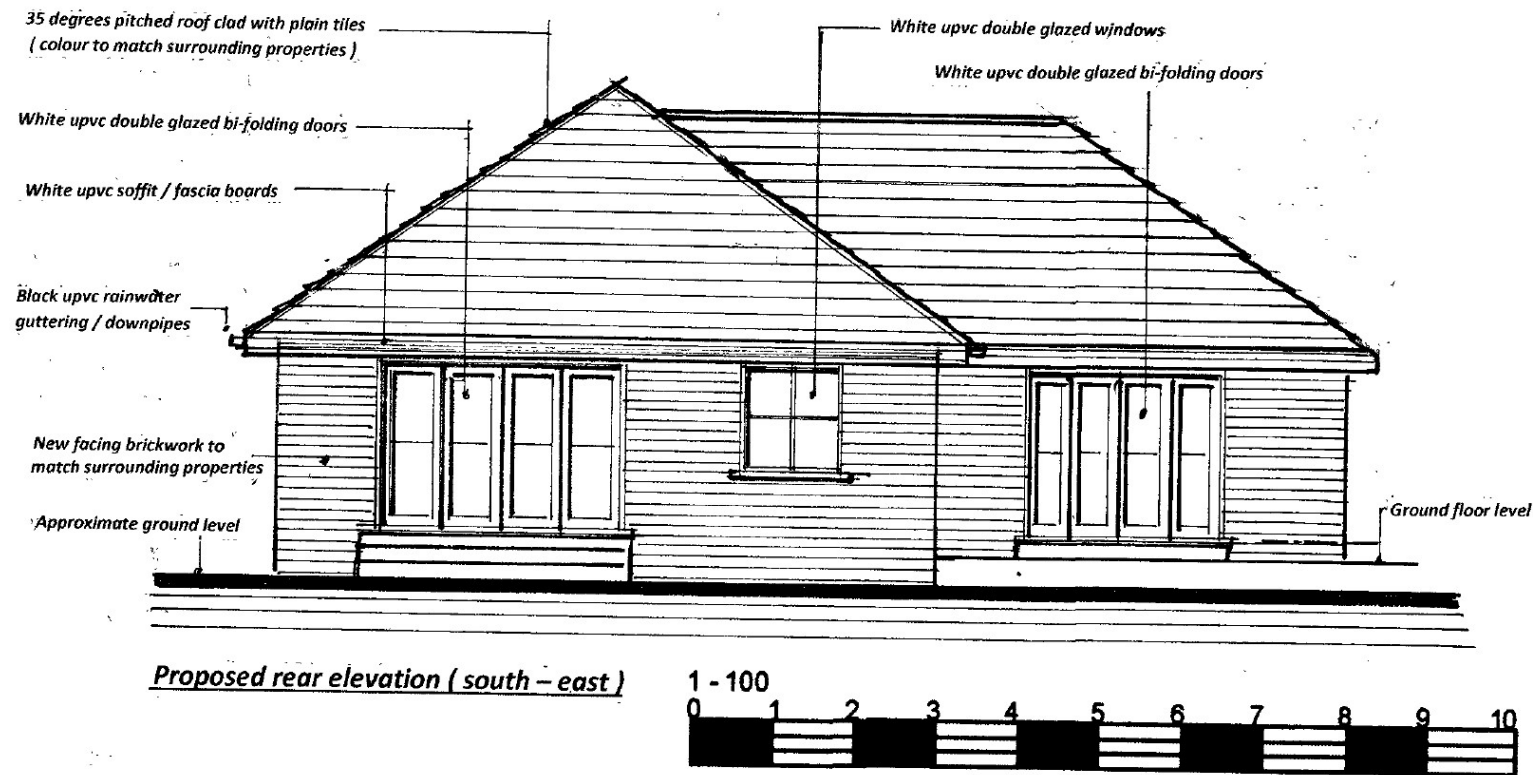


# Proposed Front Elevation



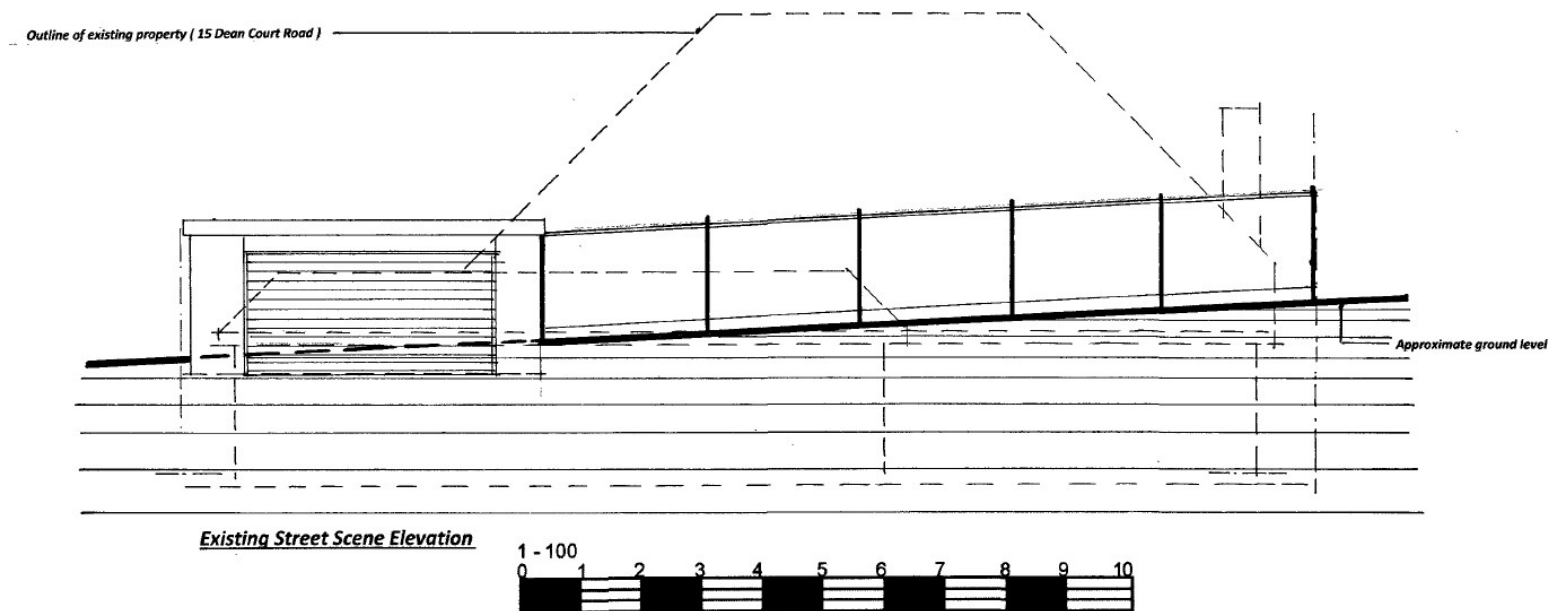
PA.1472024/02A

# Proposed Rear Elevation



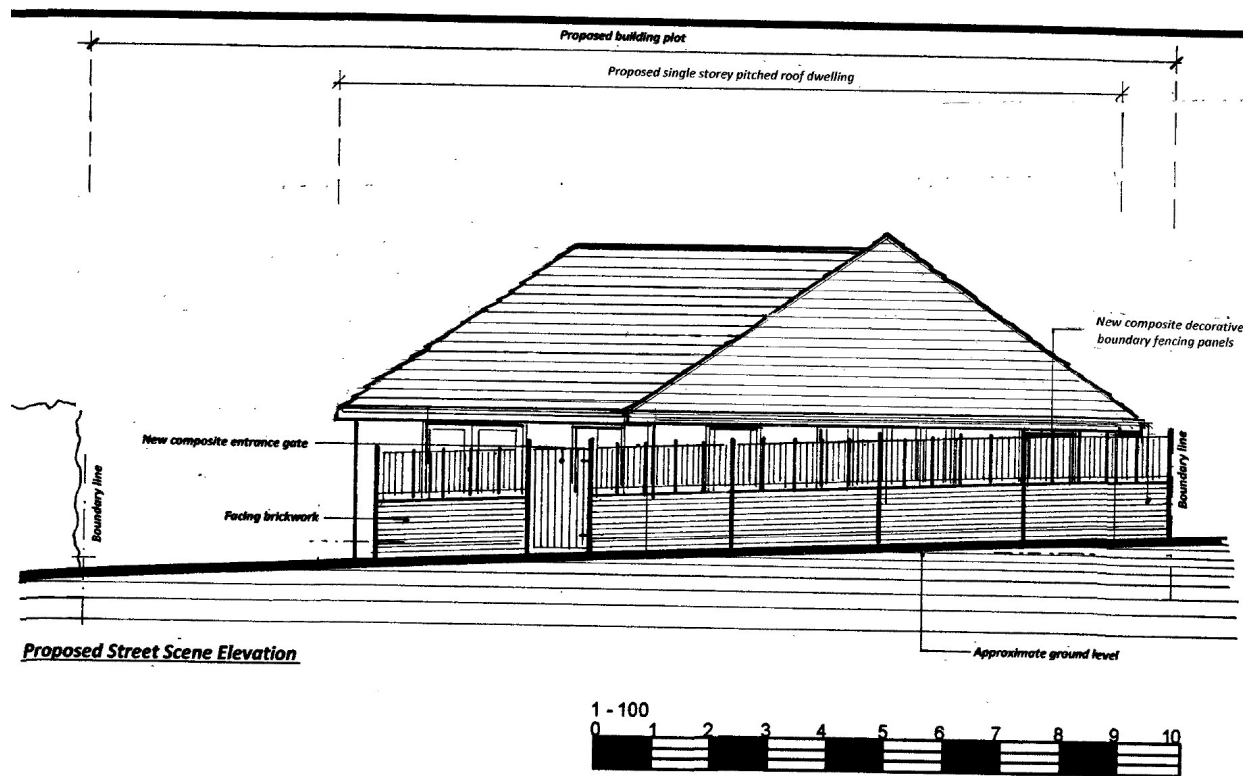
PA.1472024/02A

# Existing Streetscene



PA.1362024/01

# Proposed Streetscene



PA.1472024/02A

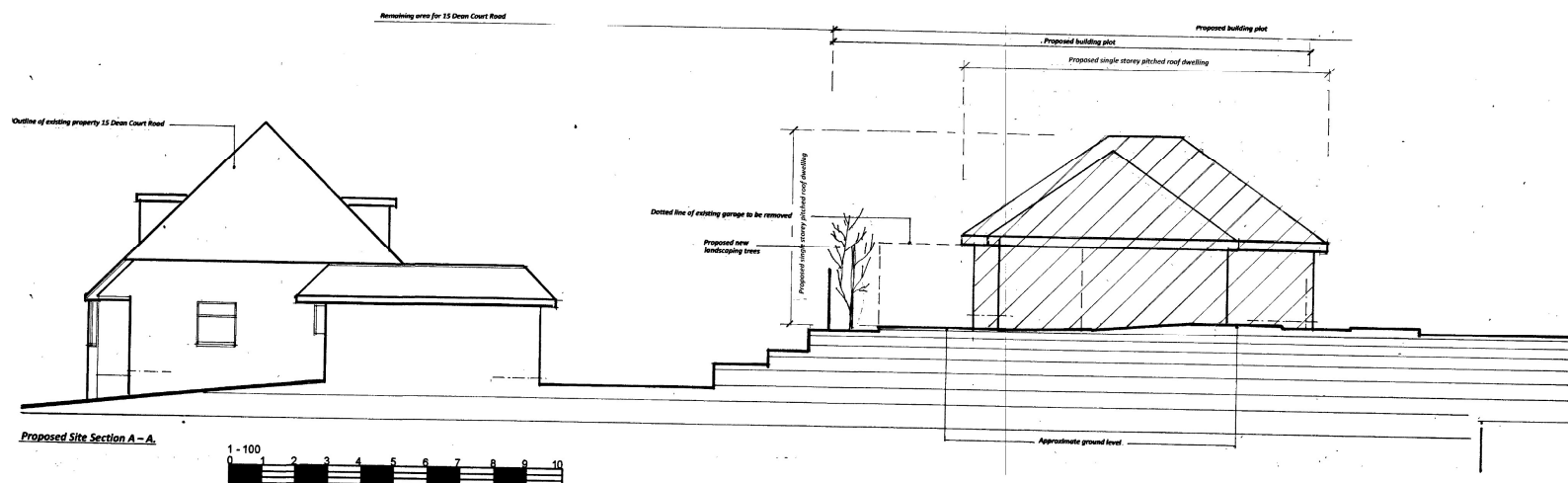


# Existing Site Cross-Section



PA.1362024/01

# Proposed Site Cross-Section



PA.1472024/02A

# Representations

The application was first advertised in June 2024. **Thirteen (13)** letters of **objection** were received, summarised as follows:

- Overdevelopment of the plot
- Loss of amenity due to overshadowing and overlooking, compounded by difference in land levels
- Previous application refused and dismissed at appeal
- No other houses on this side of Northfield Rise
- Impact on Rottingdean Conservation Area
- Design is not in keeping
- Impact on trees
- Disturbance and nuisance during construction
- Errors within the supporting documents
- Increased amount of hardstanding raises surface water flooding concerns

# Representations cont.

Following the receipt of amended drawings in October 2024, the application was readvertised. **Nine** letters of **objection** have been received, summarised as:

- The amended plans do not overcome the concerns previously raised
- Concerns regarding potential future loft conversions

The total number of individual objectors is thirteen (13).



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# Key Considerations

- ▶ Principle of the development
- ▶ Design and appearance
- ▶ Impact on neighbouring amenity
- ▶ Standard of accommodation
- ▶ Transport

# Conclusion and Planning Balance

- ▶ The historic planning application and appeal on the site is a material consideration, however both local and national planning policies and guidance have evolved since.
- ▶ A new dwelling in this location would inevitably have an increased visual presence within the Northfield Rise streetscene compared to the existing garage.
- ▶ However - infill development within the settlement boundary is now supported in principle by Policy S1 of the Rottingdean Neighbourhood Plan.
- ▶ The proposed plot size(s) are considered acceptable, and this is in accordance with the Inspector's comments.
- ▶ The character of Northfield Rise has been subject to some degree of change in the years since the previous application and appeal.
- ▶ The proposal would contribute to the housing supply of the City and this must be given increased weight in accordance with the NPPF.

# Conclusion and Planning Balance cont.

- ▶ There is a wide variety of architectural forms and finishes in the wider area and the proposed building would not appear incongruous in these respects.
- ▶ The increased height and width of the proposed building, compared to the existing garage, would have some impact on the Northfield Rise streetscene. However, the single-storey scale, hipped roof form, and set-back from the pavement would help to minimise this.
- ▶ The proposals are considered to be acceptable in terms of the impact on neighbouring amenity. This is subject to a condition removing 'permitted development rights'
- ▶ The proposed standard of accommodation would be acceptable.
- ▶ No significant transport concerns are identified.

Given the changes in circumstances since the previous appeal it is considered, on balance, that application can be **recommended for Approval**

# 8 Stanford Close

## BH2024/01717

6<sup>th</sup> November 2024



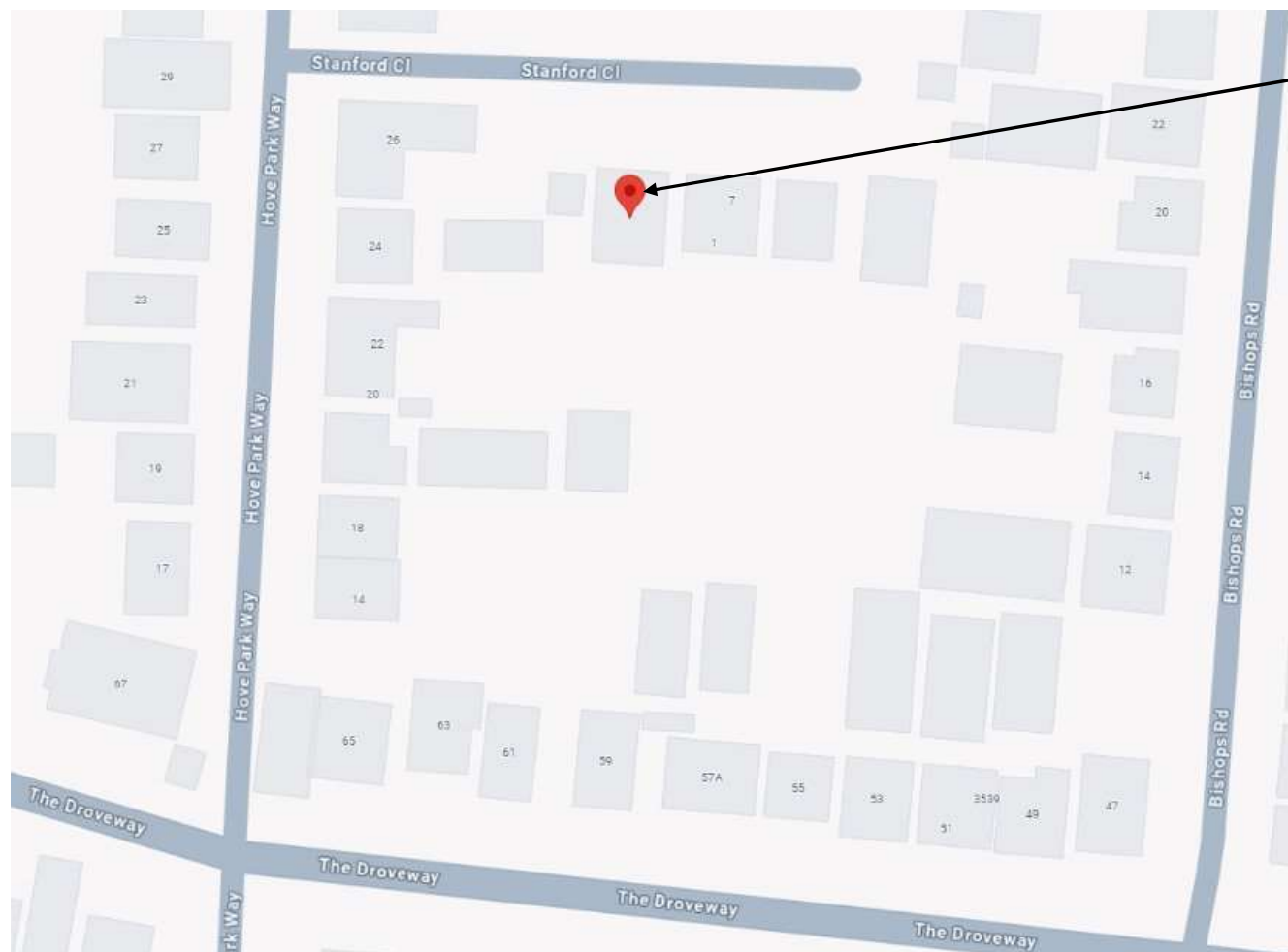
Brighton & Hove  
City Council



# Application Description

- Erection of single storey rear extension replacing existing conservatory and side extension with terrace above, increase height of existing side dormer and width of existing rear dormer and revised rear fenestration.

# Map of Application Site



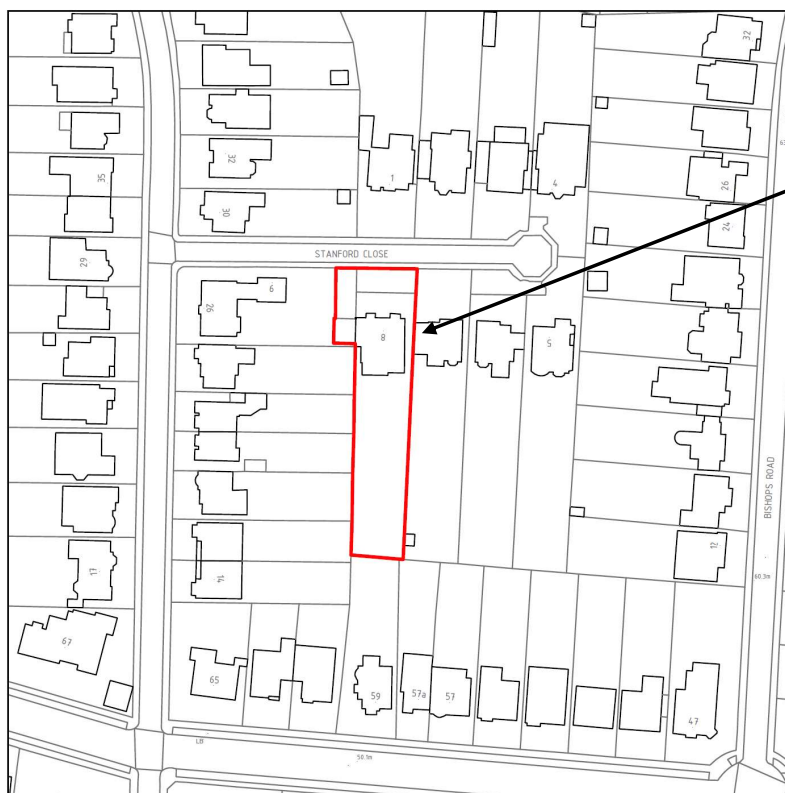
site

# Map of Application Site



site

# Location Plan

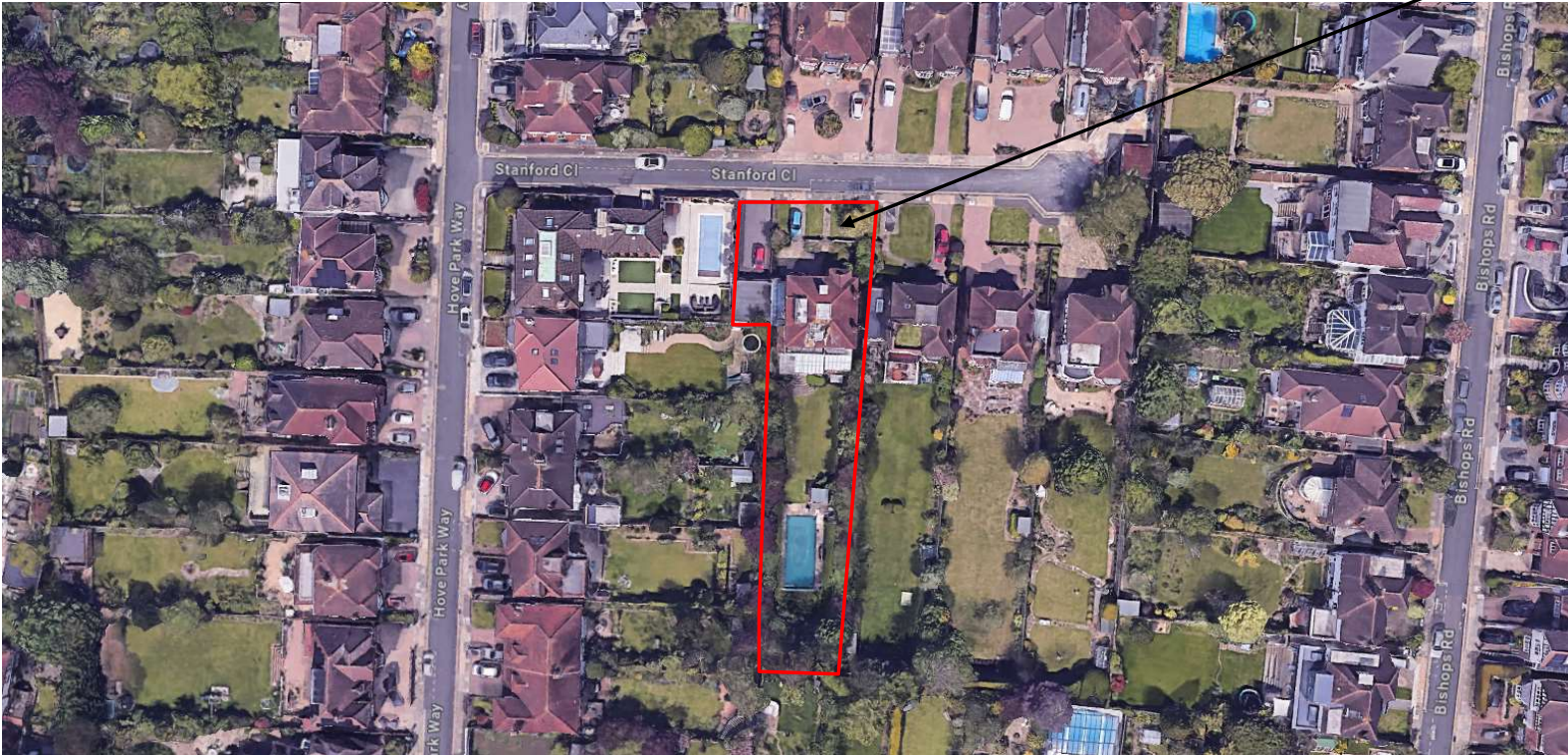


site



# Aerial Photo of Site

site





# 3D Aerial Photo of Site

site



# Street Photos of Site



site



# Street Photos of Site





# Street Photos of Site



# Views from Existing Terrace – looking east





## Views from Existing Terrace – looking south





# Views from Existing Terrace – looking west





# Views from Existing Terrace – looking west





# Rear Garden Photos





# Rear Garden Photos





# Rear Garden Photos





# Rear Garden Photos

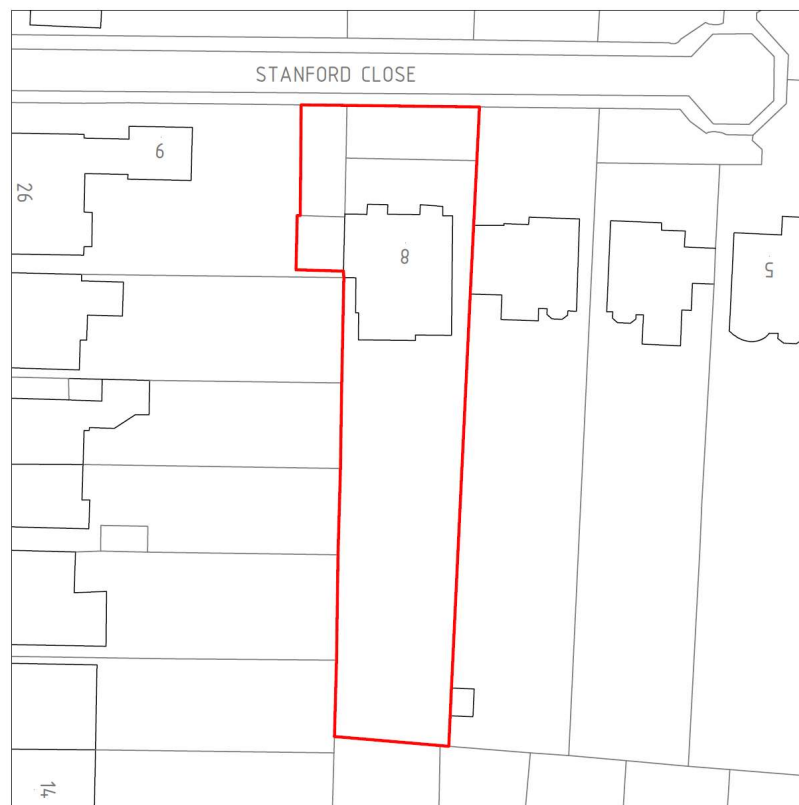


# View Towards No.7 Stanford Close





# Block Plan



Scale Bar 1:500  
0 10m 20m 30m



# Existing Front Elevation



FRONT ELEVATION (NORTH)

24-4970-P-03 A

# Proposed Front Elevation



FRONT ELEVATION (NORTH)



24-4970-P-07 A

# Existing Rear Elevation



REAR ELEVATION (SOUTH)

24-4970-P-04 A



# Proposed Rear Elevation



REAR ELEVATION (SOUTH)

Scale Bar 1:50  
0 1m 2m 3m 4m 5m

24-4970-P-08 A

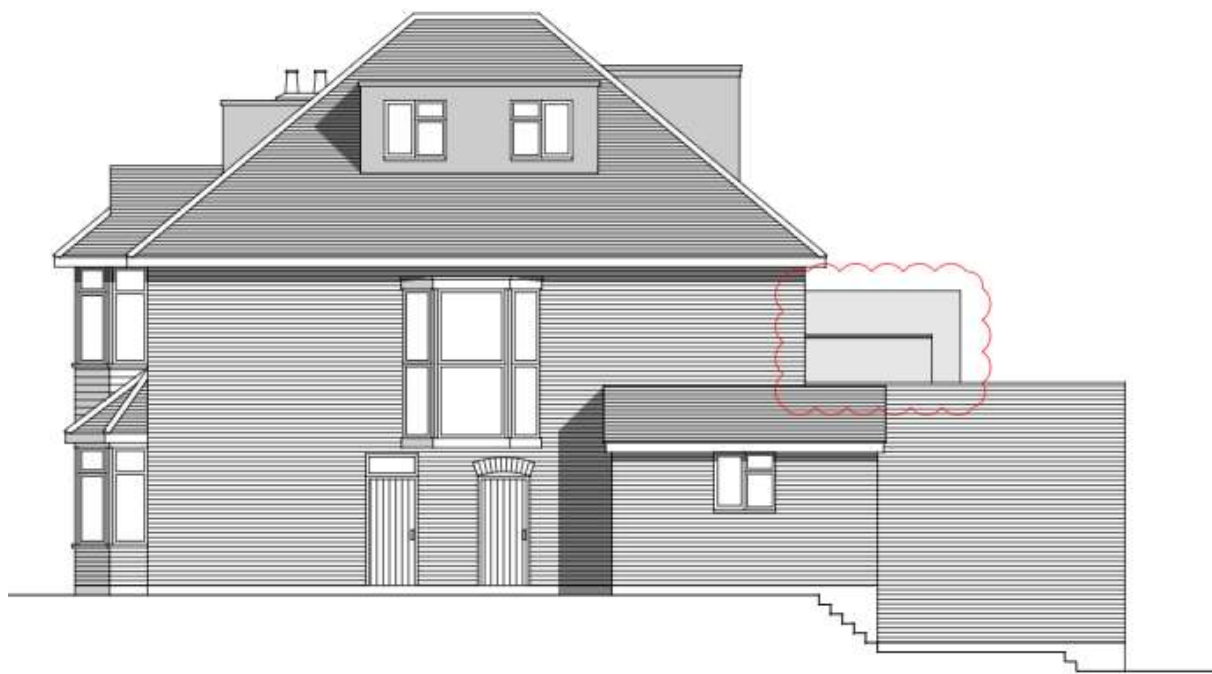
# Existing West Side Elevation



SIDE ELEVATION (WEST)

24-4970-P-03

# Proposed West Side Elevation

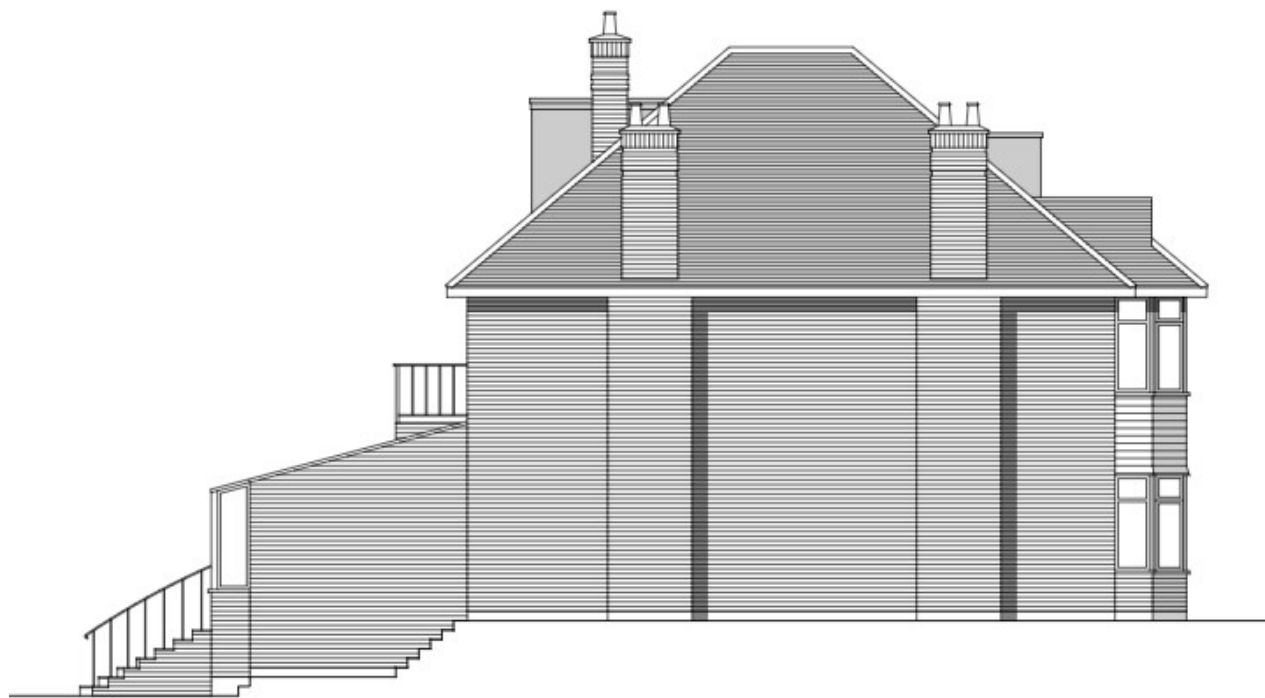


SIDE ELEVATION (WEST)

24-4970-P-07 A



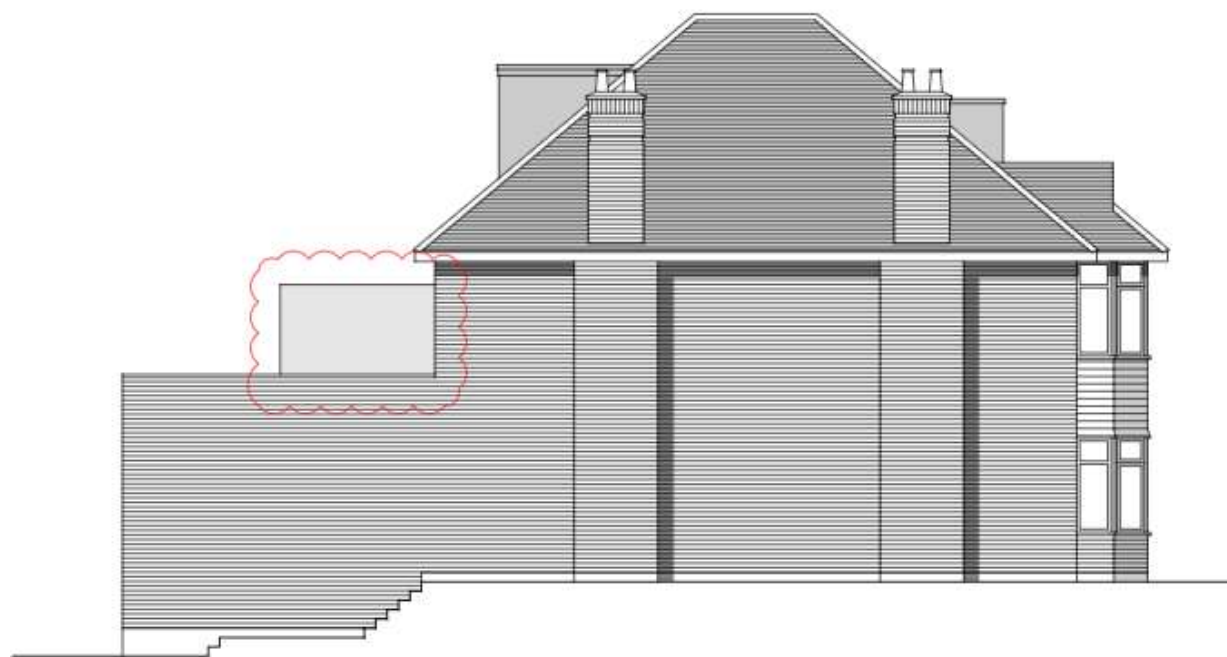
# Existing East Side Elevation



SIDE ELEVATION (EAST)

24-4970-P-04

# Proposed East Side Elevation



SIDE ELEVATION (EAST)

24-4970-P-08 A

# Representations

- ▶ Nine (9) letters were received **objecting** to the proposed development on the following grounds:
- ▶ Privacy issues caused by terrace
- ▶ Inappropriate height of development
- ▶ Overdevelopment
- ▶ Loss of light
- ▶ Poor design
- ▶ Restriction of view
- ▶ Overbearing effect
- ▶ Excessive height of side wall
- ▶ Unsightly development
- ▶ Noise



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# Key Considerations

- ▶ Design and appearance
- ▶ Impact on neighbouring amenity
- ▶ Impact on Biodiversity

# Conclusion and Planning Balance

- ▶ Dormers not significantly increased in scale and would not change materials - design and amenity impact negligible.
- ▶ Extension not significantly more harmful than existing conservatory - added depth of 1.0m and height of 0.5m.
- ▶ Terrace to replace existing terrace, no additional overlooking when compared with current situation.
- ▶ No impacts to biodiversity. Green roof added to extension.
- ▶ **RECOMMENDATION:** Minded to Grant subject permission subject to the receipt of no further representations raising any new additional material considerations not already considered within the re-consultation period ending 06.12.2024



# 44 Saxon Road

## BH2024/02094

4<sup>th</sup> December 2024



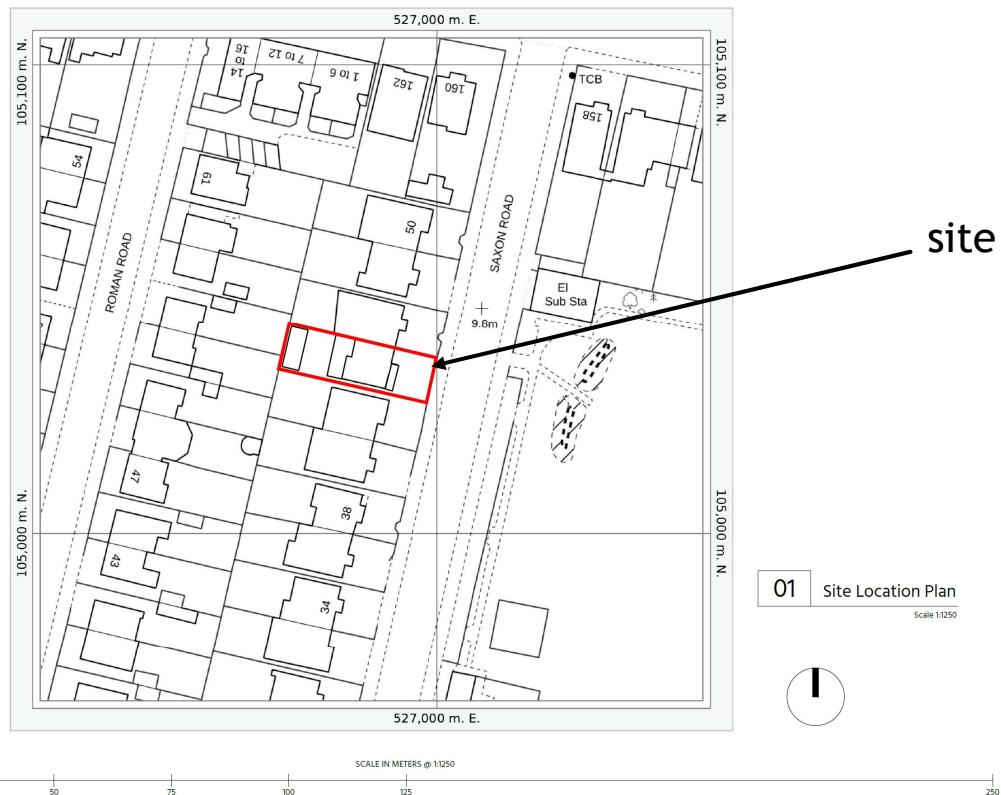
Brighton & Hove  
City Council



# Application Description

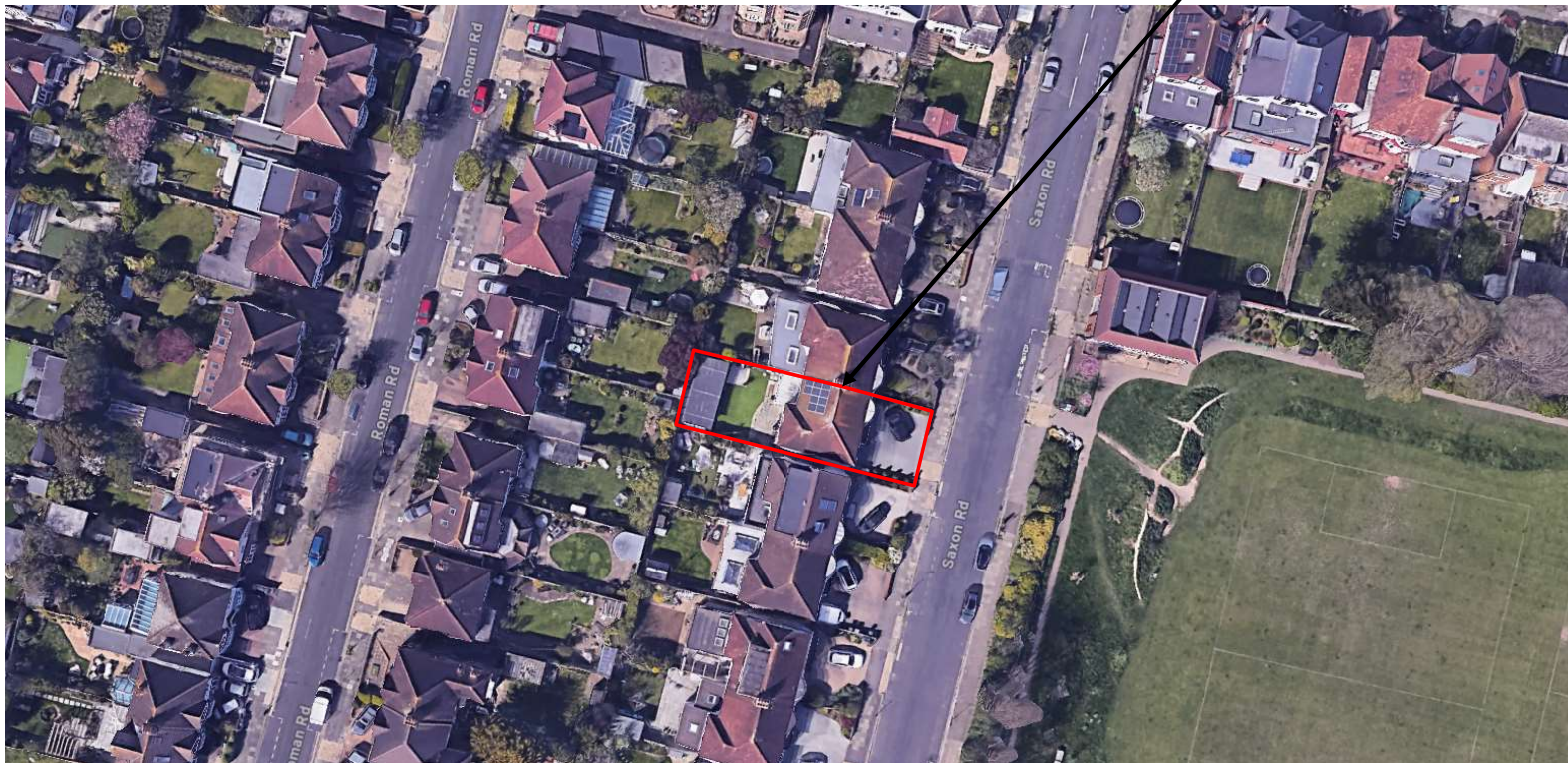
- ▶ Application to vary condition 1 of planning permission BH2023/02990 to add smooth white render to sections of front and side elevations.
- ▶ The scheme originally approved under BH2023/02990 permitted a single storey front extension to be finished in white render whilst retaining the red brickwork base to the northern part of the property. This application seeks to vary the approved drawings to instead apply render to the sections of red brick to the front and side elevations of the property.

# Existing Location Plan



008(00)\_101\_P2 (BH2023/02990)

# Aerial Photo of Site



site



# 3D Aerial Photo of Site



site



# Street View



# Front Elevation



# Side Elevation





## Side/front Elevation prior to commencement of the works approved under application reference no. BH2021/03651





# Pair of semi-detached dwellings

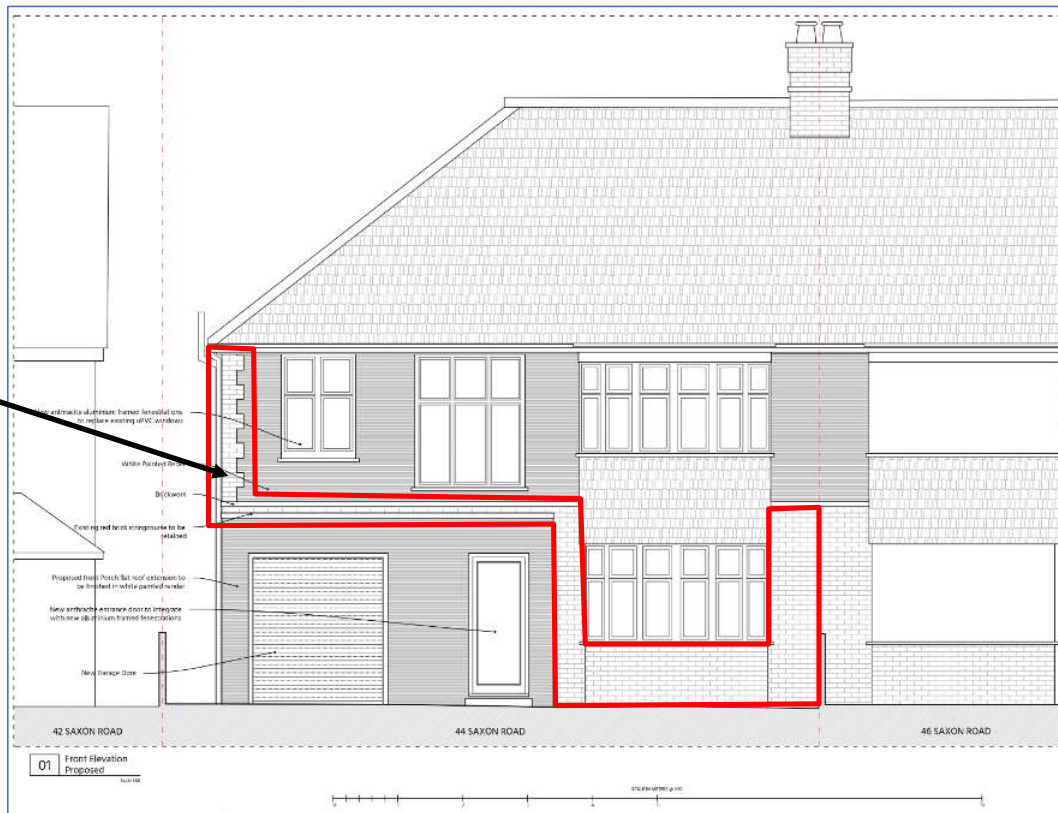


# Property with render - 12 Saxon Road

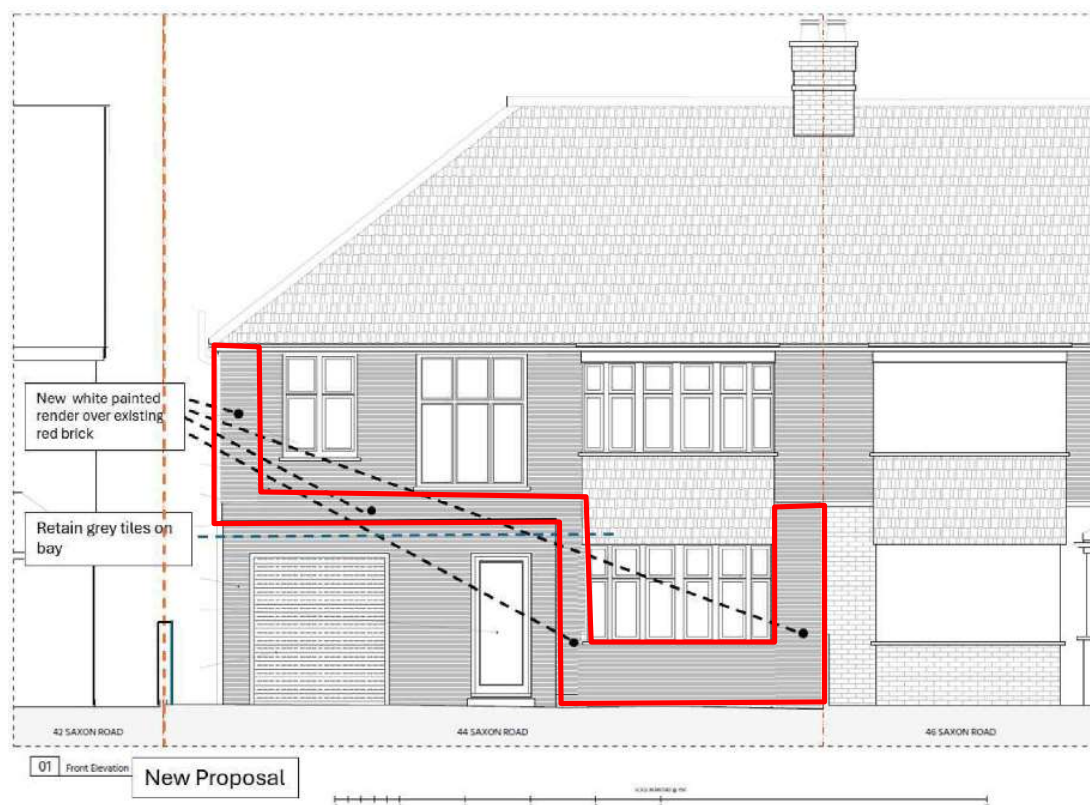


# Existing Front Elevation – as approved

Area  
proposed  
to be  
rendered



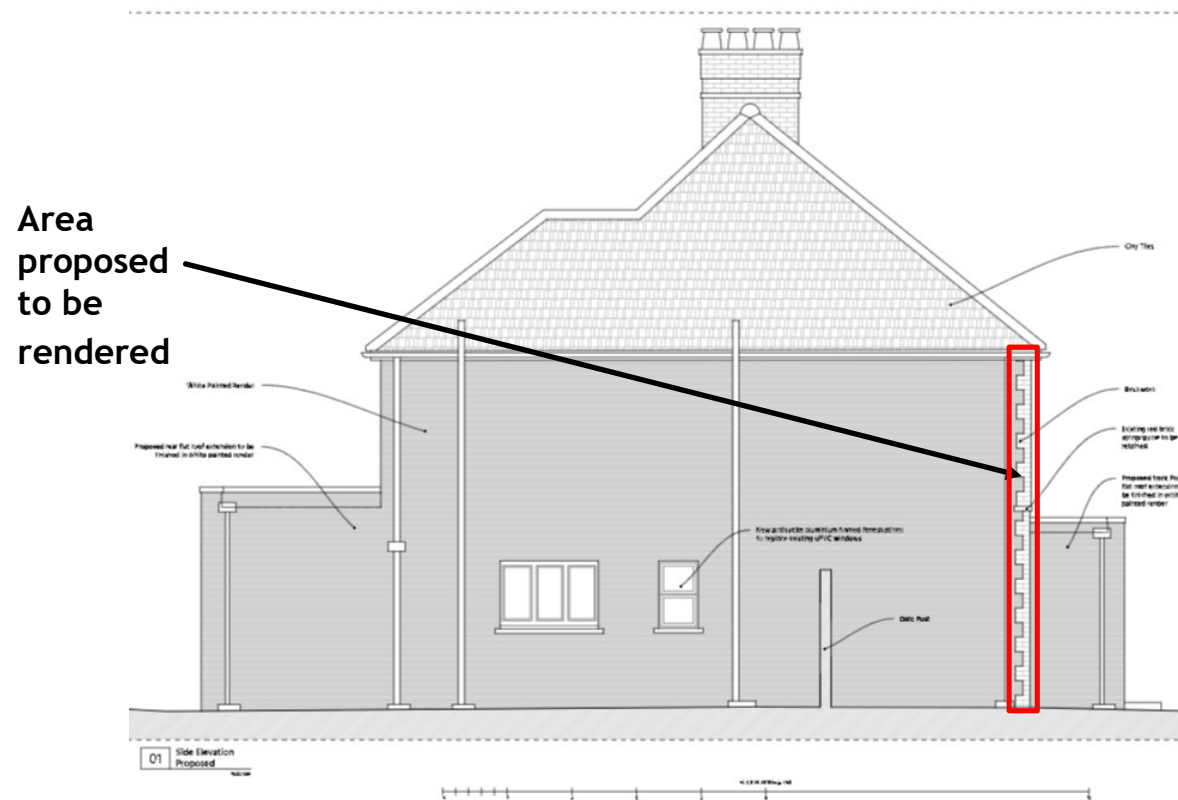
# Proposed Front Elevation



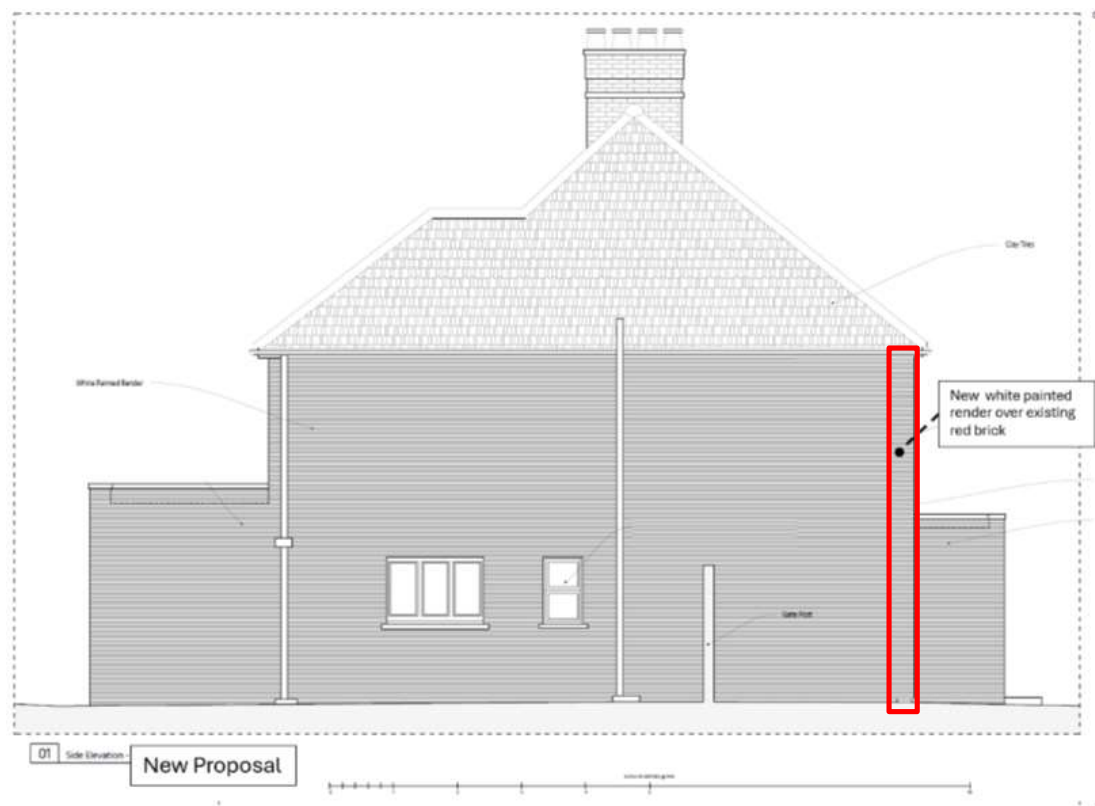
008 (03)\_211



# Existing Side Elevation – as approved



# Proposed Rear Elevation



# Representations

- ▶ The application was advertised in September 2024. **Five (5)** objections were received, summarised as follows:
- ▶ - Overdevelopment of the plot
- ▶ - Poor design
- ▶ - Detrimental Impact on property value

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# Key Considerations

- ▶ Design and appearance
- ▶ Impact of the proposal on the pair of semi-detached and wider area



# Conclusion and Planning Balance

- ▶ The choice of smooth white render would provide a finish that matches the existing rendered areas of the property and would not appear wholly out of keeping.
- ▶ Some of the properties within the street and wider area, such as the property at no. 12 Saxon Road, have render applied entirely to their front elevation. Therefore, the proposal would not look incongruous or out of context.
- ▶ The previously approved planning application reference no. BH2023/02990 gives consent for a fully rendered front projection (extension) to the property which would already set the application site apart from its immediate neighbours and much of the streetscene.
- ▶ The change from brick to render would not require a planning application once the development approved under BH2023/02990 is completed and therefore this is a material consideration in determining this application.

# Conclusion and Planning Balance

- ▶ The proposal would not be sufficiently harmful to the character of the streetscene to refuse the application and given the legitimate permitted development fallback position, it is not considered that the proposal would be harmful enough to warrant a refusal and the overall minor changes to the design are considered acceptable and in accordance with Brighton & Hove City Plan Part Policy CP12 and Brighton & Hove City Plan Part Two Policy DM21 and SPD12 guidance.
- ▶ **RECOMMENDATION: APPROVE**



# **Rights of Way Report**

## Application to add Bridleway to Definitive Map

**4<sup>th</sup> December 2024**



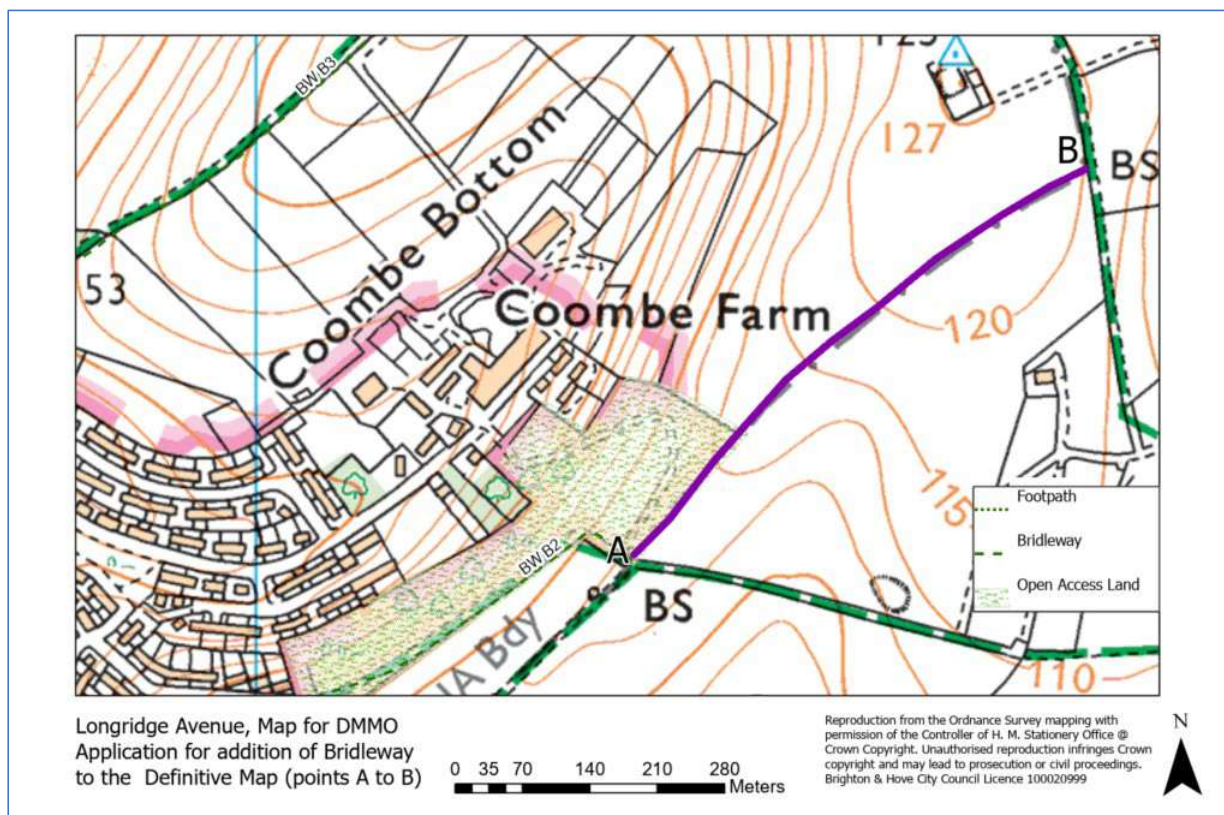
**Brighton & Hove  
City Council**



# Application Description

- ▶ Application to add a bridleway to the Definitive Map and Statement for Brighton between the T-Junction of the route known as Upper Bannings Road and Tenant Hill , northwards across the field and ending at a T-Junction with an existing bridleway on the boundary of Telscombe Tye.
- ▶ Application is supported by historic archive evidence only.

# Map of Application Site



# Committee's Role

- ▶ As Surveying Authority, the Council is required by law to keep the Definitive Map and Statement under review and make any changes necessary by Order.
- ▶ The Application has come before Committee following the new Constitution and as there are representations against the proposed Order.
- ▶ The Application is to be considered on archive documentary evidence only.
- ▶ Application asserts that there has been a discovery of evidence which shows that a right of way which is not shown currently on the Definitive Map.
- ▶ Does the evidence show that this Bridleway is reasonably alleged to subsist (Test B).

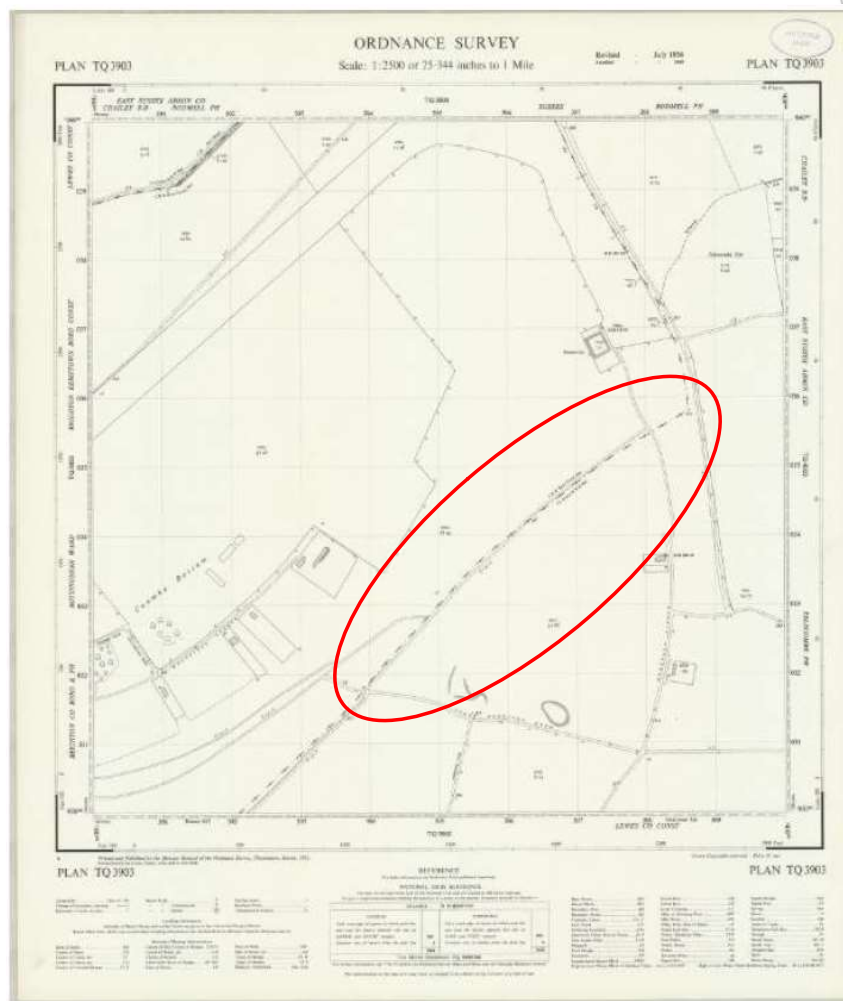
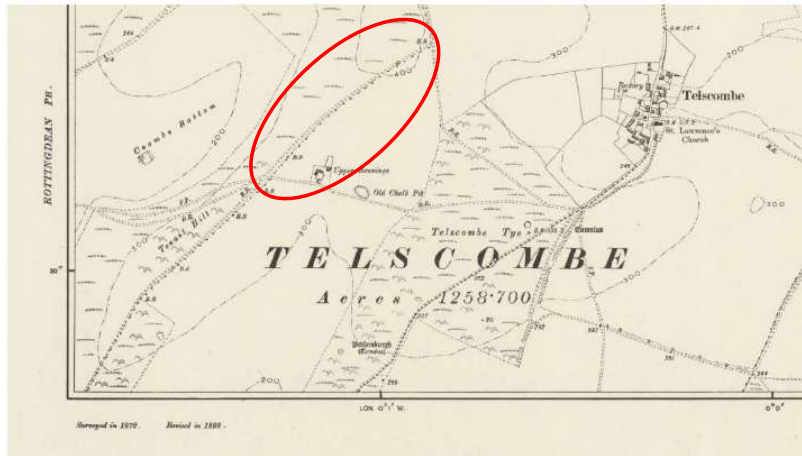
# Consultations

- ▶ Notice sent to interested Amenity Groups, Lewes District Council, Telscombe Town Council , SDNPA and local councillors.
- ▶ Response from Telscombe Town Council - support (no evidence provided)
- ▶ British Horse Society - support (no evidence provided)
- ▶ Local Member - comment.



# Key Considerations

- ▶ Does the evidence provided by the Applicant, together with all the relevant evidence available, show that on a bridleway is reasonably alleged to subsist?
- ▶ Applicant asserts evidence demonstrates Claimed Route historically used by the public as a bridle road.
- ▶ Claimed Route identified on old maps submitted with application.
- ▶ Of note are the OS Map Sussex 1893, OS Map Sussex 1898 which show the Claimed Route clearly shown and marked as a bridle road, forming part of a network of bridle roads and paths in the area.
- ▶ Sectional Plan Saltdean 1937 shows a continuation of Longridge Avenue north, past Upper Banning, as per the Claimed Route.



# Key Considerations Continued

- ▶ Representations against the Application:
- ▶ State that map of Telcombe Tye sale 1989 is of an old fence, not a bridleway or footpath
- ▶ States that letter and map from 1998 from ROW team at Council show the Claimed Route is a parish boundary, and not a public right of way
- ▶ Landowners' comments and information do not disprove earlier existence of a bridleway. Parish boundary not inconsistent with the existence of the bridleway along the same route.

# Council Investigation

- ▶ OS maps pre 1910 show the route as a bridle road as a natural continuation of the bridle road running north of Longridge Avenue
- ▶ Tithe Maps give no evidence to show that access along the route / boundary line was restricted.
- ▶ Claimed Route is depicted on various maps and plans over time. No physical features on the maps that suggests access was restricted along Claimed Route or that it was a private access to land or a dwelling.
- ▶ Given the established bridleways in the area and their historic link to the Claimed Route, is more probable than not that the Claimed Route is part of a network of historic bridleways and footpaths.



# Conclusion

- ▶ No single piece of evidence is conclusive.
- ▶ On balance it can be argued that the Claimed Route did have historic public rights.
- ▶ No evidence to rebut the maxim 'once a highway always a highway'
- ▶ Acknowledge that some of the maps were not produced for the sole purpose of establishing the rights over a route, they do depict the Claimed Route in a way that is consistent with a bridle road prior to OS mapping
- ▶ Registered bridleways (already on the Definitive Map) that meet the Claimed Route and are shown to have done so on maps prior to 1910 were similarly depicted and annotated. Adds support to historic existence of the Claimed Route.

# Recommendation

- ▶ If the evidence show that a right of way can reasonably be alleged to subsist the onus is on the order making authority to make the order.
- ▶ The evidence provided by the Applicant and uncovered by the Council, taken together, establishes that the Claimed Route can reasonably be alleged to subsist.
- ▶ Recommend that an Order to add the bridleway to the Definitive Map and Statement, be made.

