

# **PLANNING COMMITTEE ADDENDUM**

**2.00PM, WEDNESDAY, 1 OCTOBER 2025**

**COUNCIL CHAMBER, HOVE TOWN HALL**

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## **ADDENDUM**

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# Royal Pavilion Gardens, Pavilion Buildings BH2025/01627

1<sup>st</sup> October 2025



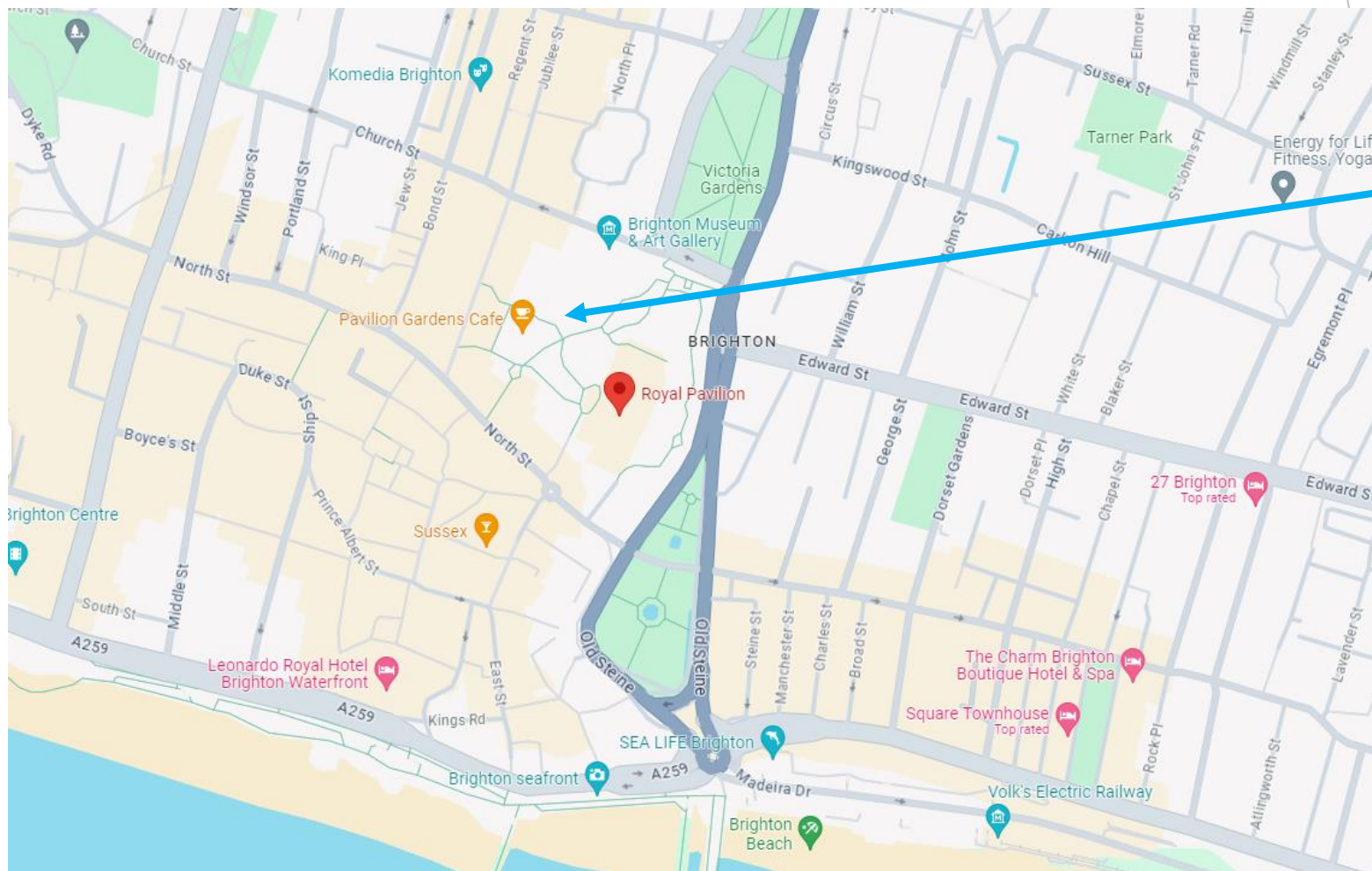
Brighton & Hove  
City Council

# Application Description

- ▶ Application to vary condition 4 of planning permission BH2023/02835 that required an Ecological Design, Management and Monitoring Strategy (EDMMS) including to remove the provision of a minimum 10% biodiversity net gain within a 30-year period.
- ▶ No changes proposed to the plans or appearance of development approved under BH2023/02835.



# Map of Application Site



Site

# Existing Site Plan



# Policy DM32: The Royal Pavilion Estate

*“Proposals that seek to re-establish the Royal Pavilion estate as a single historic estate will be encouraged and supported. Such proposals should be informed by the adopted Conservation Plan.*

*It is expected that a successful scheme should achieve the following:*

- ▶ *a) Provide a more legible and coherent perimeter treatment;*
- ▶ *b) Enhance entrances and create a sense of arrival;*
- ▶ *c) Improve security within the estate and design out anti-social behaviour;*
- ▶ *d) Enhance the quality and infrastructure of the gardens and enable the better management of activities within them;*
- ▶ *e) Provide better management of vehicular traffic into and within the estate;*
- ▶ *f) Ensure more effective and attractive pedestrian circulation through the estate;*
- ▶ *g) Provide a clutter-free environment with better signage and appropriate interpretation;*
- ▶ *h) Enhance key views into and across the estate;*
- ▶ *i) Encourage conservation of heritage planting and seek net biodiversity gains within the gardens.”*



# Aerial Photo of Site





# 3D Aerial Photo of Site





# From Old Steine/Pavilion Parade



Google

# From inside gardens facing east





# Existing Garden and Trees looking east and north





## Existing Garden and Trees looking east and south





## Existing Garden – Gardeners' Compound looking south west





## Existing Garden - Museum and Learning Centre (timber clad) looking west

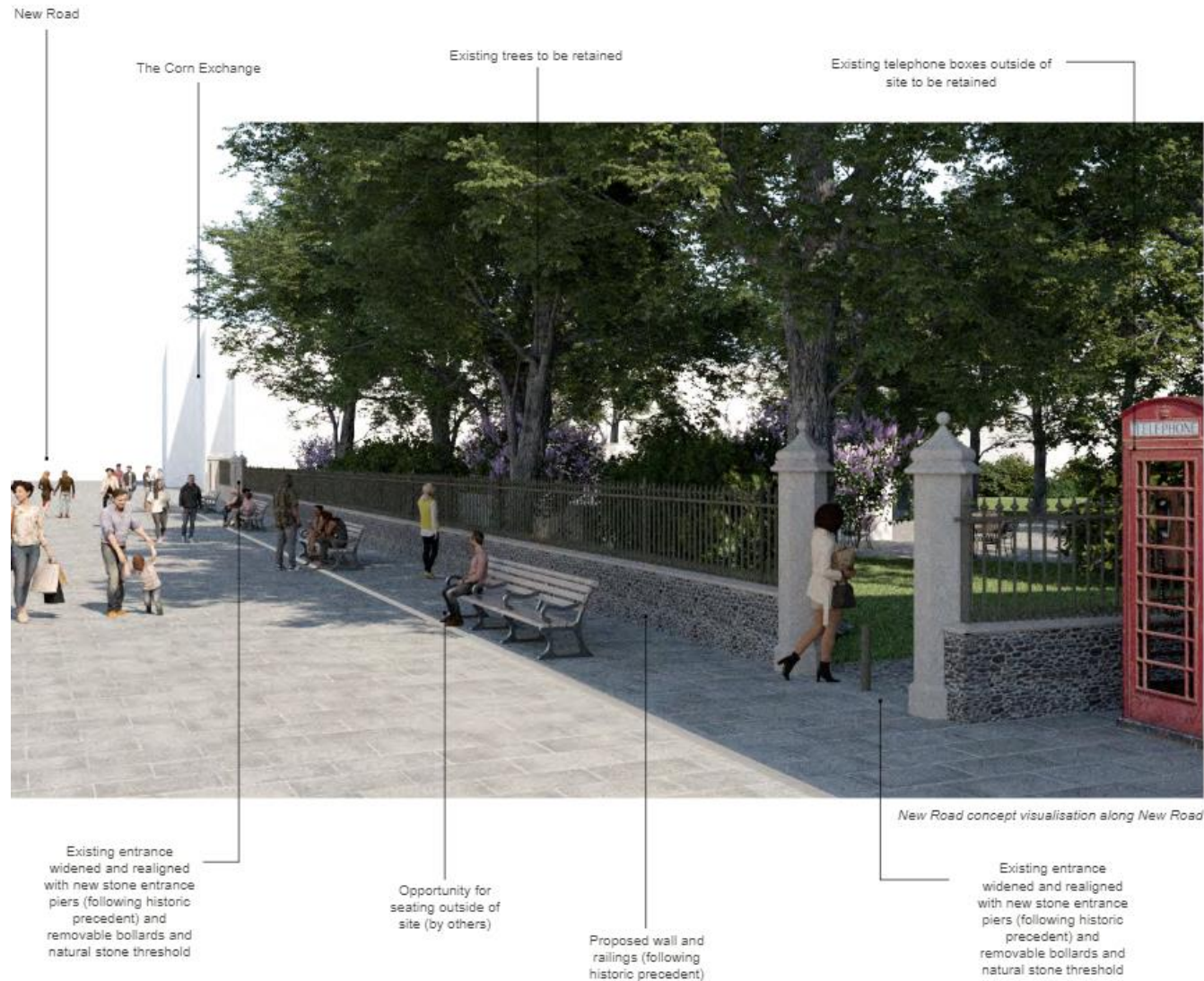




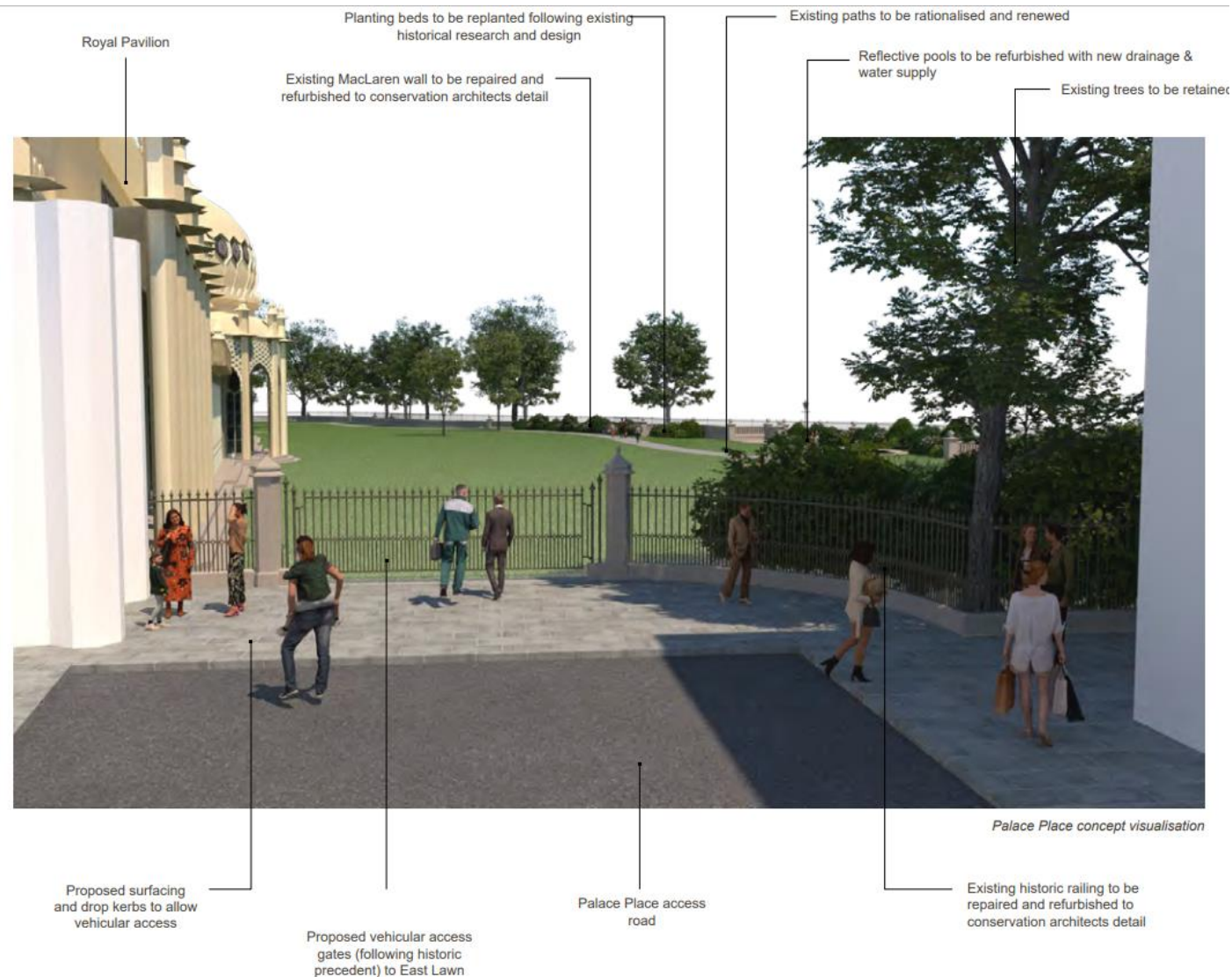
# Approved Masterplan – no changes



# Proposed Visual – New Road South Side

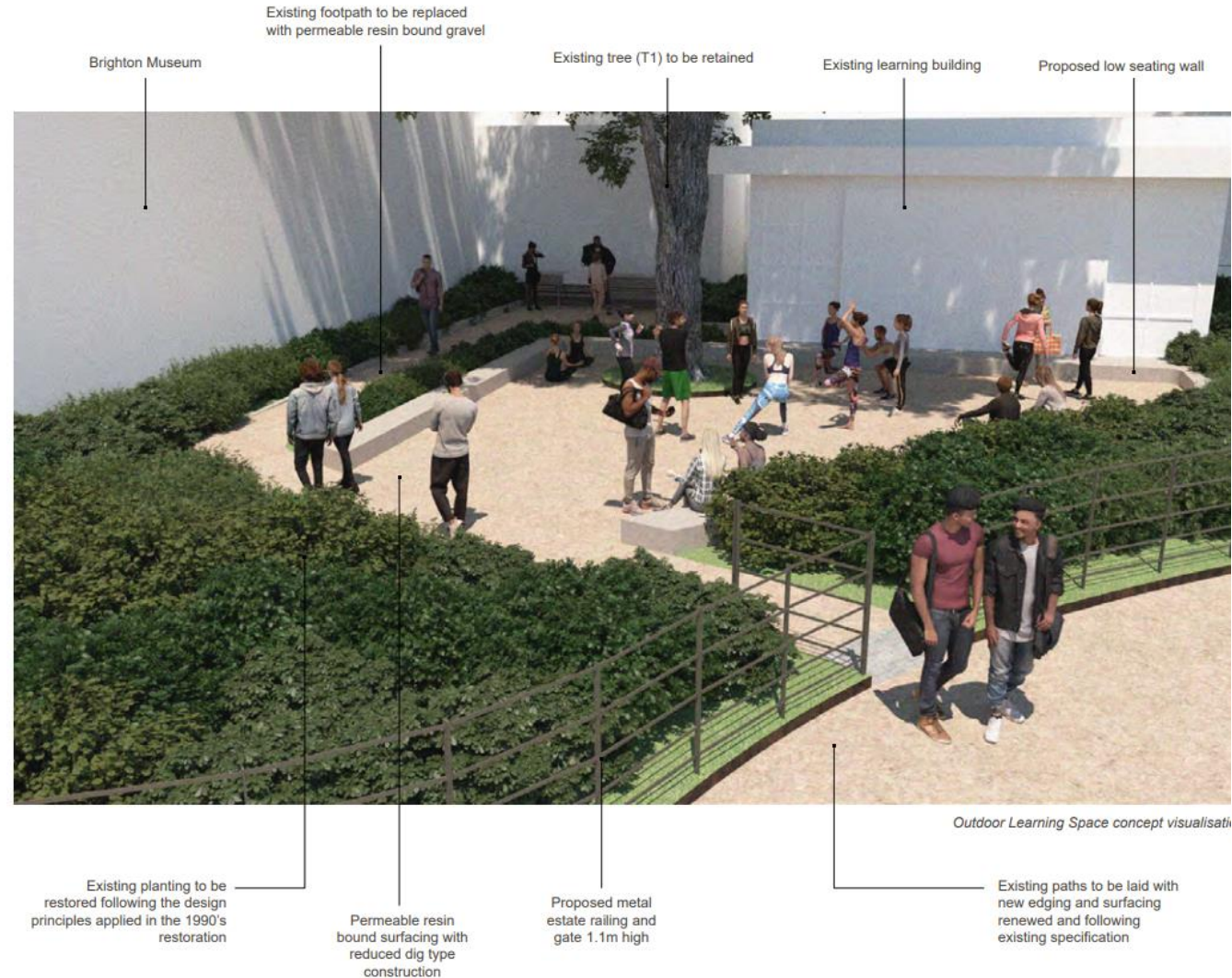


# Proposed Visual – Palace Place

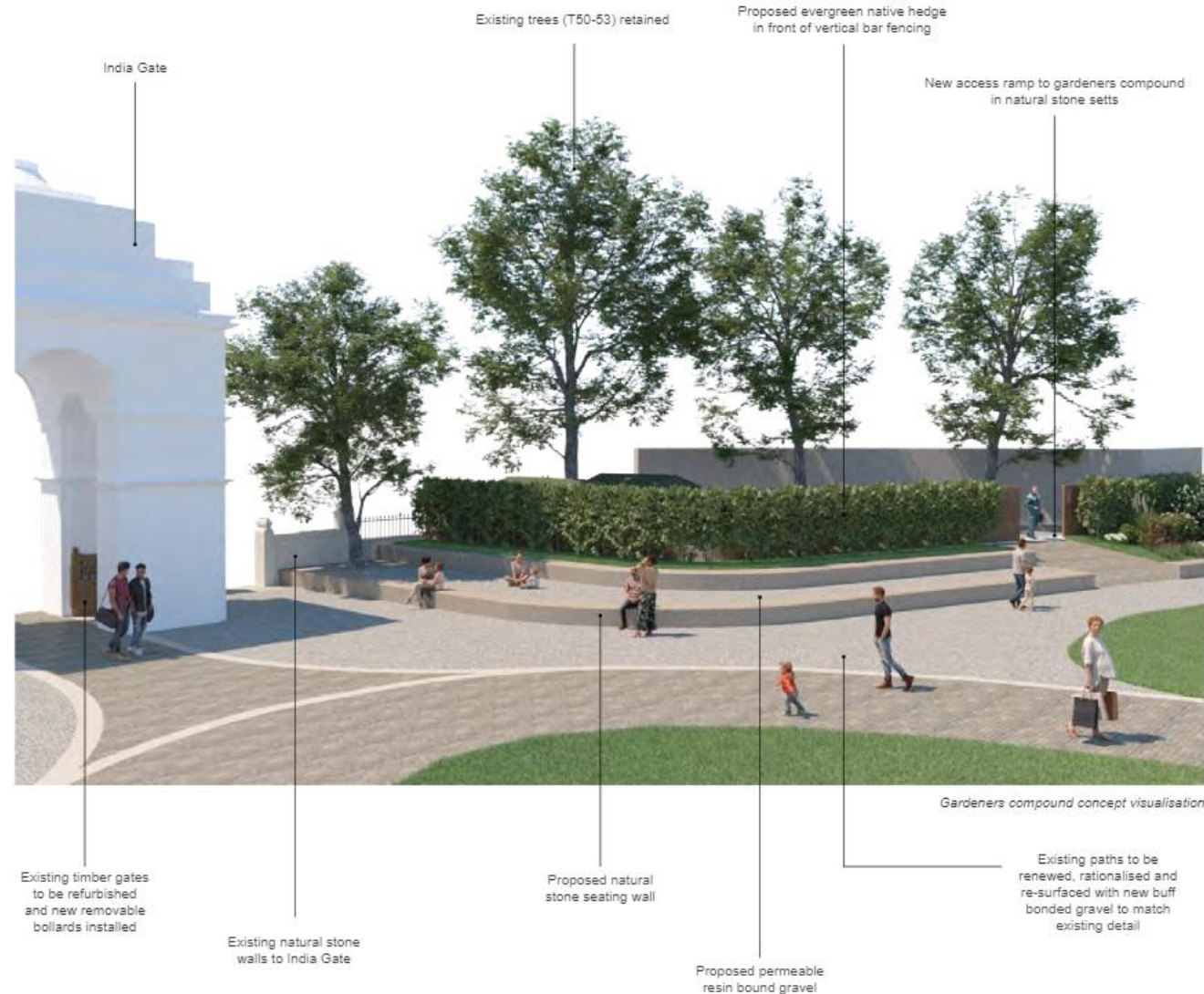




# Proposed Visual – Outdoor Learning Spaces



# Proposed Visual – Gardener's Compound and Surrounds





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# Variation of condition 4

- ▶ The variation would remove the requirement to provide a minimum 10% biodiversity net gain(BNG) within a 30-year period
- ▶ This is requested due to recalculation changes in the way that the Statutory Metric handles the loss of individual trees, by the Ecological consultants
- ▶ To meet 10% onsite BNG a very significant increase in the number of trees (148 estimated or equivalent 2.1 habitat units) is needed. The long term heritage and cultural benefits of the proposal would not be realised with this level of tree planting.
- ▶ Additionally, the costs associated with the delivery of the amount of onsite or offsite BNG are considered significant
- ▶ Provision of BNG was not mandatory under national policy at the point the previously approved application was submitted

# Representations

- ▶ None received

# Key Considerations

- ▶ Materials changes in relation to the approved application BH2023/02835
- ▶ Heritage impacts - on the listed Heritage Assets
- ▶ Ecology
- ▶ Biodiversity - BNG not mandatory under national policy at time of application
- ▶ DM32 - The Royal Pavilion Estate

# Conclusion and Planning Balance

- ▶ No changes to the approved plans or appearance of development.
- ▶ Variation of condition 4 would retain the significance of the heritage assets (setting and views of the Royal Pavilion), help to preserve and enhance existing heritage assets, enhance cultural/tourism offer of city, and increase public amenity benefits including education through provision of more flexible buildings and an outdoor education space.
- ▶ Retains increased accessibility, particularly for those with protected characteristics such as reduced mobility.
- ▶ Whilst the removal of 10% BNG from the condition is regrettable and weighs against the development to a degree, the requirement for ecological improvements remain.
- ▶ Provision of onsite or offsite BNG would diminish the heritage, cultural and amenity benefits of the approved scheme.
- ▶ On balance the benefits of the scheme, with the variation to condition 4, are still considered to significantly outweigh any negatives impacts.

**Recommend: Approval for variation of condition 4.**

# Kap Ltd, Newtown Road

## BH2025/01359

1<sup>st</sup> October 2025



Brighton & Hove  
City Council

# Application Description

- ▶ Application to vary condition 14 of planning permission BH2018/03356 to change the minimum BREEAM new construction rating from 'Excellent' to a 'Very Good' rating.

# Context

- ▶ **BH2018/03356** provided for a residential led mixed-use development including 148 dwellings and 954sqm of office floorspace, arranged within three blocks ranging from four to eleven storeys in height.
- ▶ Approved in September 2020. Works have commenced on site and are well underway.
- ▶ Condition 14 set a BREEAM target of 'Excellent' for the office element of the scheme only.
- ▶ No other changes to the approved development are proposed as part of this application.

# Justification for the proposal

- ▶ The BREEAM assessment criteria includes a number of credits for early design stage (pre-Planning) actions.
- ▶ The original developer failed to record evidence of these actions at the requisite design stages.
- ▶ The current applicant can no longer obtain the credits for these actions.
- ▶ As a result, even though the scheme could have originally achieved BREEAM 'Excellent', due to these lost credits this is no longer technically feasible.
- ▶ The application is recommended for approval. The revised wording of Condition 14 would be:

Within 6 months of first occupation of the non-residential development hereby permitted a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Very Good' shall be submitted to, and approved in writing by, the Local Planning Authority.

In addition, it shall be demonstrated that the available mandatory credits required for a BREEAM rating of 'Excellent' as set out in Table 2.5 "Minimum BREEAM standards by rating level" of BREEAM UK New Construction Version 6.1 Technical Manual SD5079, and as identified in the submitted supporting letter as being targeted (XDA Consulting, received 27th May 2025), have been achieved.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.



# Map of Application Site



# Location Plan

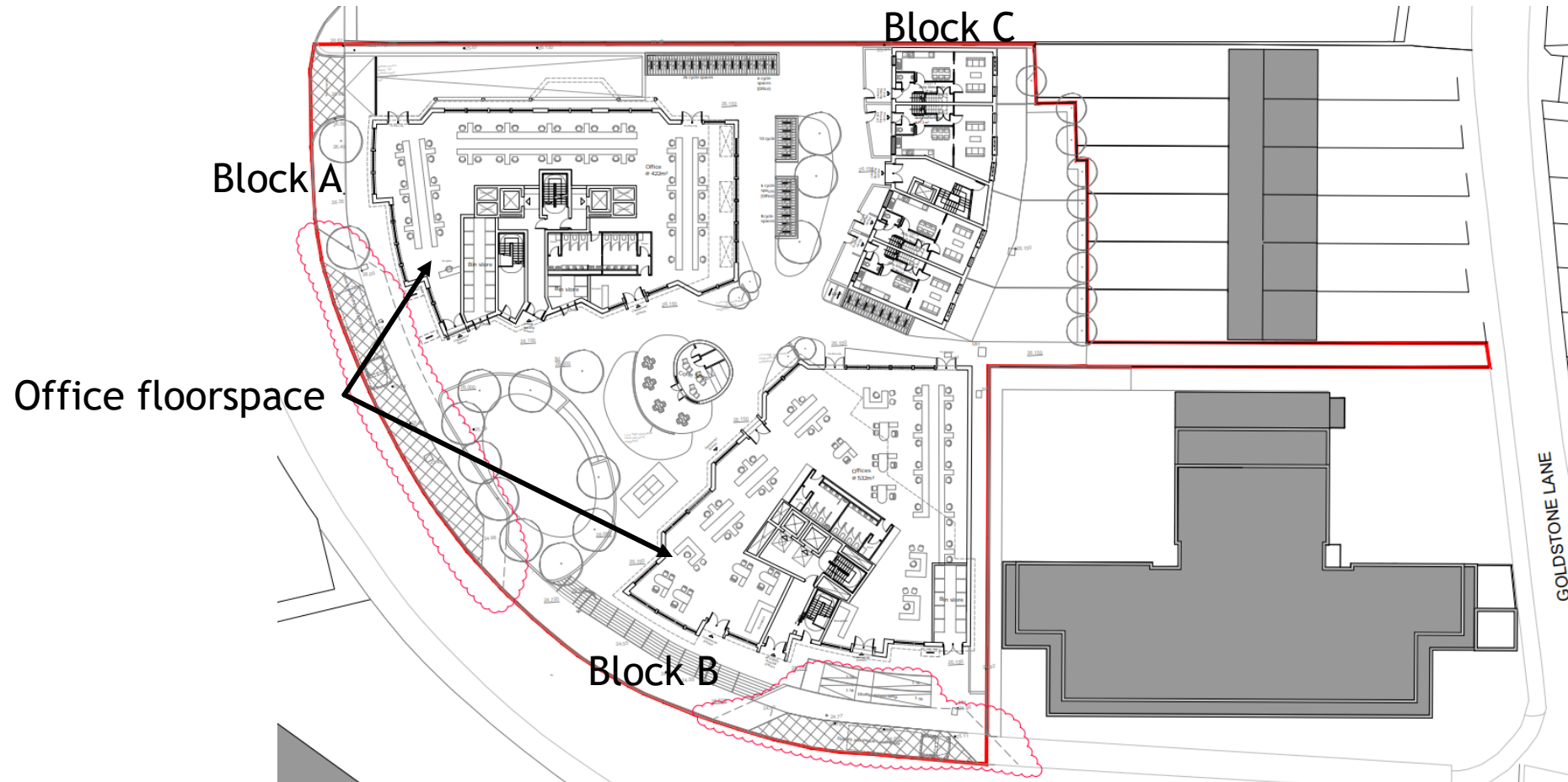


# Approved Block Plan

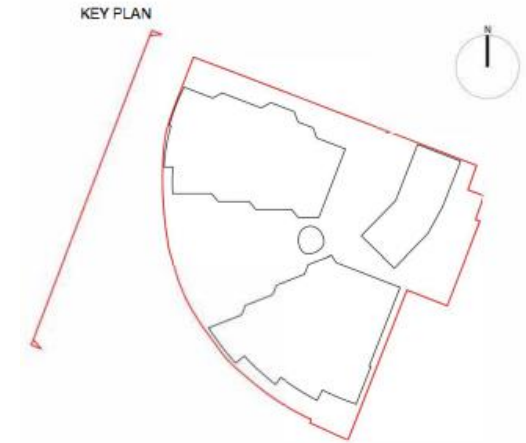
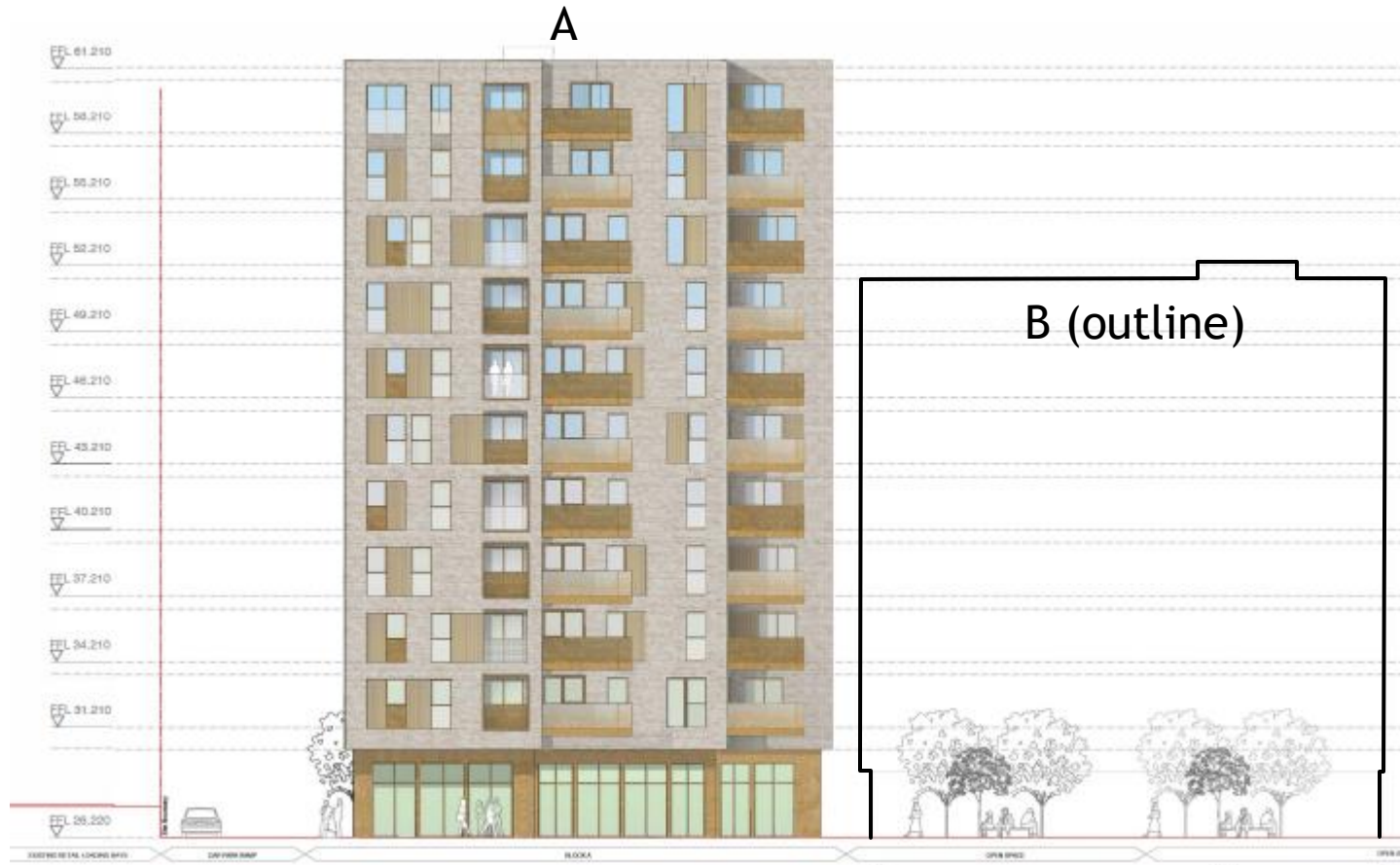




# Approved Ground Floor Plan



# Approved Site West Elevation



# Approved Site South Elevation





# Aerial Photo of Site





# 3D Aerial Photo of Site





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# Site Photo (September 2025)

Block A



Block C

# Site Photo (September 2025)



Block A

Block B

Block C



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# Site Photo (September 2025)

Block B



# Representations

- ▶ None received

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# Key Considerations

- Sustainability

# Conclusion and Planning Balance

- ▶ It is disappointing that the previous developer did not take the necessary actions to register BREEAM credits during the early design stages of the development. However, it is recognised that the window of opportunity for these credits to be obtained has now passed.
- ▶ The remaining credits that would have been mandatory for BREEAM 'Excellent' are still being targeted, including all five 'Energy' credits.
- ▶ The residential component of the development would be unaffected.
- ▶ Sustainability measures such as rooftop PV panels and energy and water efficiency standards in accordance with Policy CP8 are still included.
- ▶ There is no objection from the Council's Net Zero team.
- ▶ The application is recommended for approval with revised wording to Condition 14.

# BHCC Household Waste Recycling Site, Modbury Way

BH2025/00747

1<sup>st</sup> October 2025



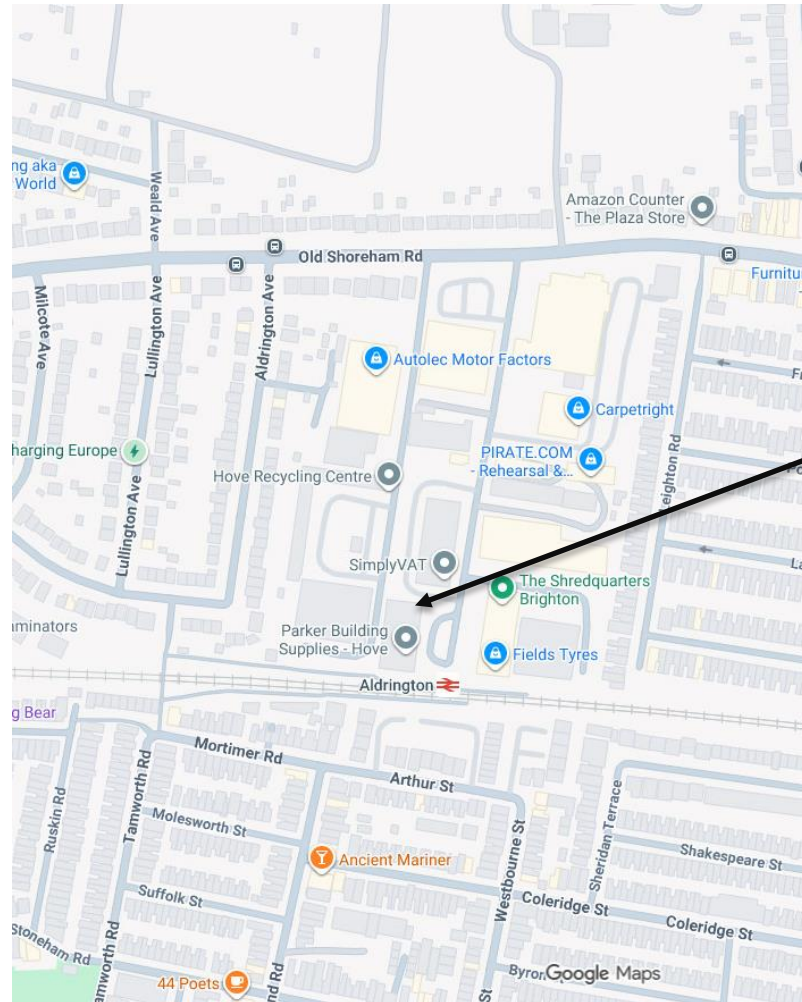
Brighton & Hove  
City Council

# Application Description

- ▶ Installation of a fire tank and pumphouse to be used in emergencies
- ▶ The tank and pump are required to comply with Environment Agency Fire Protection Plan (FPP) guidance



# Map of Application Site

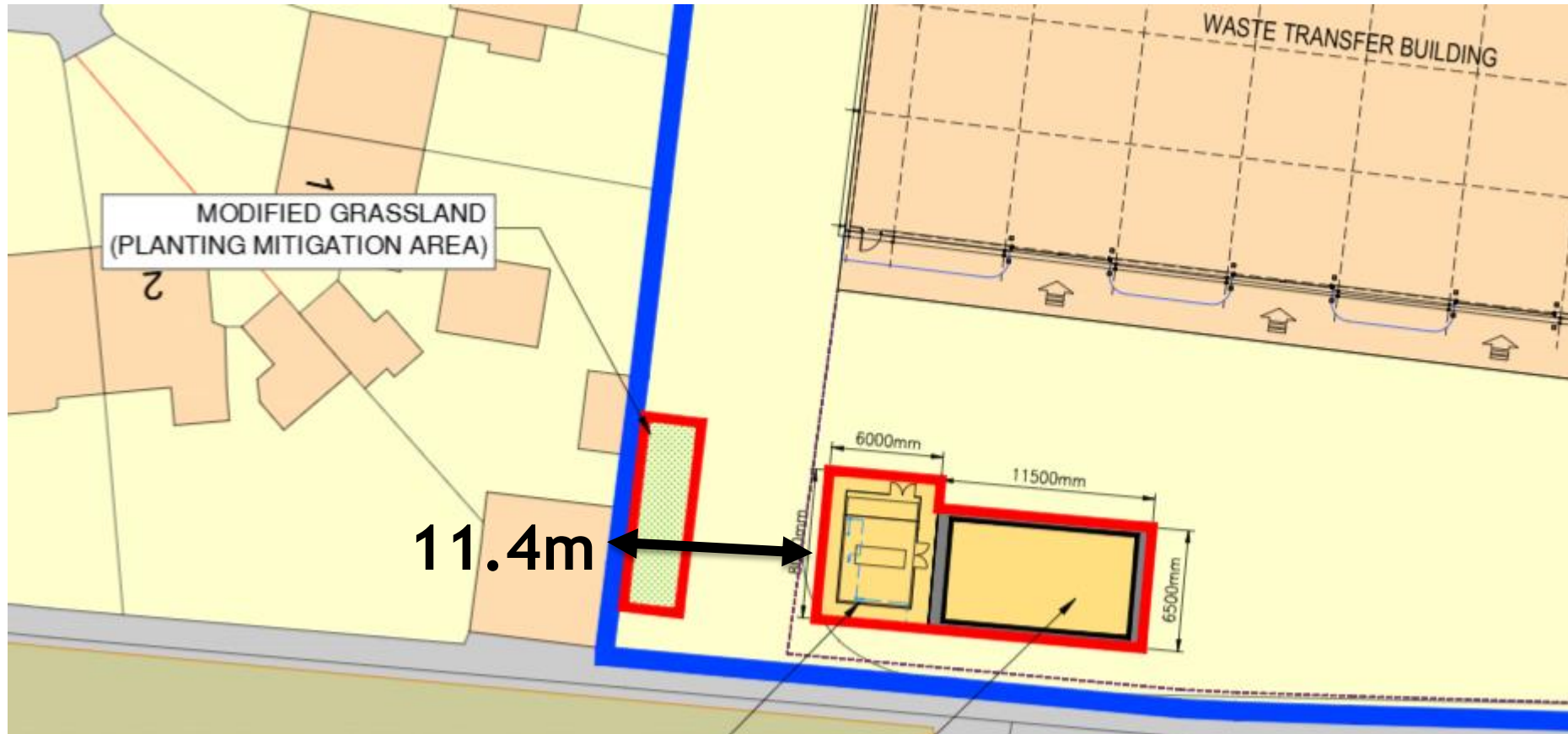


Application  
site

# Proposed Location Plan



# Distance From Neighbour





# Aerial Photo of Site





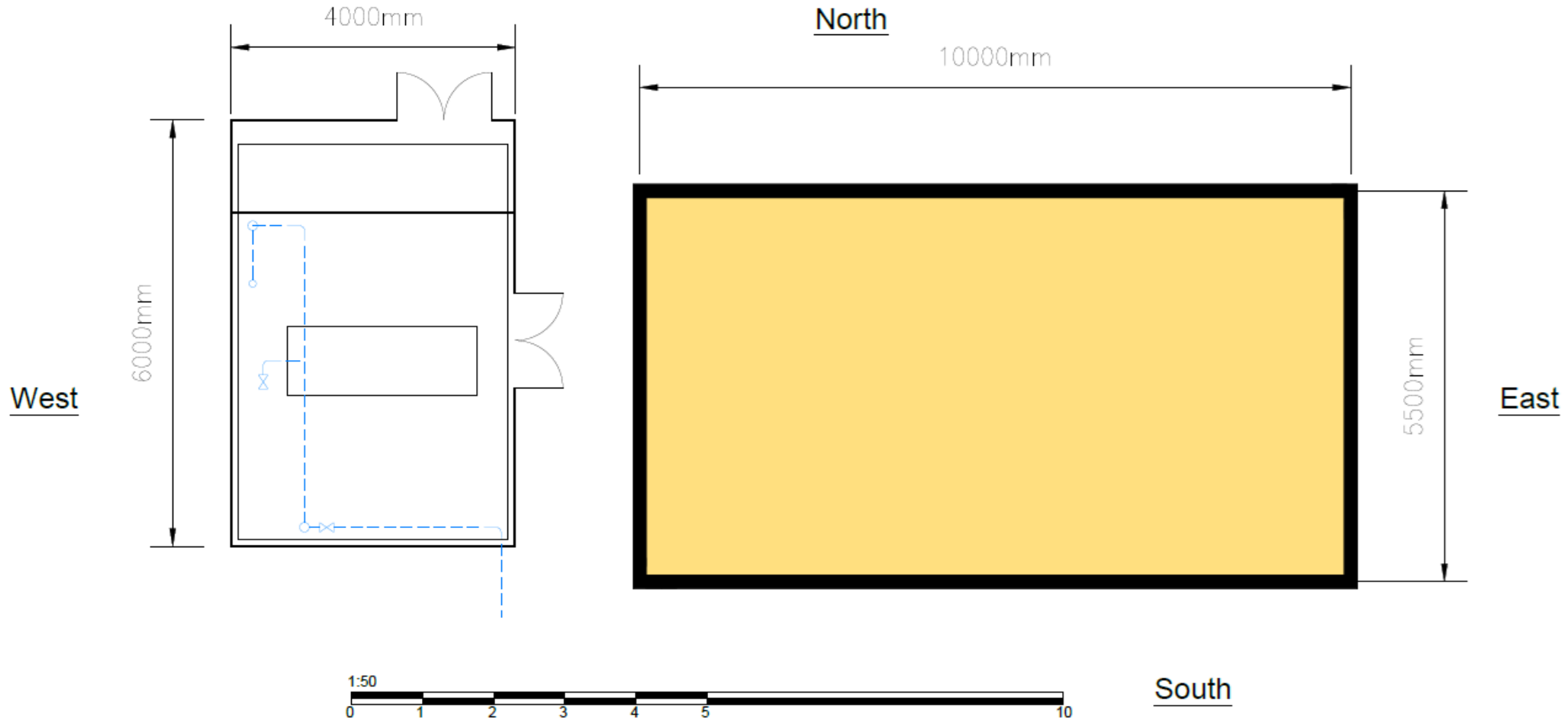
# 3D Aerial Photo of Site



# Floor Plans

Pump house

Water Tank

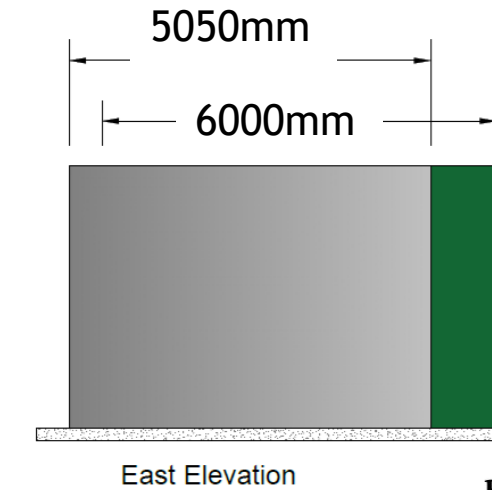
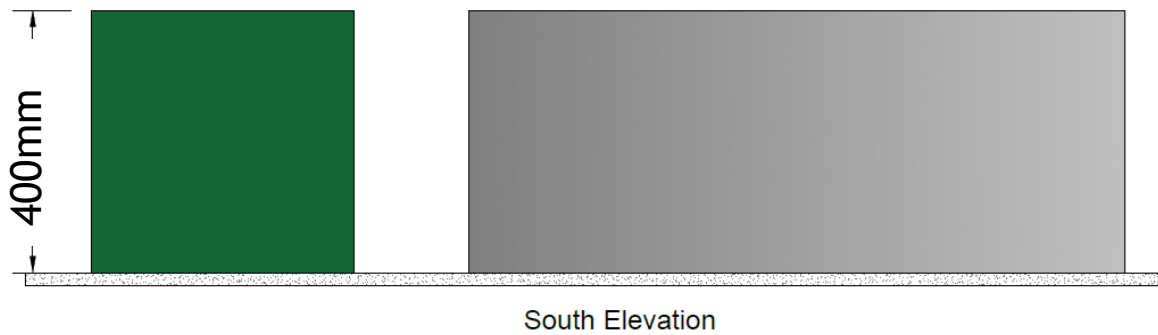
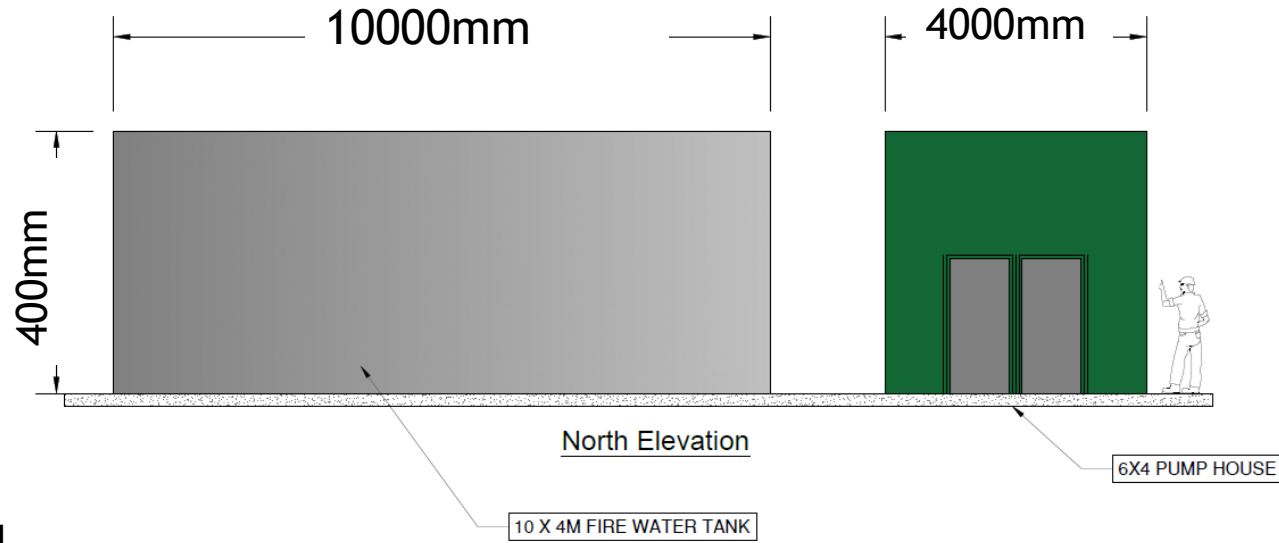




# Elevations

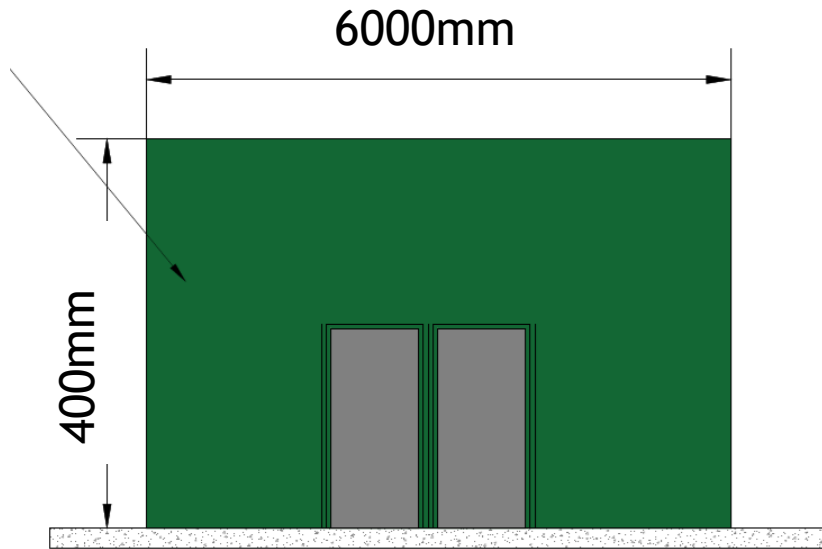
Pump House  
Galvanised Steel  
- Green

Water Tank  
Galvanised Steel  
- Grey

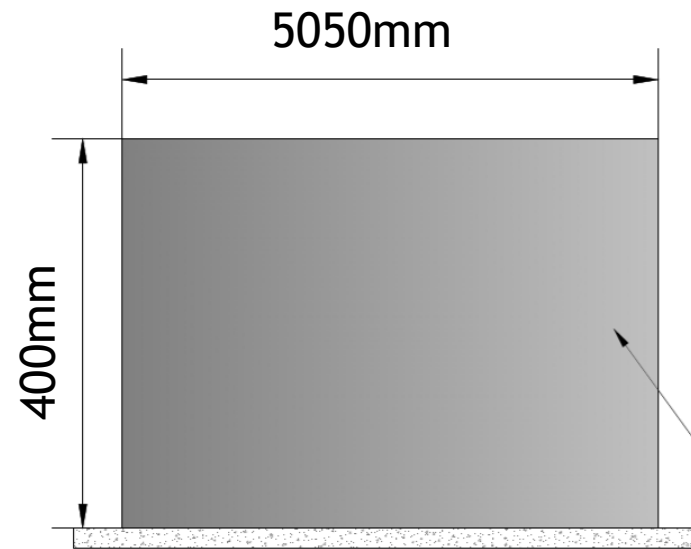


# Sections

6 x 4 Pump  
House



A:A Elevation  
(Pump House East)



B:B Elevation  
(Fire Tank West)

10 x 4 Fire Tank



# Photographs of the site



Looking towards the Western boundary



Looking towards the rear boundary



# Photographs of the site



Looking towards the  
eastern boundary



Rear boundary

# Representations

Councillor Bageem **objects** to the application.

Eleven (11) objections were received and the following issues were raised:

- ▶ Increase in noise and vibration
- ▶ Increase in smells and flies
- ▶ Visual impact
- ▶ Location and need for the tank
- ▶ Lack of consultation from the site

# Key Considerations

- ▶ Impact on character and appearance
- ▶ Impact on amenity
- ▶ Biodiversity



# Conclusion and Planning Balance

- ▶ The fire tank and pump house would not be highly visible and would not significantly impact on the character and appearance of the site or the surrounding area.
- ▶ Environmental Health have no objections to the development. A condition is recommended to secure further details of suitable treatment for all plant and machinery. As such there would be no significant harm caused to neighbouring properties.
- ▶ There would be no transport impacts.
- ▶ Provision of onsite or offsite BNG can be appropriately secured by condition as well as precautionary working methods on site to protect any species on site.
- ▶ **Recommend: Approval**



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# 10 Dukes Lane

## BH2025/01338

1<sup>st</sup> October 2025



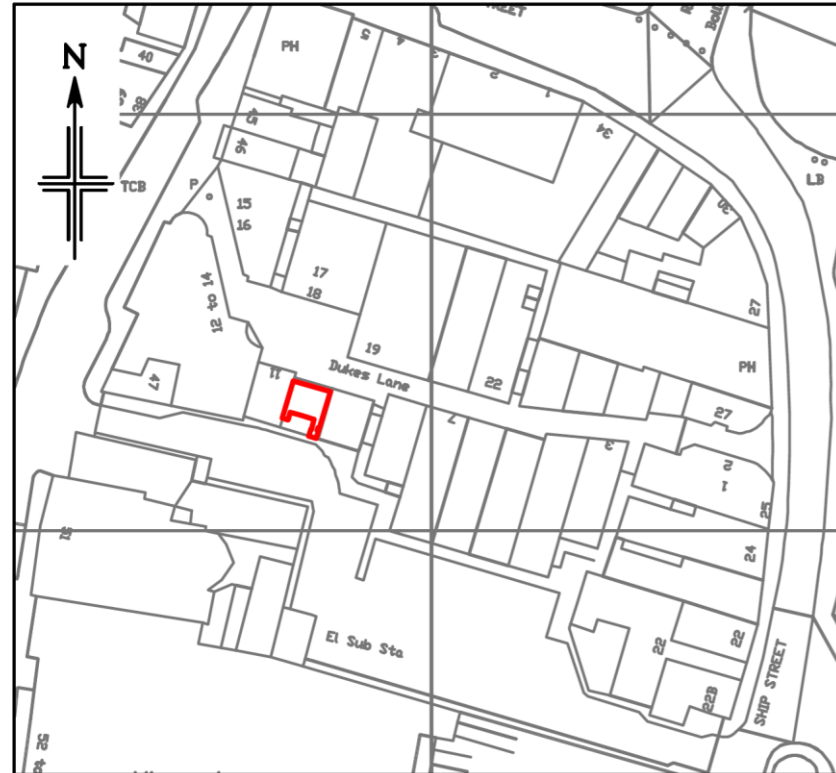
Brighton & Hove  
City Council



# Application Description

- ▶ Application to vary Condition 2 of planning permission BH2005/02302/FP to permit customer opening hours of 08:00 to 22:30 daily.
- ▶ The original application conditioned opening hours of 08:00 to 18:00 daily

# Existing Location Plan



**Location Plan**

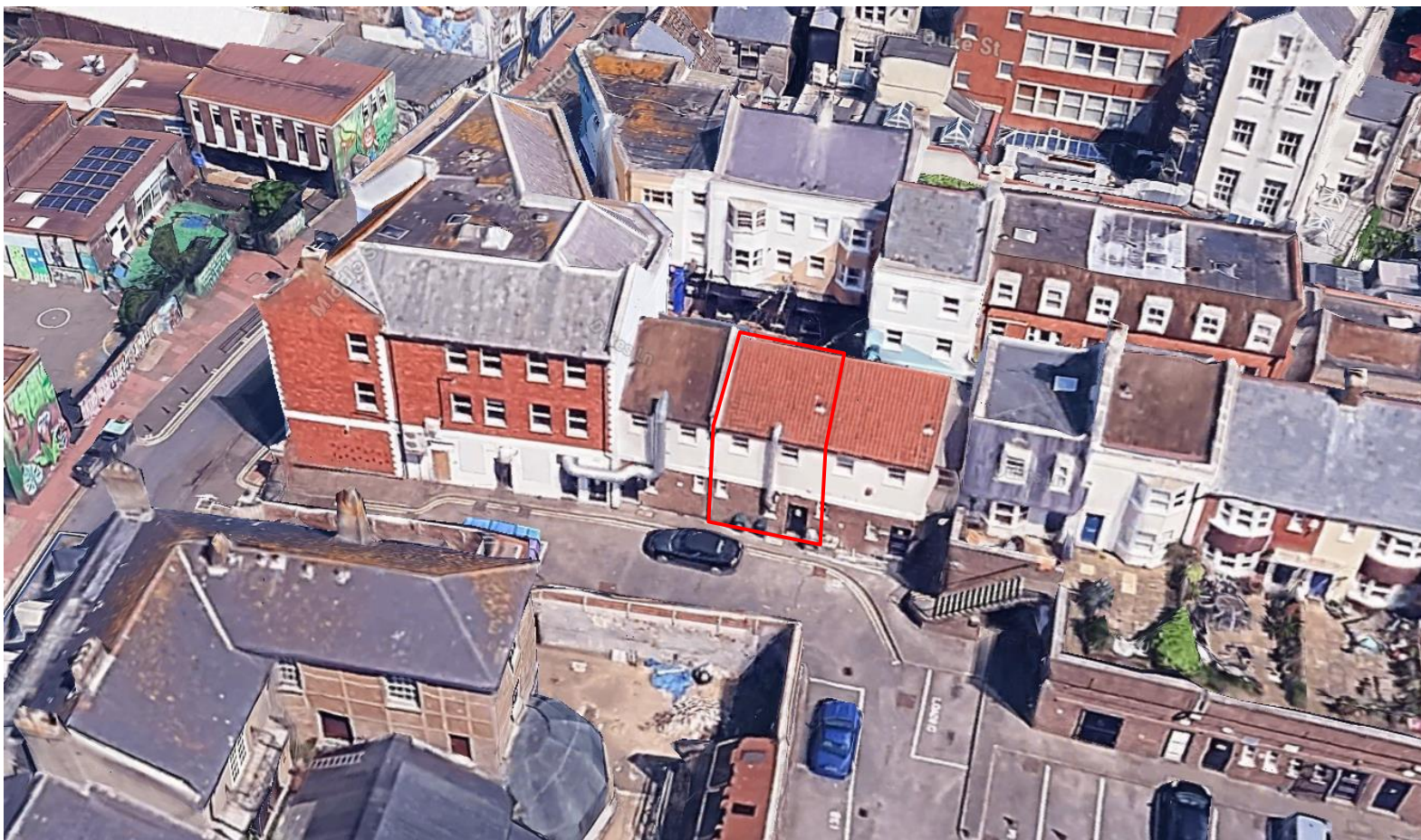
Scale 1:1250

# Aerial Photo of Site





# 3D Aerial Photo of Site





# 3D Aerial Photo of Site



North

# Street View Image

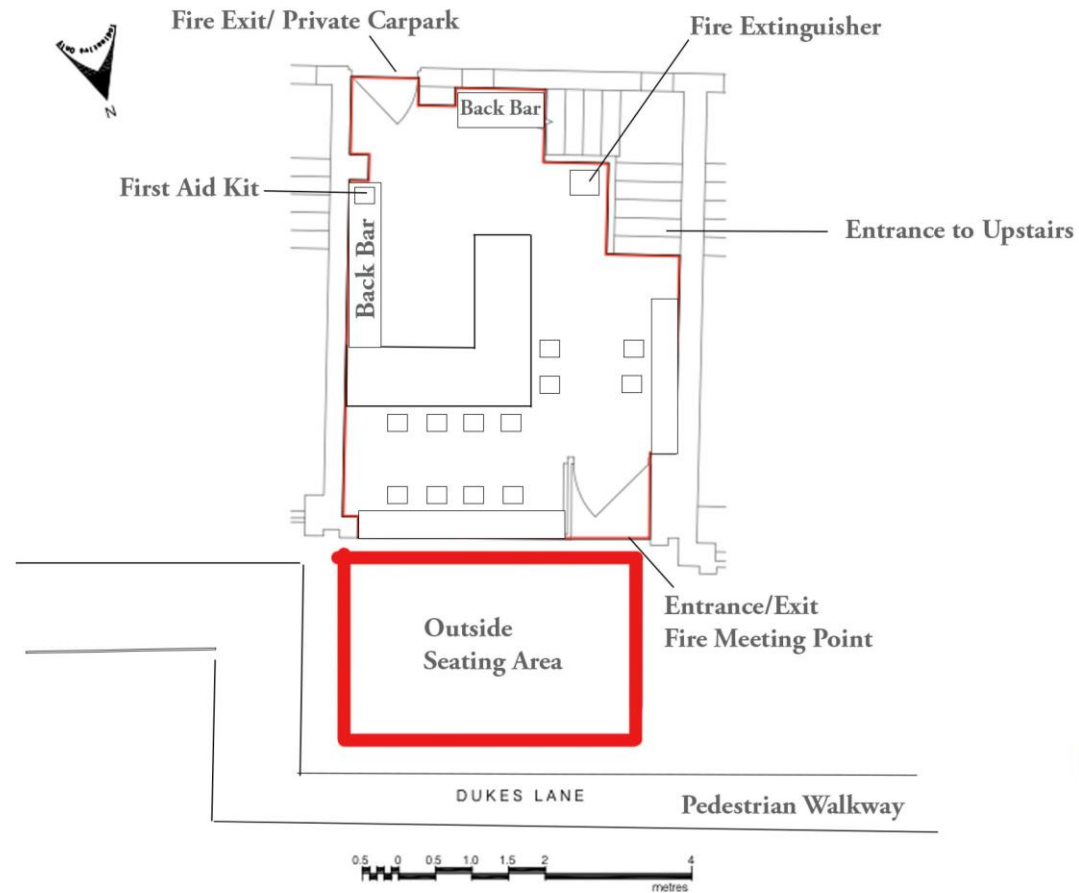




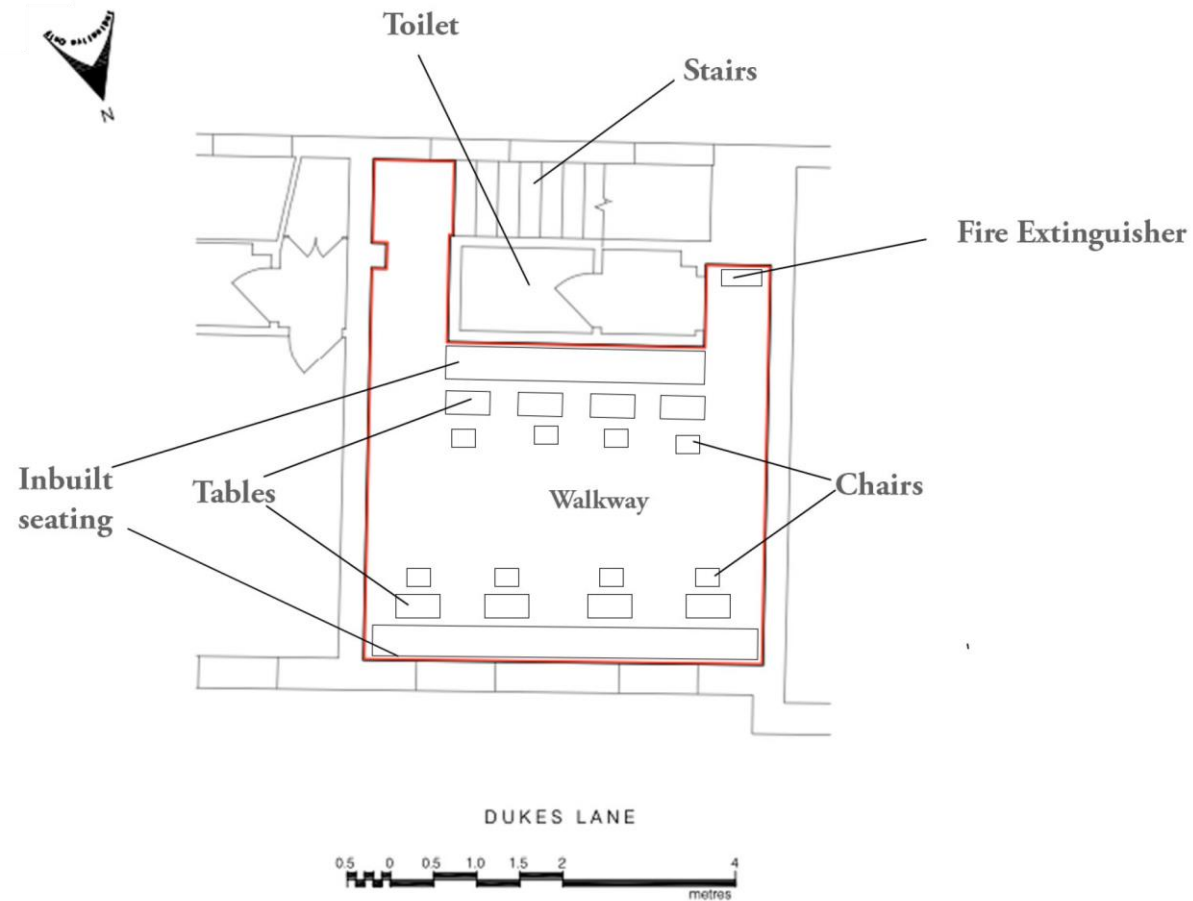
# Rear View Image



# Ground Floor Plan



# 1st Floor Plan





# Representations

Five (5) representations have been received, objecting to the proposal on the following grounds:

- ▶ The red line on the site location plan does not include the outside area, nor did it on the original planning permission (BH2005/02302)
- ▶ It would not be lawful or reasonable to prescribe opening hours to the outside space; furthermore, there is objection to use of this space beyond 19:00 Monday to Saturday and 17:00 Sundays and Bank Holidays
- ▶ There should be no music played that is audible outside of the application building
- ▶ There is a local covenant in place regarding music
- ▶ Storage of seating after business closure will lead to noise nuisance.
- ▶ The use of the property as a 'drinking establishment' would constitute an unauthorised change of use class.
- ▶ Lack of 'evidence of a Premises Licence or Personal Licence holder'
- ▶ Creation of a drinking establishment in the area, resulting in noise nuisance and antisocial behaviour

# Key Considerations

- ▶ The main considerations in the determination of this application relate to the
- ▶ Principle of development,
- ▶ Potential impacts on the amenities of local residents and business-users;
- ▶ Highway safety;
- ▶ Significance of heritage assets in the vicinity.

# Conclusion and Planning Balance

- ▶ The proposed development would improve the flexibility of the building to provide for the class E use to operate in the evening, improving the commercial offer of the area.
- ▶ The proposed opening hours extending until 22:30 daily is considered to be acceptable in terms of its impacts on the amenity of residents
- ▶ The proposal is acceptable in terms of highways and heritage impacts.
- ▶ Approval is recommended.





**12 Nevill Way**  
**BH2025/00802**

**1<sup>st</sup> October 2025**



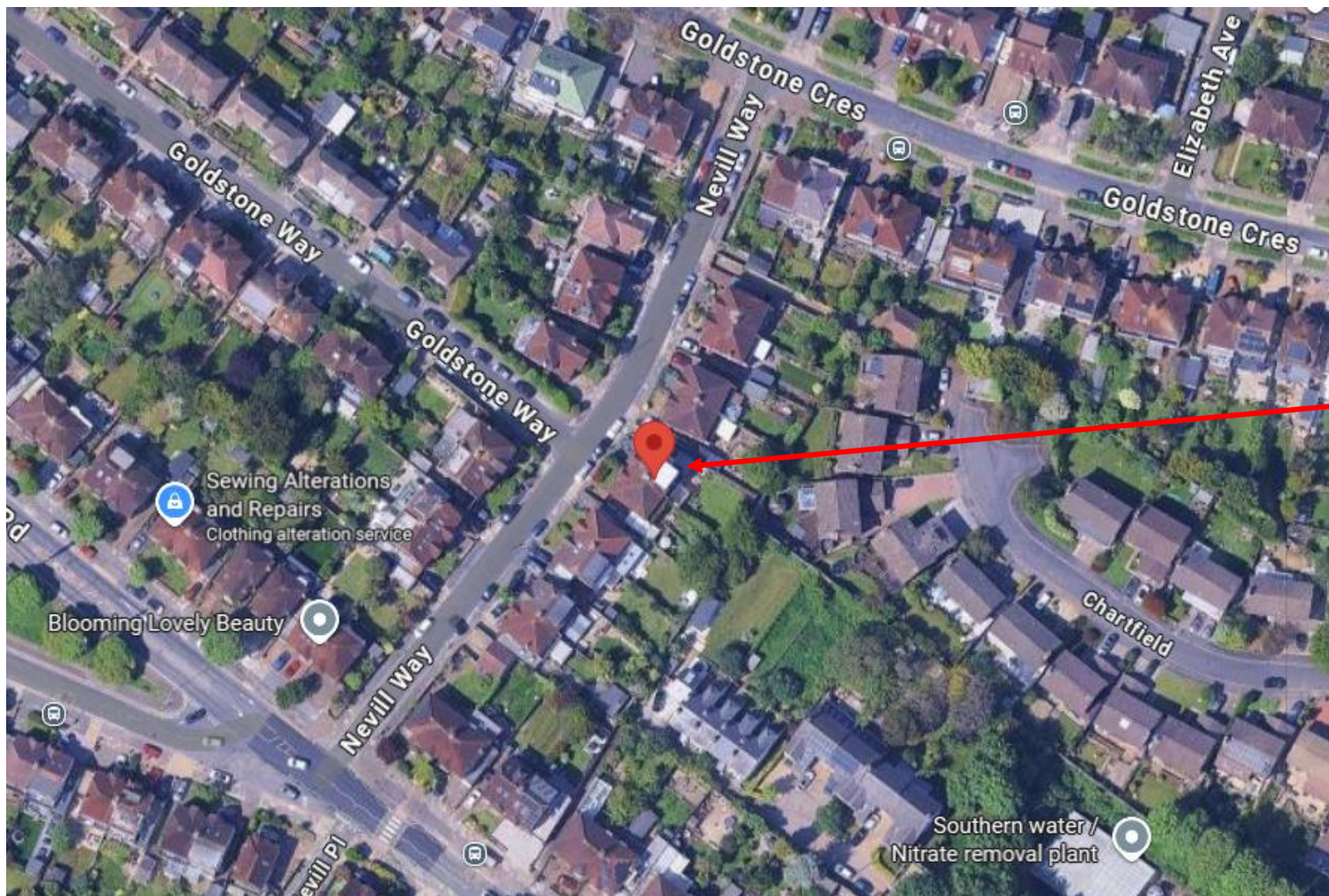
**Brighton & Hove**  
**City Council**

# Application Description

- Erection of two storey side extension to create annexe.



# Map of Application Site

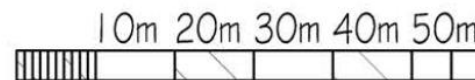


Site

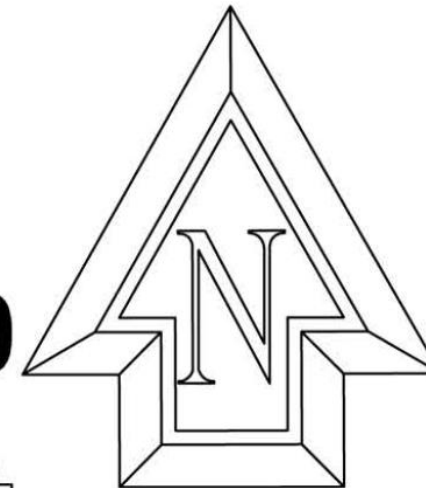
# Location Plan



**Location PLAN 1:1250**



1:1250 Scale Bar





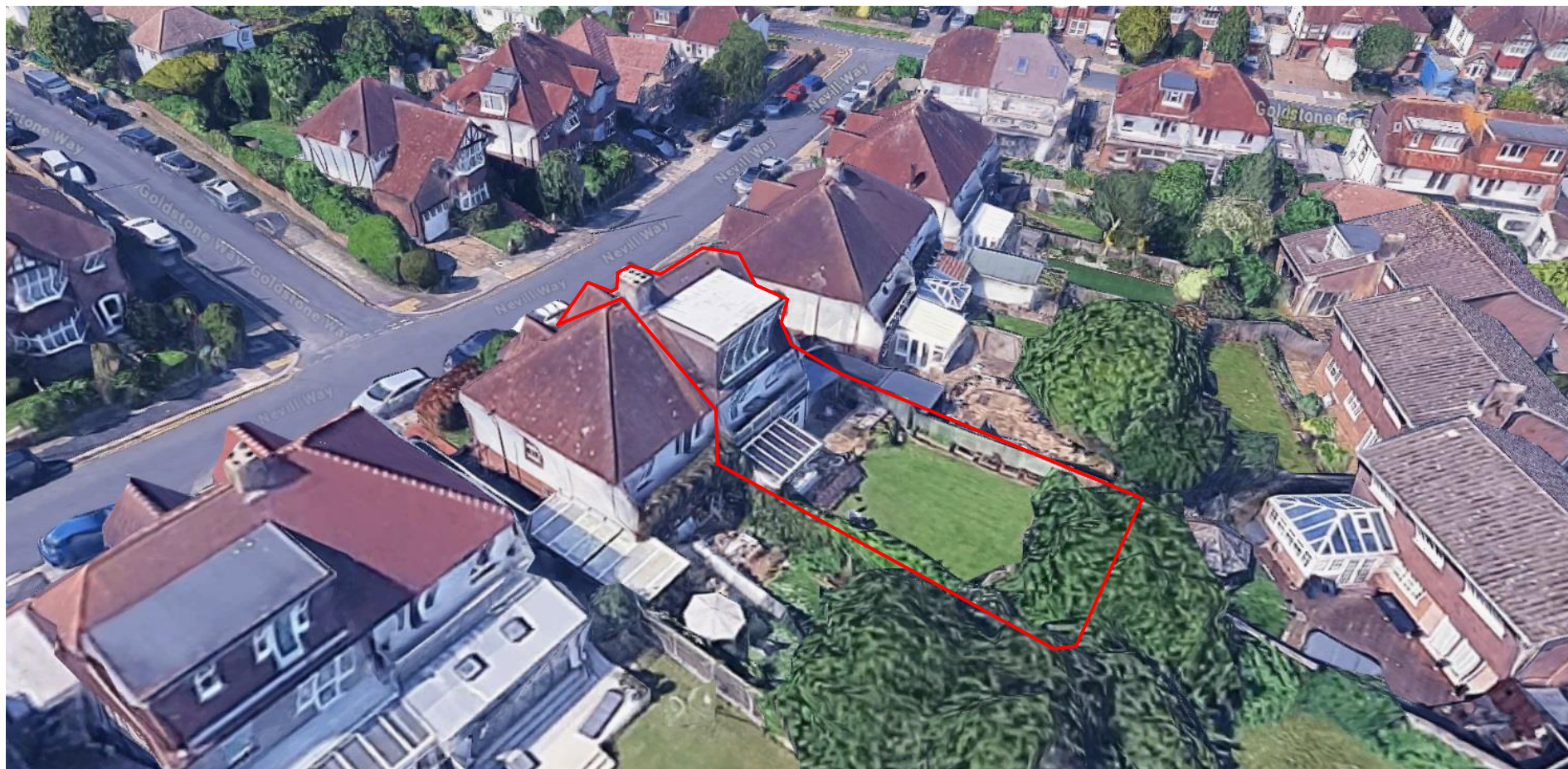
# Aerial Photo of Site



Brighton & Hove  
City Council



# 3D Aerial Photo of Site



Brighton & Hove  
City Council



# Street Photos of Site





# Street Photos of Site showing side / front of property





# Photos from Driveway



Towards No.14



Towards No.12 (Site)

# Photos from Driveway



Towards No.14



# Photos from Rear Garden



Towards No.14





# Photos from Rear Garden



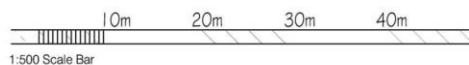
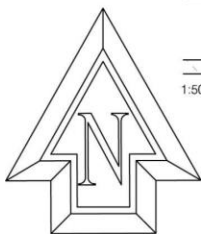
Towards No.12 (Application Site)

# Block Plan

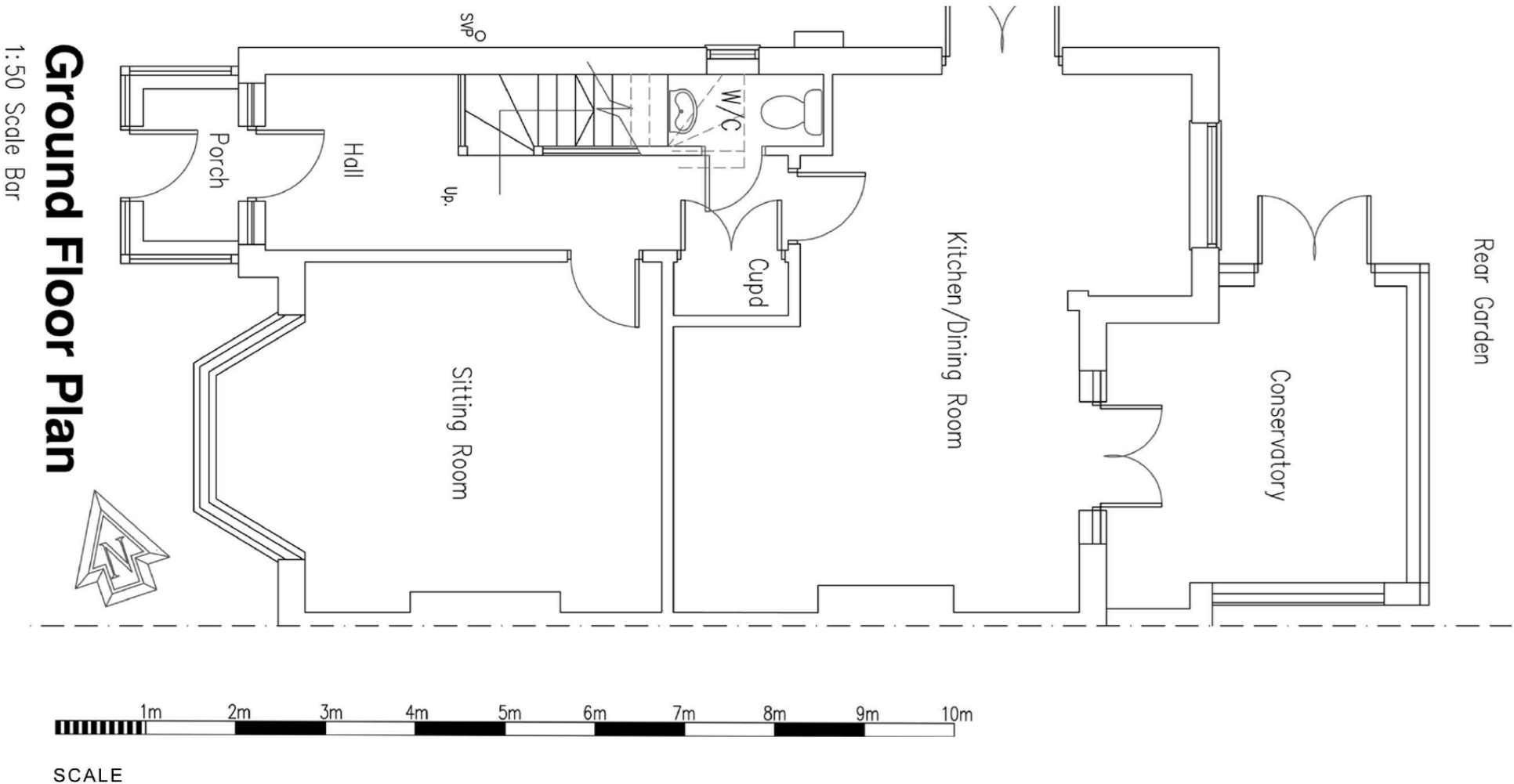


proposed rear & side roof extension hatched red

**BLOCK PLAN 1:500**

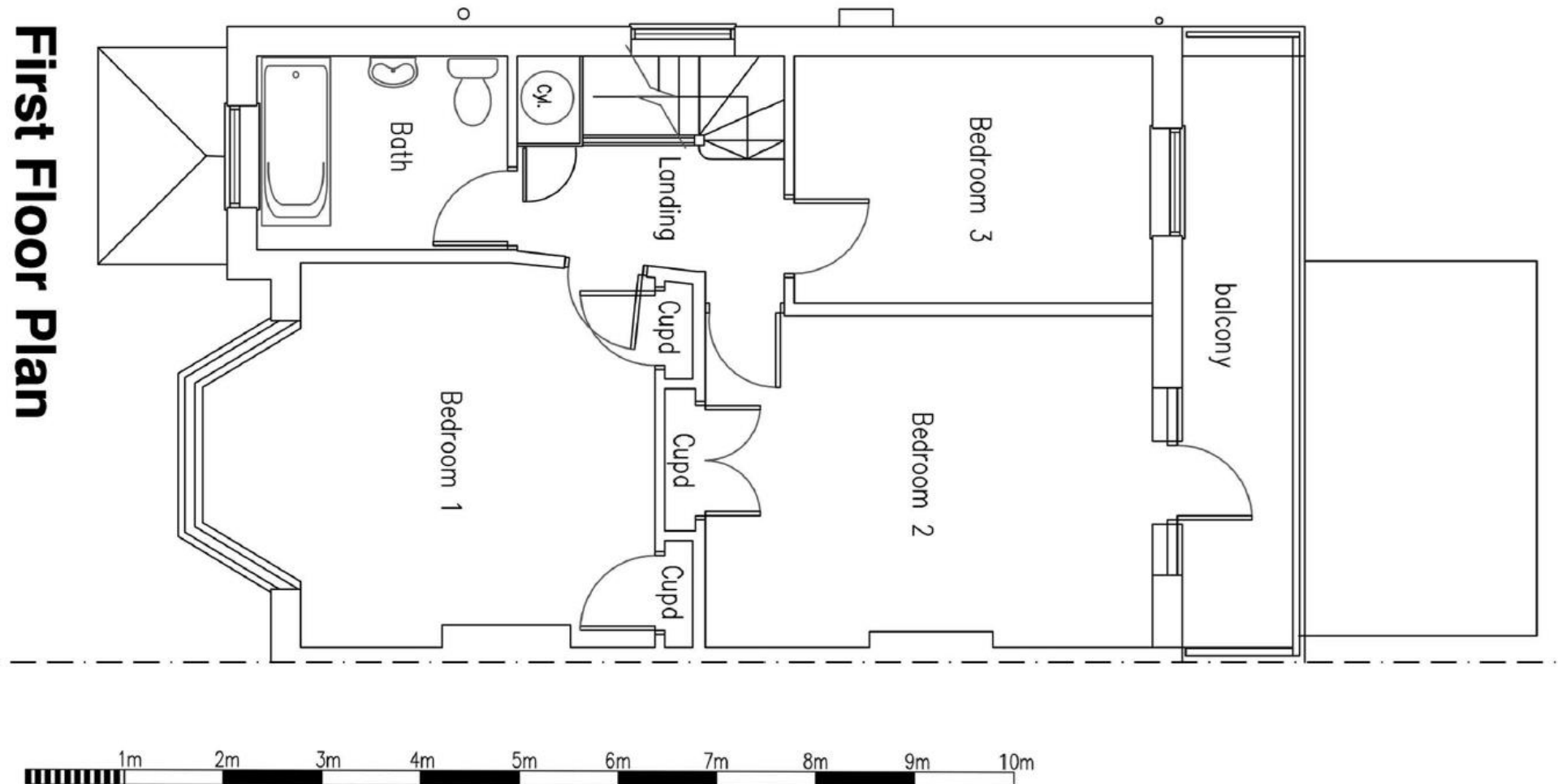


# Existing Ground Floor Plan

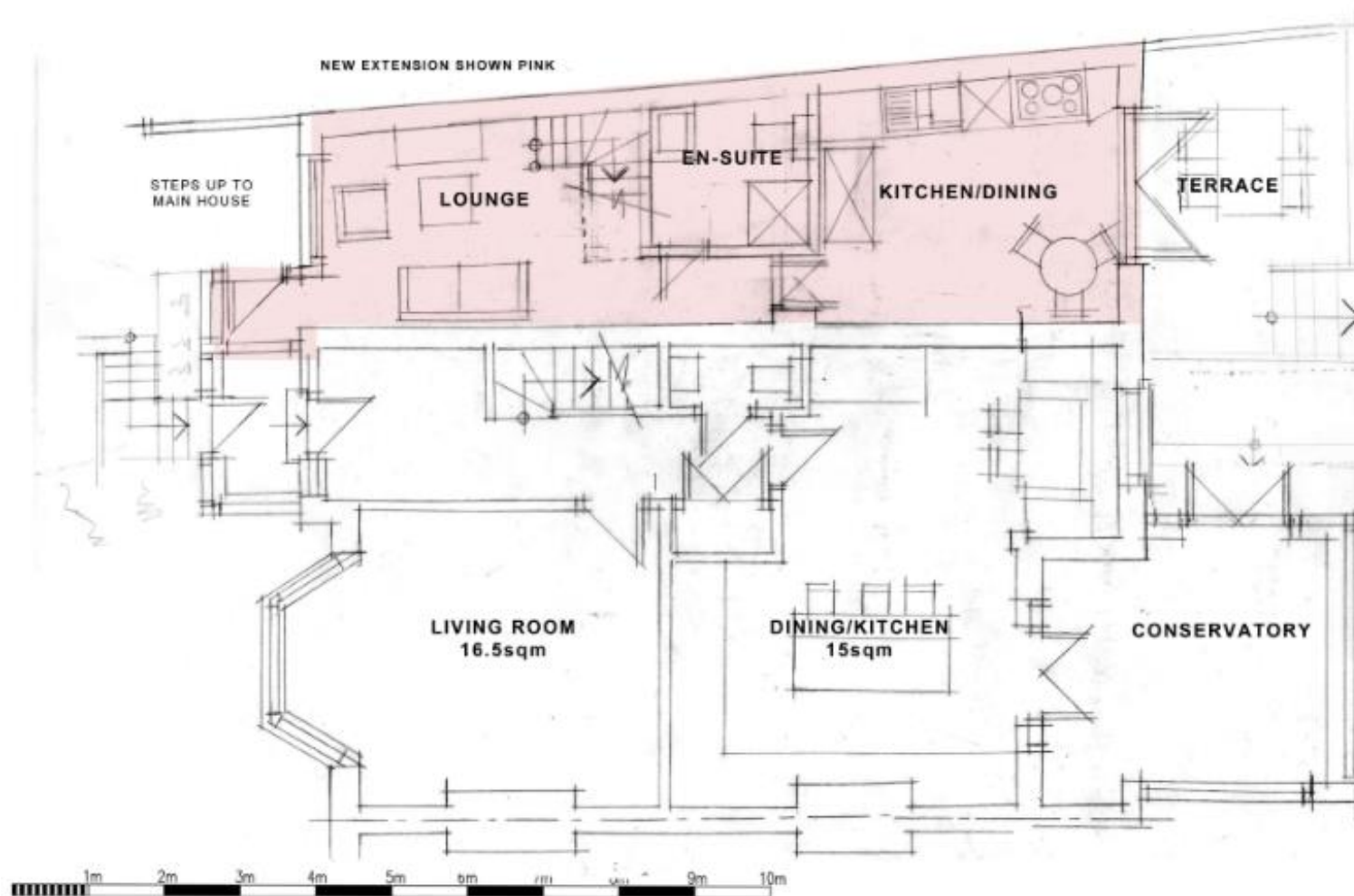




# Existing 1st Floor Plan



# Proposed Ground Floor Plan

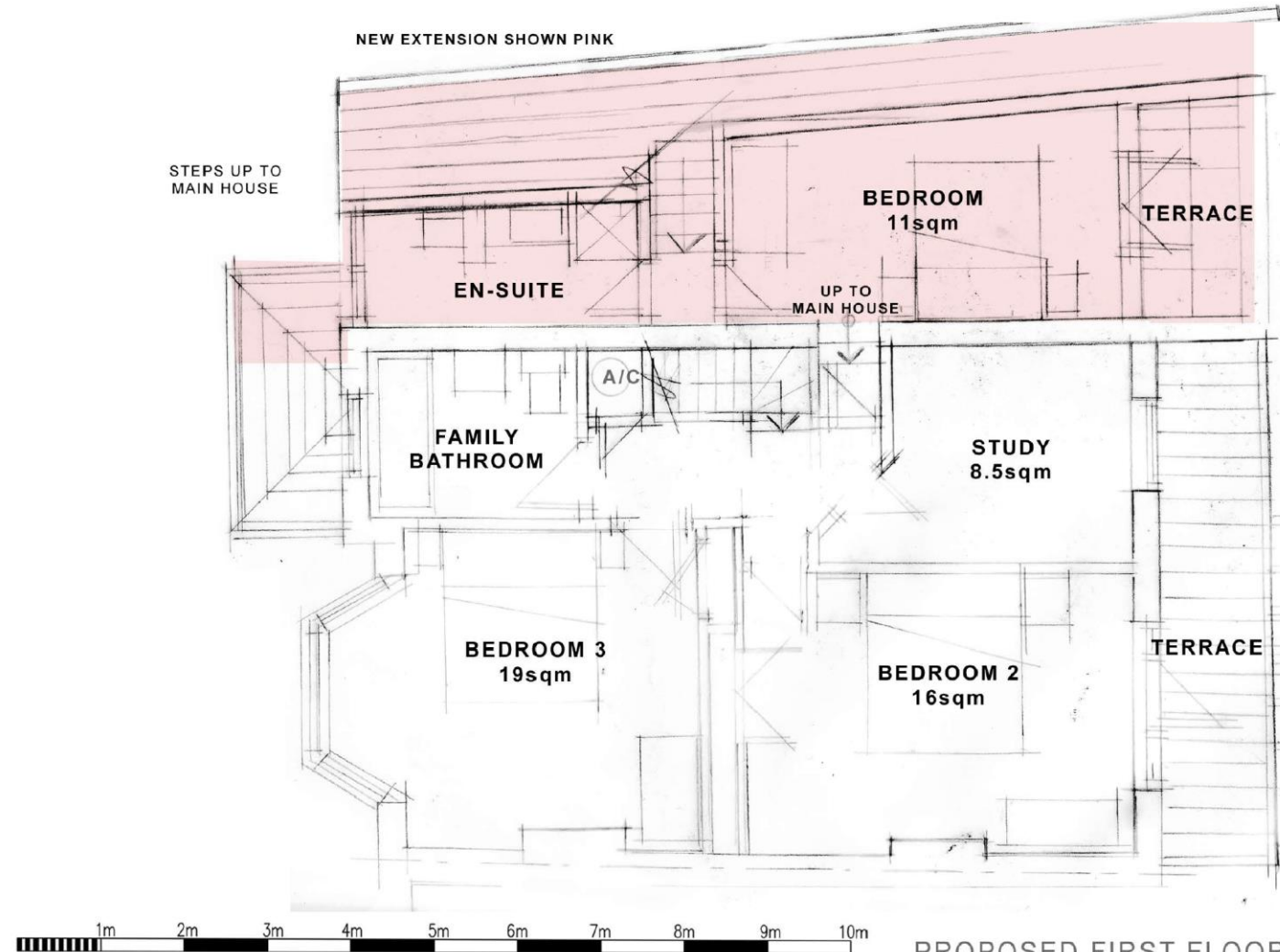


12 NEVILL WAY, HOVE : PROPOSED GROUND FLOOR PLAN

Scale: 1:50@A3 Auth By: AF Drawn By: AF Date: 21.07.25 Dwg No: 2501-L(00)9B

REV B: EXTERNAL STEPS ADDED - AF 24.07.25  
REV A: UPDATED DESIGN - AF

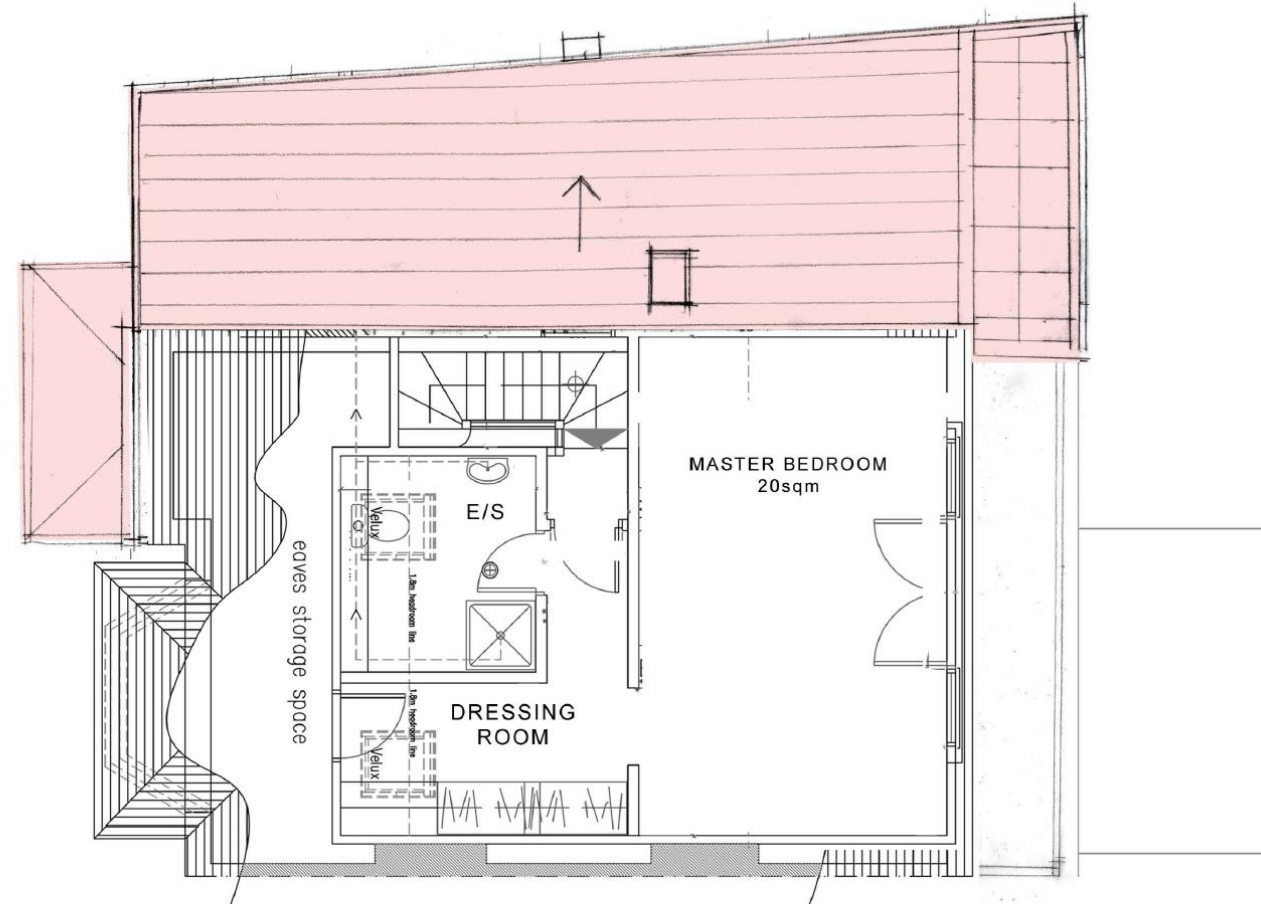
# Proposed 1st Floor & Mezzanine Plan



PROPOSED FIRST FLOOR & MEZZANINE FLOOR PLAN



# Proposed 2<sup>nd</sup> Floor & Roof Plan



PROPOSED SECOND FLOOR & ROOF PLAN

# Existing Front Elevation



**West Facing (Front) Elevation**

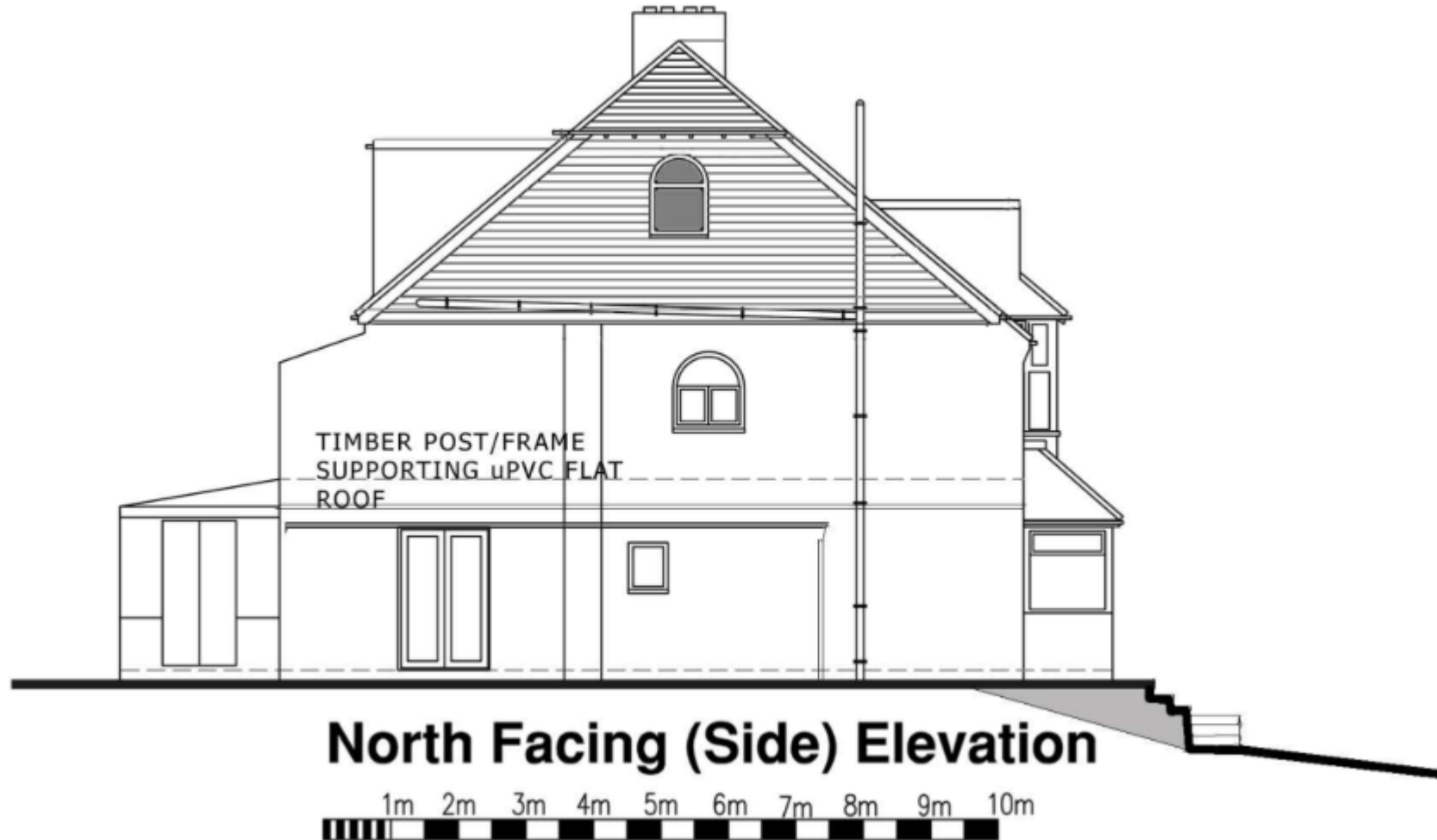
# Proposed Front Elevation



**West Facing (Front) Elevation**



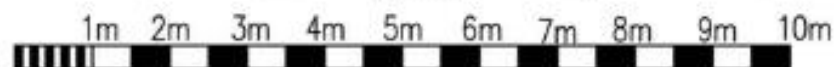
# Existing Side Elevation



# Proposed Side Elevation



**North Facing (Side) Elevation**



# Existing Rear Elevation





# Proposed Rear Elevation



# Representations

During the original neighbourhood consultation, fourteen (14) objections to the proposal were received and the following issues were raised:

- ▶ Additional traffic/parking issues/road safety concerns
- ▶ Detrimental effect on property value
- ▶ Noise
- ▶ Overdevelopment, inappropriate height of development
- ▶ Poor design, not in keeping
- ▶ Overshadowing/loss of light
- ▶ Too close to the boundary
- ▶ Loss of privacy
- ▶ Commercial business unsuited to residential area
- ▶ Restriction of view

(It should be noted the original proposal was for a significantly larger side extension with a Pilates studio and facilities)

During the re-consultation period, eight (8) objections were received. Seven of these were from previous objectors and one of these was from a new objector. The only additional consideration raised in the representations was the use of the annexe.

# Key Considerations

- ▶ Design and appearance
- ▶ Impact on amenity



# Conclusion and Planning Balance

- ▶ The proposed side extension/annexe is considered to have an acceptable design and is not considered to result in significant impacts to neighbouring amenity.
- ▶ **Approval** is therefore recommended subject to conditions preventing the use of the annexe as a separate unit of accommodation.

