

Planning Committee

Date: **8 January 2020**

Time: **2.00pm**

Venue **Council Chamber, Hove Town Hall**

Members: **Councillors:**Hill (Chair), Littman (Opposition Spokesperson),
C Theobald (Group Spokesperson), Childs, Fishleigh, Janio,
Mac Cafferty, Miller, Shanks and Yates

Conservation Advisory Group Representative

Contact: **Penny Jennings**
Democratic Services Officer
01273 291065
penny.jennings@brighton-hove.gov.uk

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk.
Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through
ModernGov: [iOS/Windows/Android](#)

This agenda and all accompanying reports are printed on recycled paper

AGENDA

70 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest or Lobbying

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (d) All Members present to declare any instances of lobbying they have encountered regarding items on the agenda.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

71 MINUTES OF PREVIOUS MEETINGS

Minutes of the meetings held on:

- (a) 6 November 2019 (copy attached);
- (b) 4 December 2019 (copy attached)

72 CHAIR'S COMMUNICATIONS

73 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 2 January 2020.

74 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

75 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

Please note that the published order of the agenda may be changed; major applications will always be heard first; however, the order of the minor applications may be amended to allow those applications with registered speakers to be heard first.

Callover arrangements are in place and the Democratic Services Officer will refer to each application in turn. All major applications and any minor applications on which there are speakers are automatically reserved for discussion.

MINOR APPLICATIONS

A	BH2019/03132 - Glenside, Wincombe Road, Brighton Full Planning	31 - 46
B	BH2019/02306 - 40 Dyke Road Avenue, Brighton - Full Planning	47 - 58
C	BH2019/02290 - 218 Dyke Road, Brighton - Full Planning	59 - 80
D	BH2019/02273, 218 Dyke Road, Brighton - Listed Building Consent	81 - 96
E	BH2019/03091 - Lace House, Flats 1 -9, 39-40 Old Steine, Brighton - Full Planning	97 - 108

76 TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS

INFORMATION ITEMS

77 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE **109 - 114**

(copy attached).

78 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

No new information to report.

79 APPEAL DECISIONS

115 - 118

(copy attached).

Members are asked to note that plans for any planning application listed on the agenda are now available on the website at: <http://www.brighton-hove.gov.uk>

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested. Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

FURTHER INFORMATION

For further details and general enquiries about this meeting contact Penny Jennings, (01273 291065, email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during this web cast will be retained in accordance with the Council's published policy.

Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

ACCESS NOTICE

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question.

FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 6 NOVEMBER 2019

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Hill (Chair), Littman (Opposition Spokesperson), C Theobald (Group Spokesperson), Childs, Mac Cafferty, Miller, Shanks and Yates

Officers in attendance: Nicola Hurley (Planning Manager), Mike Anson (Principle Planning Officer), Russell Brown (Principle Planning Officer), Henrietta Ashun (Principle Planning Officer), Sonia Gillam (Senior Planning Officer), Emily Stanbridge (Senior Planning Officer), Hilary Woodward (Senior Lawyer) and Shaun Hughes (Democratic Services Officer).

PART ONE

50 PROCEDURAL BUSINESS

50a Declarations of substitutes

50.1 None

50b Declarations of interests

50.2 Councillor Phelim Mac Cafferty declared an interest in item A as he has been contacted by the applicant. Councillor Mac Cafferty stated that they were not predetermined on the item.

Councillor Joe Miller declared they had been lobbied by residents on items A and F.

Councillor Daniel Yates declared they had written a letter of objection to item A and would withdraw from the chamber for this item.

All Members of the Committee have been lobbied by residents regarding item F.

50c Exclusion of the press and public

50.3 In accordance with Section 100A of the Local Government Act 1972 (“the Act”), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

50.4 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

50d Use of mobile phones and tablets

50.5 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to ‘aeroplane mode’.

51 MINUTES OF THE PREVIOUS MEETING

51.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 9 October 2019 as a correct record having accepted the following change:

Item H – BH2019/01743 – Varndean College, Surrenden Road, Brighton – Full Planning

Public Speakers:

“Mr Colman spoke on behalf of neighbouring residents setting out their objections and those of the Green Varndean Group to the proposed scheme. The proposed scheme should be in addition to rather than a replacement for the existing biodiversity area. An additional condition ought to be required in order to protect this area which was an asset of community value.”

52 CHAIR'S COMMUNICATIONS

52.1 The Chair stated that the committee would be recorded and available for repeat viewing. The major applications will be dealt with first, followed by the minor applications. If speakers are present for an item then those items will be called first.

53 PUBLIC QUESTIONS

53.1 There were none.

54 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

54.1 There were none.

55 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

Call Over

55.1.1 It was noted that all items on the agenda were called for discussion.

A BH2019/01272 - 1 Moulsecoomb Way, Brighton - Full Planning

Demolition of existing industrial (recycling), community and residential buildings and erection of a new development with buildings ranging from 5 to 7 storeys providing a mix of new community (Class D1) and employment (Class B1) floorspace at ground floor level and 373 student bedrooms with communal facilities on the upper floors along with landscaping, public realm improvements and public and communal open space.

- 1) It was noted that this item had been the subject of a site visit prior to the Committee meeting.
- 2) The Principal Planning Officer, Mike Anson, introduced the application with a presentation detailing the scheme by reference to plans, site plans, photographs, elevational drawings and aerial views showing the site and its boundaries. Reference was also made to the additional representations received detailed in the Late/Additional Representations List.

Public Speakers

- 3) Councillors Kate Knight and Daniel Yates spoke on the item. Councillor Knight stated that they had attended the consultation and noted that some residents felt that accommodation for families would be more appropriate for the area. The existing over crowded parking meant that there were concerns from residents regarding the lack of parking allocated in the proposed development. A robust plan for student parking was requested. Councillor Yates stated that some elements of the scheme were not being opposed as the loss of the way transfer station was not generally opposed. No issues were expressed with the design and scale. It was noted that at a public meeting concerns were raised relating to the parking for the scheme and the late list included concerns from the Highways officer. The Councillor considered that the impact on the surrounding roads could be considerable.
- 4) There were no questions from the Committee for the speakers.
- 5) Grant Leggett – Planning Consultant spoke on behalf of the applicant. It was stated that the development would be a mixed use of employment and residential. A petition in March had raised concerns about the use of HGVs in the area. A replacement transfer station has been identified in Newhaven, where new jobs are to be provided. It was noted that a wood recycle project would be included at the new location. Community use areas would be included in the development along with 370 student rooms. Access to the universities is good. With regarding to parking the student management plan would cover this matter.

Questions for the Speaker

- 6) Councillor Joe Miller was informed that the location was good for buses.
- 7) Councillor was informed that the church was to be retained.

- 8) Councillor Sue Shanks was informed that the student management plan would cover the busy time of student drop off at the beginning of term and include spreading the drop off times across different days. The courtyard can be used as a drop off place and thereafter retained for community use.
- 9) Councillor Nick Childs was informed that the management plan would deal with parking issues and that supermarket drops would be on the street. It was felt that students would not want to incur the extra charge for busy times and would therefore request other drop off times and this would reduce the impact. It was noted that in the traffic assessment only 10 movements would be likely by students per day. Noise and anti-social behaviour would be taken very seriously and would form part of the management plan. The students would be encouraged to be part of the community and sensitive to other residents regarding parking. It was noted that 3 trees were to be removed from the site as part of the scheme, including an Elm tree. These would be replaced as part of the development by 25 trees.
- 10) Councillor Carol Theobald was informed that the Elm tree to be removed was located at the front of the scheme. It was also noted that there are 4 staff spaces included in the development and no decisions had been made regarding the use of the art funds.
- 11) Councillor Leo Littman was informed that replacement trees would be agreed by condition.
- 12) Councillor Tracey Hill was informed that the student management plan would be detailed with no loop holes regarding student car parking.

Questions for Officers

- 13) Councillor Leo Littman was informed that the Planning officer had weighed up all policies following professional opinions from the Transport Officer. It was agreed that the information provided to the transport officer was not comprehensive. A request has been made to repeat the parking survey at school term time.
- 14) Councillor Nick Childs was informed by the Transport Officer that the emergency vehicle access had been included following talks with the applicant. It was noted that the transport audit was insufficient and there were overall concerns on the road loading. The Road Safety audit had not been verified at this time. It was confirmed that 19 wheelchair spaces were included in the scheme. Mike Anson stated that wheelchair using students often stayed on campus. 5% of the rooms would be wheelchair accessible and would be used by students of all abilities if not required for wheelchair users.
- 15) Councillor Joe Miller was informed that transport was not the only consideration and that the proposed units were to modern standards and the transport to university campuses were good.

- 16) Councillor Carol Theobald was informed that the on-street loading bay could be used for supermarket drop offs. It was noted that other city centre developments did not have drop off bays as part of the scheme.
- 17) Councillor Nick Childs was informed that the development was more isolated than previous developments on other parts of the city and would not incur the same loss of privacy issues. The development is also set back on the site from the existing wide road. It was confirmed that no loss of capacity would result from using the waste station in Newhaven. The exact details of loading bays would be agreed in the management plan and the Transport Officer confirmed that free loading was already in the area.

Debate

- 18) Councillor Joe Miller felt the development would be good for the area as residential units would be preferred to the current waste site. It was also noted that the units would help by not increasing the number of HMOs in the city. The office space would be welcomed. The loss of three trees was acceptable given they will be replaced. The transport links are good, and the church will remain. A good application overall and will support.
- 19) Councillor Leo Littman felt the proposals were better than the existing waste station. The loss of trees was a shame but understood. The Transport officer comments were a concern.
- 20) Councillor Nick Childs felt the scheme had many positives. The environment impact seemed acceptable. The student accommodation was good and would reduce stress on HMOs. The transfer over to the waste station in Newhaven was acceptable. The drop off situation still remained an issue.
- 21) Councillor Carol Theobald was sad at the loss of any trees on the site. Overall the development was seen as a benefit to the area and Councillor Theobald would support.
- 22) Councillor Sue Shanks supported the application as there was a need for student accommodation.
- 23) Councillor Phelim Mac Cafferty supported the application and felt the decision to grant permission by the planning officer was well balanced. The scheme was considered good and would fulfil the need for business space and student accommodation.
- 24) Councillor Tracey Hill felt enough information was provided to make a decision and agreed that parking in the area was an issue. It was noted that there is good bus service available. Councillor Hill would support.

Decision

- 55.1 **Resolved:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning

permission subject to a s106 Planning Obligation and the conditions and informatives as set out hereunder SAVE THAT should the s106 Planning Obligation not be completed on or before the 26th February 2020, the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 9 of this report.

Note: Councillor Daniel Yates did not take part in the decision vote.

B BH2018/03943 - The Old Ship Hotel, 31-38 Kings Road, Brighton - Full Planning

Remodelling of accommodation and extensions to provide an additional 54no bedrooms, leisure facilities and retail units. Works to include demolition of existing garage and erection of six storey extension on Black Lion Street, single storey mansard roof extension on Kings Road, enclosure of existing fire escape on Ship Street, swimming pool and leisure facilities (D2) in internal courtyard, 6no retail units (A1), in-house restaurants (A3), basement parking facilities, external alterations and associated works.

- 1) Senior Planning Officer, Sonia Gillam, introduced the application with a presentation detailing the scheme by reference to plans, site plans, photographs, elevational drawings and aerial views showing the site and its boundaries. Reference was also made to the additional representations received detailed in the Late/Additional Representations List.

Questions for Officers

- 2) Councillor Phelim Mac Cafferty was informed that the assembly rooms, which do not form part of this application, were listed not the remaining building. It was noted that the use of the public art funding or the transport contributions had not been agreed.
- 3) Councillor Carol Theobald noted that the site had been the subject of a number of planning permissions and was informed that planning permissions could not be forcibly implemented.
- 4) Councillor Leo Littman was informed by the Transport Officer that not all the information required was available and surveys had not been submitted along with the delivery statement for Black Lion Street.

Debate

- 5) Councillor Nick Childs supported the application which was considered to create more employment and increase the number of badly needed hotel beds.
- 6) Councillor Carol Theobald stated support for the scheme.
- 7) Councillor Leo Littman supported the scheme. It was noted that the lack of information for the Transport Officer was a concern and that the area needed some care and attention.
- 8) Councillor Joe Miller supported the application as the application would create jobs and attract visitors. Councillor Miller agreed that Black Lion Street needed improving.

- 9) Councillor Daniel Yates felt that the predicted 35% increase in visitors and the proposed gym which would also attract visitors, was to be supported. It was felt that a precedent had already been set by the granting of the previous application. The removal of the garaging in Black Lion Street was seen as an improvement to the area.

Decision

- 55.2 **Resolved:** That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to GRANT planning permission subject to the Conditions and Informatives as set out hereunder, SAVE THAT should the s106 Planning Obligation not be completed on or before 26 February 2020 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 11 of the report.

C BH2019/01422 - Cemex, Brighton Plant and Wharf, Basin Road, North Portslade - Full Planning

Alterations to layout at existing wharf, incorporating demolition of existing office building and erection of two storey office/welfare buildings, installation of new feed conveyor, hopper and storage bays, repositioning of weighbridge and erection of new weighbridge office and alterations to car parking, boundary wall and access.

- 1) Planning Officer, Henrietta Ashun, introduced the application with a presentation detailing the scheme by reference to plans, site plans, photographs, elevational drawings and aerial views showing the site and its boundaries. Reference was also made to the additional representations received detailed in the Late/Additional Representations List.

Questions for officer

- 2) Councillor Carol Theobald was informed that the portacabin, which would replace the existing brick building was suitable for the site. The portacabin was considered more efficient use of the space would reduce the office floor space.
- 3) Councillor Phelim Mac Cafferty was informed that the development would not change the use of the site during construction and the stock bays would be more efficient. It was noted that West Sussex County Council had agreed the application which falls in both authorities' jurisdictions.

Debate

- 4) Councillor Carol Theobald supported the proposals.
- 5) Councillor Leo Littman supported the proposals.
- 6) Councillor Joe Miller felt that economically the proposal is good as concrete is needed and a local supplier will be better for area.
- 7) Councillor Tracey Hill felt that the site visit had been a benefit to understand the heights of the development and supported the application.

Decision

55.3 **Resolved:** The Committee has taken into consideration and agrees with the reasons for the recommendation set out in the officer's report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in the officers report.

D BH2019/00732 - 25 York Villas, Brighton _ Full Planning

Demolition of existing buildings and erection of a three storey mixed use development, comprising 5no commercial units (B1) at ground floor, and 1no one bedroom, 4no two bedroom and 2no three-bedroom flats at first and second floor.

1) Principle Planning Officer, Luke Austin, introduced the application with a presentation detailing the scheme by reference to plans, site plans, photographs, elevational drawings and aerial views showing the site and its boundaries. Reference was also made to the additional representations received detailed in the Late/Additional Representations List. It was noted that the ground levels were inaccurate, and revisions had been made to the elevational drawings.

Questions for officer

- 2) Councillor Sue Shanks was informed that the commercial use of the existing site has evolved over many years. It was noted that the proposal is mixed use and some employment will be retained. The existing B1 use for catering could be retained in the commercial units, it was noted.
- 3) Councillor Daniel Yates was informed that the traffic measures are for the commercial traffic. It was noted that Car Club could be operated and would be available for all.
- 4) Councillor Carol Theobald was informed that there was a bus stop nearby, some 55m from the development and the nearest building was 14.6m away.

Debate

- 5) Councillor Leo Littman stated support for the proposal and noted that report paragraphs 5.3 – parking demand estimate and 5.6 – arboriculture department trial excavations, have been resolved.
- 6) Councillor Carol Theobald noted that the height of the proposed development was significantly higher than the existing structure. The proposals feel cramped on the plot and car parking may be an issue in the area arising from the commercial units.

Decision

55.4 **RESOLVED:** The Committee took into consideration and agreed with the reasons for the recommendation set out in the report and resolved to **GRANT** planning permission subject to a s106 agreement and the recommended Conditions and Informatives, as set out in the report, **SAVE THAT** should the s106 Planning Obligation not be completed on

or before, 26 February 2020, the Head of Planning is hereby authorised to refuse planning permission for the reasons set out in section 11 of the report.

E BH2019/01986 - 22 Crescent Road, Brighton - Full Planning (Retrospective)

Change of use from single dwelling-house (C3) to 5no bedroom small house in multiple occupation (C4).

- 1) Principle Planning Officer, Luke Austin, introduced the application with a presentation detailing the scheme by reference to plans, site plans, photographs, elevational drawings and aerial views showing the site and its boundaries. Reference was also made to the additional representations received detailed in the Late/Additional Representations List.

Questions for officer

- 2) Councillor Phelim Mac Cafferty was informed that the second-floor terrace to the rear of the property was existing and only accessible from one bedroom and no other rooms. It was noted that there is already overlooking harm to the amenities of the neighbours and this would not be increased.
- 3) Councillor Sue Shanks received confirmation that the balcony and terrace referred to in the report were the same thing, and this was the only outside space. It was noted that the retrospective application did not require condition no.2 – commencement within 3 years.
- 4) Councillor Nick Childs was informed that the property had been a family home in the past. It was noted that Houses of Multiple Occupancy (HMO) are plotted on a map to prevent overcrowding in one area. If an HMO did not have a licence, it would not appear on the map.
- 5) Councillor Carol Theobald was informed that the fire escape routes were through other rooms and windows were deemed low enough to escape from. It was noted that HMOs require a licence as well as planning permission. The Councillor was also informed that there is no cycle parking on the site and sound proofing was not a requirement.
- 6) Councillor Daniel Yates was informed that previously planning permission was granted in the 1980s for the property to be split into two flats. It was not known if this permission was implemented as planning permission would not be required to return the property to one unit. It was stated that it was not known if there were any enforcement records relating to the terrace.

Debate

- 7) Councillor Daniel Yates noted that the terrace could be used by any occupants if the dwelling were a family home and the access was through one bedroom only. It was felt that use would not necessarily increase if the property were an HMO. The Councillor felt that there could be excessive use of conditions regarding the use of the terrace.

- 8) Councillor Nick Childs had concerns of over development, increase in noise and vehicle movements outside property. The Councillor commented that they felt the terrace would become a party area and increase the possibility of noise pollution.
- 9) Councillor Carol Theobald noted the large number of letters of objection and felt that there was a possibility of increased noise pollution. The Councillor felt that HMOs require restrictions to prevent negative interactions with the existing community.
- 10) Councillor Phelim Mac Cafferty commented that overlooking from the terrace could be mitigated by inserting screening by condition.
- 11) A vote was held to add a condition to the recommended conditions to add screening to the terrace to reduce harm to the amenities of neighbouring properties.

5 = Yes. 2 = No. 0 = Abstentions. It was agreed that a condition would be added should the application be granted planning permission.
- 12) A vote was held to determine the application.

3 = Yes. 4 = Against. 0 = Abstentions. The Application was REFUSED against the officer recommendation to grant permission.
- 13) Councillor Yates proposed to reject the application on the grounds that the application would have a harmful impact on the amenities of the neighbouring properties by way of increased noise pollution, increased waste and anti-social behaviour in a conservation area. The proposal was seconded by Councillor Nick Childs.
- 14) The Committee voted to REFUSE the application for the reasons given above.

Decision

55.5 **REFUSED:** The proposed development would be contrary to Policy QD27, being harmful to the amenity of neighbours by reason of noise and disturbance both from within the property and from the terrace due to the intensification of the use.

F BH2019/02158 - 15 Caburn Road & 203 Dyke Road, Hove - Full Planning

Change of use from nursing home (C2) at No.15 Caburn Road and Sui Generis HMO at No.203 Dyke Road to 20no bedroom short term accommodation & services for the homeless (Sui Generis). Alterations to form single building, replacement ground floor windows & door to west elevation and associated works.

- 1) Senior Planning Officer, Emily Stanbridge, introduced the application with a presentation detailing the scheme by reference to plans, site plans, photographs, elevational drawings and aerial views showing the site and its boundaries. Reference was also made to the additional representations received detailed in the Late/Additional Representations List. It was noted that a large number of late representations had been received, including from Ward Councillor - Jackie O'Quinn.

Speakers

- 2) Councillor Jackie O'Quinn spoke as Ward Councillor in objection to the application. The Councillor considered that a public meeting would have been of benefit so local residents could ask questions and receive responses. Locals would have had a voice. In planning terms, the Councillor considered that there were too few communal spaces, which could lead to socialising outside the building. This would then have an impact on the area and maybe a security issue. The needs of the residents should be heard, and a consultation is needed.

Questions of the Speaker

- 3) Councillor Sue Shanks was informed that a branch of a school is located opposite the application site.
- 4) Councillor Leo Littman was informed that Councillor O'Quinn had received the Running List of planning applications. It was noted that Councillor Littman had been contacted by a number of residents regarding the application.
- 5) Councillor O'Quinn stated concerns regarding notification of the application. It was noted that residents had been notified by the Planning officers in July and August and public notices had been displayed outside the property.

Sue Forrest – Commissioning & Performance Manager, attended for applicant – Brighton and Hove City Council.

Questions for the officer.

- 6) Councillor Daniel Yates was informed that the accommodation will be used for one-to-one support for the homeless. The occupiers may have issues relating to drugs, alcohol and mental health issues, but not exclusively or necessarily. Each person will be supported on a case by case basis. It was noted that this site would not be used as a drug rehabilitation centre.
- 7) Councillor Phelim Mac Cafferty was informed that users of the accommodation would be limited to 28 days for assessment. Following the assessment, the homeless will move on. It was noted that other buildings vary greatly and are not comparable to this site. Most others do not have facilities on every floor. Complaints relating to assessment accommodation are dealt with by the Community Safety team who work closely with the service provider. Any anti-social behaviour is dealt with.
- 8) Councillor Sue Shanks was informed the accommodation would be for mixed single people, over 25 years old.
- 9) Councillor Leo Littman was informed that the assessment centres need to be spread across the city and this site was chosen for the good location – outside of city centre and standard of property.
- 10) Councillor Nick Childs was informed that other assessment centres are located near to schools and no issues have arisen.

- 11) Councillor Tracey Hill was informed that a consultation will take place should the Planning permission be granted.

Questions for the Officer

- 12) Councillor Carol Theobald was informed that the existing rooms were of a good standard and would not be reduced in size.
- 13) Councillor Phelim Mac Cafferty was informed that the local residents can contact the staff at the site if they have any concerns once the accommodation is up and running. It was noted that an management scheme could include contact information for local residents.

Debate

- 14) Councillor Sue Shanks felt the accommodation was needed and noted that nearby residents would be anxious.
- 15) Councillor Daniel Yates also felt the service was needed and noted that accommodation would only be occupied for 28 days. Councillor Mac Cafferty felt that residents should not fear the application and noted that anyone can be homeless for many reasons. The dispersment of accommodation across the city was a good thing. The site offered good facilities and transport links. It is noted that the management plan needs to be tight. Queuing outside the property would need to be restricted. The integration needs to be successful and supported.
- 16) Councillor Phelim Mac Cafferty understood the concerns of the local residents from experience in their own ward. It was felt that the management of the property should be robust. It should be noted that good and bad behaviour can come from homeless and long-term residents.
- 17) Councillor Leo Littman felt that accommodation should be where there are good transport links to avoid ghettoization in the city.
- 18) Councillor Tracey Hill noted that other properties had not experienced problems and Sussex Police were not concerned. The Councillor noted that reaching out to residents may have been better first, before submitting the planning application and that lines of communication should be kept open. The accommodation is needed and would not necessarily be problematic.

Decision

- 55.7 **RESOLVED:** The Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives contained in the report.

- G BH2019/02411 - Flat 2, 33 Adelaide Crescent, Hove - Full Planning**
Creation of roof terrace over existing flat roof at rear with balustrade and glazed screening and associated alterations.

- 1) Principle Planning Officer, Luke Austin, introduced the application with a presentation detailing the scheme by reference to plans, site plans, photographs, elevational drawings and aerial views showing the site and its boundaries. Reference was also made to the additional representations received detailed in the Late/Additional Representations List.

Questions for the officer

- 2) Councillor Phelim Mac Cafferty was informed that the proposed balcony would rendered. It was noted that the glass to be used in the proposal would be approved by Planning officers.

Debate

- 3) Councillor Phelim Mac Cafferty expressed concerns that the proposal may set a precedent.

Decision

55.8 **RESOLVED:** The Committee has taken into consideration and agrees with the reasons for the recommendation set out in the officers report and resolves to **GRANT** planning permission subject to the Conditions and Informatives contained in the report.

H BH2019/010145 - Brittany Lodge, 32 Brittany Road, Hove - Full Planning

Conversion of existing nursing home (C2) to 2no. 3 bedroom and 2no. 2 bedroom residential flats (C3). Comprehensive remodelling of site, with proposals incorporating: the erection of a single storey rear extension; alterations/additions to fenestration; the demolition of a garage; and associated works.

- 1) Principle Planning Officer, Russell Brown, introduced the application with a presentation detailing the scheme by reference to plans, site plans, photographs, elevational drawings and aerial views showing the site and its boundaries. Reference was also made to the additional representations received detailed in the Late/Additional Representations List.

Questions for the officer

- 2) Councillor Carol Theobald was informed that there were trees on the site that would prevent overlooking to the rear of the property.

Decision

55.9 **RESOLVED:** The Committee has taken into consideration and agrees with the reasons for the recommendation set out in the officers report and resolves to **GRANT** planning permission subject to the Conditions and Informatives contained in the officers report.

56 TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS

56.1 There were none

57 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

- .1 The Committee noted the new appeals that had been lodged as set out in the planning agenda.

58 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

- .1 The Committee noted the information regarding informal hearings and public inquiries as set out in the planning agenda.

59 APPEAL DECISIONS

- .1 The Committee noted the content of the letters received from the Planning Inspectorate advising of the results of planning appeals which had been lodged as set out in the agenda.

The meeting concluded at 6.20pm
Signed

Chair

PLANNING COMMITTEE	Agenda Item 71 (b) Brighton and Hove City Council
---------------------------	---

BRIGHTON & HOVE CITY COUNCIL

PLANNING COMMITTEE

2.00pm 4 DECEMBER 2019

COUNCIL CHAMBER, BRIGHTON TOWN HALL

MINUTES

Present: Councillors Hill (Chair), Childs, Littman (Opposition Spokesperson), C Theobald (Group Spokesperson), Bagaeen, Fishleigh, Janio, Mac Cafferty, Shanks and Yates

Co-opted Members: Mr Roger Amerena (Conservation Advisory Group)

Officers in attendance: Paul Vidler, Planning Manager; Matthew Gest, Principal Planning Officer; Sonia Gillam, Senior Planning Officer; Laura Hamlyn, Planning Officer; Russell Brown, Senior Planning Officer; Hilary Woodward, Senior Lawyer and Penny Jennings, Democratic Services Officer

PART ONE

60 PROCEDURAL BUSINESS

60a Declarations of substitutes

60.1 Councillor Bagaeen declared that he was in attendance in substitution for Councillor Miller.

60b Declarations of interests

60.2 Councillor Yates referred to Application declared F, BH2019/02436, 19 Jevington Drive, Brighton confirming that as he had made representations in objection to the application in his capacity as a Local Ward Councillor that he would withdraw from the meeting during its consideration and determination.

60c Exclusion of the press and public

60.3 In accordance with Section 100A of the Local Government Act 1972 (“the Act”), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members

of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

60.4 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

60d Use of mobile phones and tablets

60.5 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to 'aeroplane mode'.

61 MINUTES OF THE PREVIOUS MEETING

61.1 It was explained that due to staff sickness these had yet to be finalised, but would be circulated shortly and would be agreed formally at the January meeting of Committee.

61.2 **RESOLVED** – That the position be noted.

62 CHAIR'S COMMUNICATIONS

62.1 There were none.

63 PUBLIC QUESTIONS

63.1 There were none.

64 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

64.1 There were none.

65 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

65.a The Democratic Services Officer, read out items 65A-G and it was note that there were no major applications to be considered that afternoon and that any minor applications on which there were speakers were automatically reserved for discussion.

65.b The Chair, Councillor Hill, explained that this measure was intended to expedite the business of Committee and to avoid the necessity of those who had an interest in applications on which there were no speakers spending hours waiting for the committee to get to their applications.

65.c It was noted that the following item was not called for discussion and it was therefore deemed that the officer recommendation was agreed including the proposed Conditions and Informatives:

- Item B: BH2019/02548 – Rear of Cornwall Court, 56 Wilbury Avenue, Hove – Full Planning

65d **RESOLVED** – That the position be noted.

A BH2019/02619 - Avalon, West Street, Brighton - Full Planning

Erection of additional storey to the North block to create 4 no residential units (C3), comprising 3no one-bedroom flats and 1 no 2 bedroom flat.

Officer Presentation

- (1) The Senior Planning Officer, Sonia Gillam, introduced the scheme and gave a detailed presentation by reference to aerial views, plans, floor plans, elevational drawings and photographs showing the site from locations in the neighbouring street scene. The main considerations in determining the application related to the principle of the development, design and appearance and impact on the conservation area and nearby listed buildings, impact on neighbouring amenity and highway issues. Objections received relating to the impact on property values, rental income and inconvenience during the building works whilst noted were not material planning considerations.
- (2) Notwithstanding the tight urban grain of the surrounding streets and the need to respect listed buildings or their setting it was considered that there was scope for providing an additional storey to the north wing of the existing building. It was not considered that the proposals would have a detrimental impact on the nearby listed buildings. The proposed additional storey would be flush with the existing frontage on the south elevation and the top floor of the existing north elevation was set in slightly from the lower floors and the development would also be similarly set back. Whilst the development would be partially visible from West Street through the gap to the open courtyard it was not considered that it would impact significantly on the street scene approach from the north and only to a limited degree in the approach from the south. The increase in height of the north wing over the south wing would also reflect the rising topography of the land as it slopes up from the sea. The Council's Heritage Officer was satisfied that there would be no harmful impact in views towards the site. The scheme was considered acceptable, also that it would preserve the character and appearance of the neighbouring conservation area. Approval was therefore recommended.

Questions of Officers

- (3) Councillor Mac Cafferty cited the problems that had been experienced in the past in relation to upkeep and maintenance of privately rented accommodation asking regarding the type of tenure proposed in this instance. It was explained that information was not available
- (4) Councillor Fishleigh whether it would be possible to include conditions which would prevent the units being let on short tenancies which could result in them being used as "party" houses. It was confirmed that would not be possible.
- (5) Councillor Bagaeen expressed concern regarding the rendered finish proposed, as its appearance might sit at variance with that of the existing building. It was explained that it was understood that a grey finish was proposed which would blend with that of the existing host building.

- (6) Councillor Theobald sought confirmation regarding the proposed set back to the upper floor of the north block and whether the resulting roof heights would be comparable with that of neighbouring buildings and it was confirmed that they would.

Debate and Decision Making Process

- (7) A vote was taken and on a vote of 9 with 1 abstention planning permission was granted.

65.1 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in the report.

B BH2019/02548 - Rear of Cornwall Court, 56 Wilbury Avenue, Hove - Full Planning
Demolition of existing garages and erection of 2no two storey three-bedroom dwellings (C3) with habitable roofspace, landscaping, car parking and associated works.

- (1) It was noted that this application site had formed the subject of a site visit prior to the meeting.

- (2) This application was not called for discussion, the officer recommendation to GRANT was therefore taken as having been agreed unanimously.

65.2 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

C BH2019/01049 Land to the Rear and Side of 146 Mackie Avenue, Brighton - Full Planning
Demolition of existing garages and erection of 2 no two three-bedroom dwellings (C3) with habitable roofspace, landscaping, car parking and associated works.

- (1) It was noted that this application site had formed the subject of a site visit prior to the meeting.

Officer Presentation

- (2) The Senior Planning Officer, Russell Brown, introduced the application and gave a detailed presentation by reference to photographs, plans, floor plans, site plans and elevational drawings setting out the proposed scheme. It was explained that permission was sought for the demolition of four existing garages and a front boundary wall to provide the number of dwelling units proposed. The application site was located to the southern side of Mackie Avenue and was bounded to the south west by mixed use commercial with residential flats above and the north east by residential semi-detached properties. The application site comprised land currently used for garaging separated from the highway by a brick wall and recycling facilities and included a group of Ash trees subject to a Tree Protection Order (TPO) and vegetation to the rear as well as a green access route which ran to the rear of the neighbouring terrace immediately to the south of the site. The area was predominantly residential with semi-detached houses interspersed with bungalows.

- (3) It was noted that the main planning considerations in determining this application were the principle of the development, the design of the dwelling houses, their impact on trees and on neighbouring amenity, the standard of accommodation created and impact on the highways network. It was considered that the current proposal had sufficiently overcome the reasons for refusal in respect of an earlier scheme. The weight given to the dwellings making a small, but vital contribution to the city's housing supply was considered to outweigh any potential harm and it was considered that the proposed conditions would satisfactorily address any outstanding matters. The height, width, form and overall appearance of the properties would complement the immediate neighbouring development. Approval was therefore recommended.

Questions of Officers

- (4) Councillor Littman referred to the site visit which had taken place the previous afternoon. A number of recycling bins had been observed at that time and he sought clarification regarding arrangements for their relocation in the event of planning permission being granted. It was explained that a one month notice period would be given and that they would need to be relocated.
- (5) Councillor Theobald referred to the existing garage use and it was explained that notice would also be served on the existing users. It was understood that the garages were currently used for storage rather than for vehicles.

Debate and Decision Making Process

- (6) Councillor Bagaeen referred to the current climate emergency, considering that the highest quality design and use of sustainable materials were integral to that, considering that higher standards should be sought from those bringing applications for approval. He considered the proposed scheme to be of a good design but as a general point considered that more challenging standards should be set.
- (7) Councillor Theobald stated that whilst the proposed scheme would tidy up a messy back-land area, she did nonetheless have some concerns. She considered that the number of trees to be retained in one of the gardens was too many for the plot in her view and could result in overshadowing or loss of amenity.
- (8) Councillor Littman considered that whilst it was possible some overshadowing could result from the trees to be retained, he was of the view that the proposed scheme represented a good use of the space and had successfully overcome the previous reasons for refusal.
- (9) Councillor Shanks was in agreement that the scheme represented a good use of this space and was of an acceptable design.
- (10) Councillor Childs stated that there was a need for quality family homes and that this scheme would provide a modest development in keeping with the neighbouring dwelling houses.

(11) A vote was taken and on a vote of 8 with 2 abstentions planning permission was granted.

65.3 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

D BH019/02589 -Land adjacent to 44 Hythe Road, Brighton- Full Planning
Erection of 5no bedroom small house in multiple occupation (C4)

Officer Presentation

- (1) The Principal Planning Officer, Matthew Gest, introduced the application by reference to photographs, plans, site plans and floor plans indicating the differences between the previous scheme and that for which approval was now sought. It was noted that during the course of the application the design of the rear elevation had been amended and the rear balconies removed and amendments made to provide cycle provision. Hythe Road was residential in character and featured dwellings of differing scales, type and detailing although the majority were terraced with extensive roof extensions. The main considerations in determining this application related to the principle of the change of use, impact on neighbouring amenity, the standard of accommodation proposed and transport issues.
- (2) The new dwelling would be positioned between no. 44 Hythe Road and 48 Hythe Road and would be built on a similar building line to both neighbouring properties. The rear building line would be shallower than no. 44 to the west and as such no impact is envisaged to the windows serving the rear rooms of this property in terms of loss of light or outlook. The rear building line would project beyond the rear building line of numbers 48 and 50 to the east; the projection would be at basement level as the main body of the house would be in line with numbers 48 and 50. No. 48 had been subdivided into flats; at basement level the fenestration closest to the application site is a window and door. There would be no change to the existing rear boundary treatment and therefore no loss of amenity would result. Views to the rear would be similar to the existing arrangement from neighbouring properties and although the erection of a five-bedroom house in multiple occupation would result in more intensive use of the site it was not considered that it would be such that it would cause demonstrable harm to neighbouring amenity and would warrant refusal of planning permission. In view of the size of the rooms which equated to five double bedrooms it was proposed that a condition be included in any planning permission granted to restrict the number of occupants to 6 and to remove permitted development rights to avoid any adverse impact on the surrounding area or neighbouring amenity. On that basis approval was recommended.

Public Speakers

- (3) Councillor Hugh-Jones spoke in her capacity as a Local Ward Councillor setting out her objections and those of local residents in respect of the proposed scheme. There were concerns that there was an application for change of use before the house for which permission had been sought had even been built, which appeared highly unusual. The plot was extremely small for the 5-bedroom property proposed and it was

considered that it would have a detrimental impact on neighbouring amenity. There were also concerns that the existing dropped kerb could be used in future to create additional parking spaces.

- (4) Mr Loveridge spoke on behalf of the applicants in support of their application. He explained that the needs of the applicants who were a young married couple had changed since the original permission for which they had applied, although they might occupy it as a dwelling house in the future. The development which would not be used as student accommodation had been sensitively designed and would have rental prices which would attract young single professional people.

Questions of Officers

- 5) Councillor Littman sought further clarification of the differences between the previously approved scheme and that for which permission was now requested, especially in relation to the internal layout and any potential increase in impact on neighbouring amenity.
- (6) Councillor Theobald referred to the large number of objections received and enquiring whether they were from local residents, also as to proposed use of the roof space which appeared to be unusual as well. It was explained that use of the roof dormers was a feature of dwellings in the local street scene and followed the existing roof slope, the building would be of the same width as its neighbours.
- (7) Councillor Shanks enquired whether it was proposed to soundproof the party walls. It was confirmed that this had not been requested.
- (8) Councillor Childs enquired regarding the location of the proposed cycle storage and rubbish/recycling bins and it was confirmed that these would be located in the front courtyard.
- (9) Councillor Bagaeen asked whether there were any other student houses located in the immediate vicinity. It was explained that the mapping exercise had not been carried out in that way, any property managed directly by any of the university's would not be included. Three other properties had been identified within a 50m radius of the application site which equated to 4%, below 10%, and therefore in accordance with policy CP21.
- (10) Councillor Bagaeen also referred to the need to require the highest possible standards in view of the fact that this site represented a blank canvas in that it had yet to be built. The urban grain at that location was dense and there was an identified need for family homes. He did not see how the proposed specification would meet that. The Chair, Councillor Hill, considered that the comments made whilst noted, Members needed to focus on the application before them and to add conditions if that was considered appropriate. The Planning Manager, Paul Vidler stated that it was important for Members to consider the application before them on its merits, it was separate from the previously approved scheme.
- (11) Councillor Bagaeen also enquired regarding the dimensions of the proposed bedrooms and it was confirmed that they all met or were above minimum standards.

- (12) In answer to questions of Councillor Littman it was confirmed that the shared kitchen/diner was the only shared communal living space.

Debate and Decision Making Process

- (13) Councillor Bagaeeen stated that he was unable to envisage the scheme from the available plans or the quality of the resulting accommodation. His preference would have been for a 4-bedroom family home as originally agreed constructed to a higher standard.
- (14) Councillor Littman stated that his preference would also have been for a family home, although he recognised that it would fit in within the prevailing street scene and that the number of residents would be restricted by condition. He noted that the amenity space to be provided would be very limited.
- (15) Councillor Theobald stated that there had been an unusually high number of objections to this application. She did not consider that a 5-bedroom HMO was acceptable in place of the 4-bedroom family home previously proposed, it represented overdevelopment of a small site.
- (13) Councillor Yates stated that it was necessary to consider the scheme before them on its planning merits. The number of people who could live there would be restricted by condition and the size of the bedroom units and the number of en-suites to be provided was greater than at a number of other properties where permission had been granted. Whilst not necessarily the preferred option, this scheme was acceptable in his view.
- (14) Councillor Janio concurred, noting that the resulting property would be capable of conversion back into a family dwelling house in future should a subsequent applicant wish to do so. Whilst the requirement for student accommodation appeared to be reducing there was still clearly a need for some HMO accommodation.
- (15) Councillor Childs considered that the erection of another HMO was regrettable, such schemes added little to the city's housing offer, he considered that the scheme was acceptable, noting that the rooms would accommodate no more than 6 unconnected adults living together, they would not necessarily be students.
- (16) A vote was taken and on a vote of 7 to 2 with 1 abstention planning permission was granted.

- 65.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report.

E BH2019/02674 - 12 Standean Close, Brighton - Full Planning

Change of use from three-bedroom residential dwelling (C3) to six-bedroom small house in multiple occupation (C4), incorporating conversion of garage into habitable space and associated alterations (Part Retrospective)

Officer Presentation

- (2) The Principal Planning Officer, Matthew Gest, introduced the application by reference to plans, floor plans, elevational drawings and site plans detailing the scheme. The site related to a two-storey terrace property located on the north-east side of Standean Close. The property was not located in a conservation area and there was an Article Four Direction in place to limit the number of HMO's. HMO Licensing records, Council Tax records and a site visit had identified the property was being in HMO use and therefore the application description had been amended to part-retrospective. No external or internal works had been undertaken to date.
- (2) It was noted that the main considerations in determining the application related to the principle of the change of use, impact on neighbouring amenity, the standard of accommodation which would be provided and transport issues. A mapping exercise had indicated that there are 34 neighbouring properties within a 50m radius of the application property; 2 other properties have been identified as being in use as a HMO. On that basis, with 2 other properties being identified as being in use as a HMO the percentage of HMOs within the designated area was 5.8%. The changes to the internal layout of the property, including the conversion of the garage to habitable space would result in 4no bedrooms and bathroom at first floor level, 2no communal areas, a bedroom and shower and wc at ground floor level and a bedroom at lower ground floor level. The bedrooms met the government minimum national space standards and were adequate in terms of size, circulation space and layout to cater for the furniture needed and with good levels of natural light and outlook. The communal areas, which were not labelled, could adequately accommodate a kitchen/dining area and separate living room and measuring approximately 24.9sqm combined would be sufficient for a 6 person property. The space would be functional with good levels of circulation space, light and outlook and would provide an acceptable standard of accommodation. Notwithstanding this, a condition was recommended restricting the use of the communal areas for communal use. The accommodation proposed was considered acceptable, and to be in accordance with policy QD27 of the Brighton and Hove Local Plan and approval was therefore recommended.

Questions of Officers

- (3) Councillor Theobald sought clarification of the number of HMO's in the area as it appeared to be higher than suggested by the mapping exercise.
- (4) Councillor Fishleigh sought clarification on the same matter asking whether there had been a change in Council policy. It was explained that the type of accommodation which could be classified as an HMO was prescribed by Housing Act Legislation.
- (5) Councillor Yates sought clarification of the wording of Policy CP21, in that reference was made to other sui-generis use classes. There were other such uses in the immediate vicinity of this site, these were not included, if they had been, the figure would have been higher than 10%. Councillor Yates considered that this was relevant. It was explained that was not the case and that all of the properties which were eligible for inclusion in the mapping exercise had been.

- (6) Councillor Theobald also sought confirmation in respect of the proposed conversion of the garage in order to provide accommodation, asking whether/where the displaced parking would be re-provided.
- (7) Councillor Hill, the Chair, referred to properties located at 12A and 15 STandean Close, 41 Hawkhurst Road and 68 Wolseley Road respectively which were in HMO use. It was explained that as these properties were head leased by the University of Sussex, they fell within use class C3 rather than a C4 HMO and therefore it had not been possible to include them in the mapping exercise.. This was regrettable and the Chair wished to know whether/what constraints could be used to seek to prevent noise nuisance and other detriment to neighbouring residents.

Debate and Decision Making Process

- (7) Councillor Yates cited other instances e.g., 25 Wheatfield Way where planning permission had been refused on the grounds that the increased noise and activity as a result of an intensification of an existing use would have a negative impact. The Planning Manager, Paul Vidler, stated that Members needed to weigh the grounds for any refusal very carefully. The number of HMO's in the area which could be included was below 10% and QD27 was intended to protect immediate neighbouring amenity rather than to be applied more broadly to an area as a whole.
- (8) Councillor Bagaeen referred to the number of properties used by the university in the area and whether that would be impacted by the number of additional units they were providing on campus. It was confirmed that information was not available and that anyone seeking to apply for HMO use now or in the future would need to apply for permission.
- (9) Councillor Littman stated that whilst the existence of what appeared to be a technical loophole was unfortunate he could not see that there were sufficiently sound grounds to refuse this application.
- (10) Councillor Janio concurred on that view stating that whilst the demand for student housing appeared to be waning there still appeared to be a demand for HMO's and this scheme was policy compliant.
- (11) Councillor Theobald stated that she was struggling to see that the level of additional accommodation to be provided was necessary, considering that it would be detrimental to neighbouring amenity. Councillor Bagaeen concurred in that view.
- (12) Councillor Shanks stated that the proposed scheme would result in additional activity in a small close which represented over development and would have a negative impact on neighbours. As such it should be rejected. Councillor Childs was in agreement with that view.
- (13) A vote was taken on the officer recommendation to grant the application and this was lost on a vote of 5 to 4 with 1 abstention. Councillor Shanks then proposed that the application be refused on the grounds of the need to protect amenity in the light of similar uses in the area and the potential for noise nuisance. Councillor Shanks expressed concern regarding the potential impact on neighbours as this was a small

close and the impact would therefore be greater. The application was considered to be contrary to policy QD27 of the Brighton & Hove City Plan. The proposal was seconded by Councillor Childs and it was agreed that the final wording of the proposed reasons for refusal be agreed by the Planning Manager in consultation with Councillors Shanks and Childs.

(14) A recorded vote was then taken and Councillors Childs, Fishleigh, Bagaeen, Shanks and Theobald voted that the application be refused. Councillors Hill, the Chair, Littman, Janio and Mac Cafferty voted that the application be granted. Councillor Yates abstained. Therefore planning permission was refused on a vote of 5 to 4 with 1 abstention.

65.5 **RESOLVED** – That the Committee has taken into account the report recommendations but resolves to **REFUSE** planning permission on the grounds proposed by Councillor Shanks. The final wording to be used in the decision letter to be agreed by the Planning Manager in consultation with the proposer and seconder.

F BH2019/02436 - 19 Jevington Drive - Full Planning

Change of use from 3no bedroom single dwelling (C3) to a 6no bedroom residential dwelling or small house in multiple occupation (C3/C4) With the insertion of front and rear rooflights. (Retrospective)

Officer Presentation

- (1) The Planning Officer, Laura Hamlyn, introduced the application and gave a detailed presentation by reference to site plans, floor plans, elevational drawings and photographs. The application related to a semi-detached property on the south side of Jevington Drive and permission was sought for conversion of the property from a dwelling house (C3) to flexible use six-bedroom House in Multiple Occupation (HMO) (C4) or dwelling house (C3) with insertion of front and rear rooflights. A site visit had confirmed that the property was currently occupied as an HMO. An appeal had been lodged against non-determination of the application. Overall the scheme and standard of accommodation was considered to be acceptable, the communal space would be adequate for occupation by 6 persons. The bedrooms and communal areas would benefit space from adequate circulation and would benefit from adequate natural light and ventilation; the existing rear extension appeared to have been in place for more than four years.
- (2) Whilst the proposed change of use would result in an increase in occupancy and in, comparison to the existing use, more frequent comings and goings it was not considered that this would amount to significant harm to a degree sufficient to warrant refusal of the application and it was therefore recommended that the council would have granted planning permission.

Questions of Officers

- (3) Councillor Childs sought clarification as to whether the communal dining area was enclosed, i.e., it was not located in a conservatory area which could result in increased potential for noise nuisance. It was confirmed it was not so located.

- (4) Councillor Theobald referred to the dimensions of two of the rooms as they appeared to be very small. It was clarified, however, that these were considered to be of an acceptable size.

Debate and Decision Making

- (5) A vote was taken and on a vote of 8 to 1 the Committee voted that had the Council determined the application prior to an appeal being lodged, the decision of the Council would have been **TO GRANT** planning permission.

65.6 **RESOLVED** – That had the Council determined the application prior to an appeal being lodged, the decision of the Council would have been **TO GRANT** planning permission subject to the Conditions and Informatives set out in the report.

Note: Having declared a prejudicial interest in respect of the above application Councillor Yates left the meeting and was not present during consideration or voting in respect of the above application.

G BH2019/02700 - 7A Southover Street, Brighton

Change of use from dwelling house (C3) to four-bedroom small house in multiple occupation (C4) (Retrospective)

Officer Presentation

- (1) The Planning Officer, Laura Hamlyn, introduced the application and gave a detailed presentation in respect of the scheme by reference to site plans, floor plans, elevational drawings and photographs. The application related to an end of terrace property on the corner of Southover Street and Hanover Street which had been in use intermittently as an HMO and as a single dwelling house. As its established use was as a single dwelling house retrospective permission was being sought for a four-bedroom HMO.
- (2) This application was a resubmission following the previous refusal by Committee that the proposed use, in particular, the kitchen, would provide insufficient circulation space due to the location of a WC. This application had been amended to include a kitchen in the main living space at the front of the property and laying out the ground floor room at the rear as a utility room. Proposed communal study rooms on the first and second floors were unchanged. The main considerations in determining the application related to the principle of the change of use, its impact on neighbouring amenity and transport issues.
- (3) Whilst it was noted that there was no dedicated lounge the overall provision of communal space was considered satisfactory with the provision of the study rooms. It was recommended that the layout be secured by condition and that the utility room, kitchen/diner and study rooms not be used as bedrooms at any time. It was considered that overall the proposal would provide an acceptable standard of accommodation for four persons and that a maximum occupancy of four persons be secured by condition.

Public Speakers

- (4) Councillor Hills spoke in her capacity as a Local Ward Councillor setting out her objections in respect of the above application. Councillor Hills stated that the application site was located in an area where there was already a large concentration of HMO's. In reality well above the 10% cap which was intended to achieve a workable balance between long and short term residents. The property was situated opposite the Phoenix student halls so would increase the existing imbalance between temporary and more long-term residents, would impact negatively on the amenity of those already living in the area and potentially serve to exacerbate existing late night noise and nuisance problems.
- (5) Mr Pearson spoke on behalf of the applicants in support of their application. Mr Pearson explained that the applicants had sought to address and overcome the previous reasons for refusal, in particular that the kitchen accommodation would not be of an acceptable standard due to insufficient space, with a layout which would provide circulation which was compromised further by access arrangements to the toilet.

Questions of Officers

- (6) Councillor Childs sought confirmation of the number of HMO's in the vicinity as anecdotally it appeared far higher than the number stated and included significant numbers of units of student accommodation which already gave raise to significant levels of late-night noise and disturbance. Councillor Fishleigh requested whether it would be possible to defer consideration of the application in order to allow an up to date count of the number of HMO's to take place.
- (7) It was explained that an updated mapping exercise had taken place which indicted that there had been no changes since the previous application. There were 49 neighbouring residential properties within a 50m radius of the application site with two other properties identified as being in HMO use. In consequence the percentage of HMO properties within the radius area was 4.1% which was in accordance with Policy CP21.
- (8) In response to references made to the Phoenix Halls, the Legal Adviser to the Committee, Hilary Woodward, explained that Section 254 of the Housing Act 2004 gave a clear definition as to HMOs which the Council did not have the powers to amend or change. As Phoenix Halls was occupied principally by students at the University of Brighton and was managed by the University of Brighton it could not be counted either as a neighbouring residential property or as an HMO.
- (9) Councillor Bagaeen enquired whether complete refurbishment of the property would be required or whether it was proposed simply to refurbish the kitchen. If major renovation was required he was of the view that it could provide the opportunity require a higher specification than that currently proposed. It was explained that minor internal works only were likely to be required.

Debate and Decision Making Process

- (10) Having sought clarification regarding any works proposed other than those to the kitchen/dining space and in order to provide a utility area, Councillor Littman stated that he considered that the previous reasons for refusal had been addressed.

- (11) Councillor Yates stated that reference had been made to the close proximity of the Phoenix Halls asking whether it would be possible to a management plan in place in order to seek to manage/control any potential noise or other nuisance which could result. It was explained that in view of the size of the property that would not be considered reasonable.
 - (12) Councillor Theobald also referred to the concerns expressed in relation to potential noise nuisance and enquired whether it would be possible to add an informative to any permission granted seeking to control that. It was confirmed that could be done.
 - (13) A vote was taken and on a vote of 7 to 3 planning permission was granted to include an informative in relation to noise control measures as set out below.
- 65.7 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives also set out in the report and an informative regarding the control of noise nuisance.
- 66 TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS**
- 66.1 There were none.
- 67 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE**
- 67.1 The Committee noted the new appeals that had been lodged as set out in the planning agenda.
- 68 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**
- 68.1 There was no new information for the Committee to note in respect of this matter.
- 69 APPEAL DECISIONS**
- 69.1 **RESOLVED** - The Committee noted the content of the letters received from the Planning Inspectorate advising of the results of planning appeals which had been received.

The meeting concluded at 4.25pm

Signed

Chair

Dated this

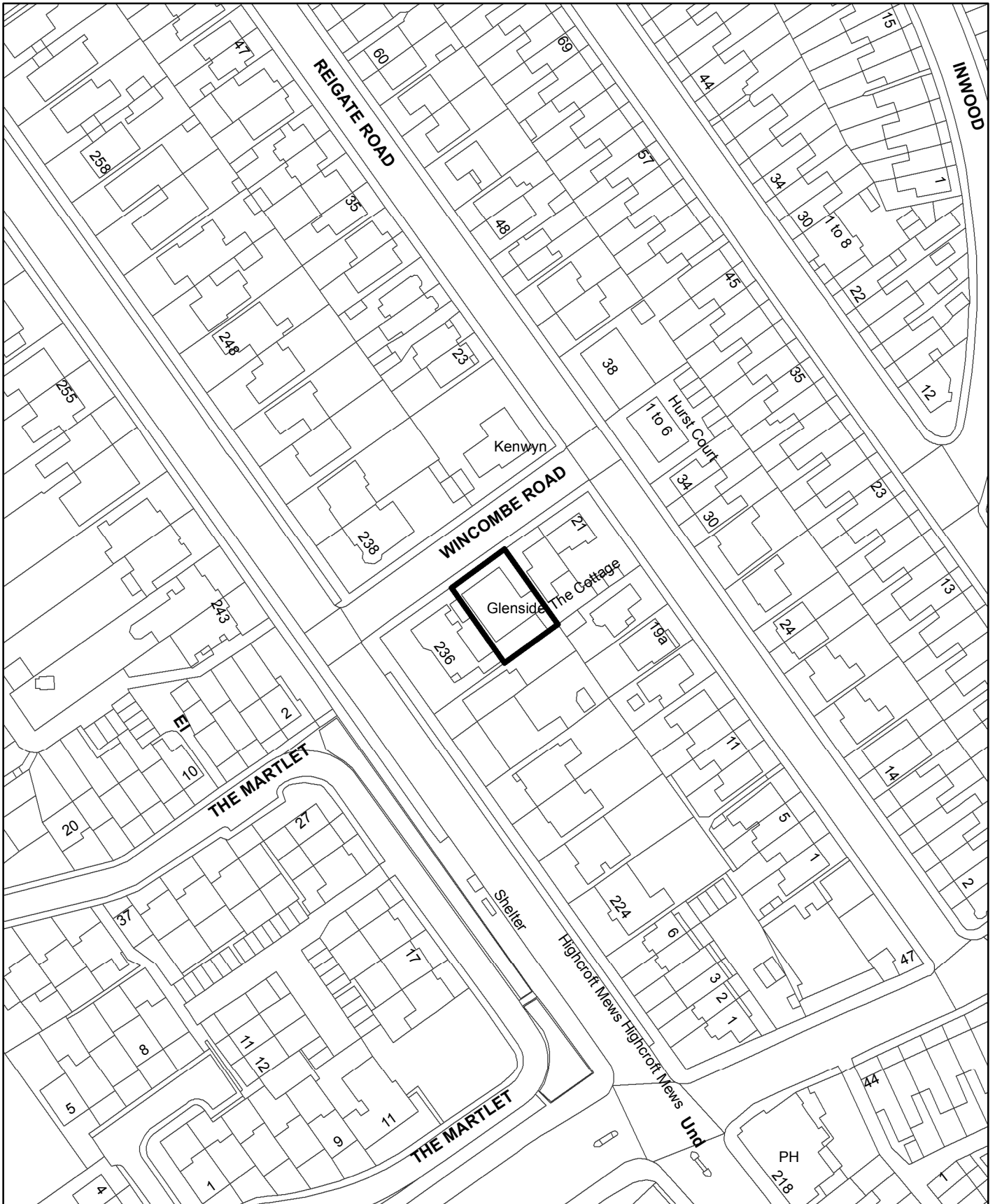
day of

ITEM A

**Glenside, Wincombe Road
BH2019/03132
Full Planning**

DATE OF COMMITTEE: 8th January 2020

BH2019/03132 - Glenside, Wincombe Road



N



Scale: 1:1,250

<u>No:</u>	BH2019/03132	<u>Ward:</u>	Withdean Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Glenside Wincombe Road Brighton BN1 5AR		
<u>Proposal:</u>	Conversion of existing dwelling house (C3) to form two 1no bedroom flats, one 2no bedroom flat and one 3no bedroom flat (C3) with new front balcony at first floor level, revised fenestration and other associated works.		
<u>Officer:</u>	Helen Hobbs, tel: 290585	<u>Valid Date:</u>	21.10.2019
<u>Con Area:</u>		<u>Expiry Date:</u>	16.12.2019
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Turner Associates 19A Wilbury Avenue Hove Hove BN3 6HS		
<u>Applicant:</u>	Mr & Mrs Colin Blowers Glenside Wincombe Road Brighton BN1 5AR		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Proposed Drawing	10	a	21 October 2019
Proposed Drawing	11	b	21 October 2019
Proposed Drawing	12	b	21 October 2019
Proposed Drawing	13	c	21 October 2019
Proposed Drawing	14	b	21 October 2019
Proposed Drawing	15	b	21 October 2019
Location and block plan	01		21 October 2019

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3. The ground and first floor windows in the west elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan and SPD14: Parking Standards.

5. The development hereby permitted shall not be occupied until the redundant vehicle crossover [on the western side of the site] has been converted back to a footway by raising the existing kerb and footway.

Reason: In the interests of highway safety and to comply with policies TR7 of the Brighton and Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.

6. Within 6 months of commencement of the development hereby permitted or prior to occupation, whichever is the sooner, a scheme shall be submitted to the Local Planning Authority for approval to provide that the residents of the one and two bedroom units, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit. The approved scheme shall be implemented before occupation.

Reason: This condition is imposed in order to allow the Traffic Regulation Order to be amended in a timely manner prior to first occupation to ensure that the development does not result in overspill parking and to comply with policies TR7 & QD27 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One and SPD14: Parking Standards.

7. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying and assessing the risk and proposing remediation measures, together with a programme for such works, shall be submitted to the Local Planning Authority for approval in writing. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

8. The development hereby permitted shall not be occupied until the 1.8m obscure glazed screen to the first floor terrace on the eastern elevation on the approved plans has been fully implemented and shall thereafter be retained as such.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. The applicant is advised to contact the Council's Streetworks Team (permit.admin@brighton-hove.gov.uk 01273 290729) for necessary highway approval from the Highway Authority prior to any works commencing on the adopted highway to satisfy the requirements of the condition.
3. The applicant is advised that the scheme required to be submitted by Condition 6 should include the registered address of the completed development; an invitation to the Council as Highway Authority (copied to the Council's Parking Team) to amend the Traffic Regulation Order; and details of arrangements to notify potential purchasers, purchasers and occupiers of the restrictions upon the issuing of resident parking permits.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The application relates to a two storey detached house on the southern side of Wincombe Road.
- 2.2. The local streetscene is comprised of substantial two storey detached or semidetached residential houses set on large plots.
- 2.3. The application seeks permission to convert the existing dwellinghouse into 4 self contained flats comprised of 2 x 1 bedroom flats, 1 x 2 bedroom flats and 1 x 3 bedroom flat.

3. RELEVANT HISTORY

- 3.1. BH2019/00509 Conversion of existing single dwelling (C3) to form 2no. one bedroom flats, 2no. two bedroom flats & 1no. three bedroom flat (C3). External alterations include raising the roof ridge height, insertion of front, side & rear rooflights, conversion of garages to habitable space, new first floor front balcony & side terrace, new front boundary wall & revised fenestration. Refused 17.04.2019 and dismissed at appeal. The LPA's reasons for refusal included:
 1. The increased height of the proposed development would result in a building which would be over dominant in comparison to the neighbouring properties and disrupt the rhythm of the streetscene. The additional features, such as the front balcony would appear incongruous and would fail to reflect the prevailing character and

appearance of the streetscene. The scheme is therefore considered contrary to policy QD14 of the Brighton and Hove Local Plan.

2. The proposed scheme would result in an unneighbourly form of development, resulting in increased overlooking and loss of privacy to The Cottage, 236 Dyke Road, and 234 Dyke Road. The proposed first floor terrace on the east elevation would also result in undue levels of noise disturbance to the bedroom areas of The Cottage. The proposed development would therefore cause harm to neighbouring amenity, contrary to policy QD27 of the Brighton and Hove Local Plan.
 3. The proposed living accommodation in flat 5 would provide future occupants with constrained and limited accommodation that offers a poor outlook. The development therefore fails to provide an acceptable standard of accommodation for future occupiers, contrary to policy QD27 of the Brighton and Hove Local Plan.
- 3.2. BH2017/02712 Conversion of existing single dwelling to form 2no. one bedroom flats, 2no. two bedroom flats & 1no. three bedroom flat (C3). Roof alterations incorporate raising the ridge height, new rooflights & front dormer. External alterations include new balcony & terrace, new front boundary wall & revised fenestration. Refused 23.02.2018

4. REPRESENTATIONS

- 4.1. **Thirteen (13)** letters have been received objecting to the proposed development for the following reasons:
- Overdevelopment
 - Increase in parking and traffic within the area
 - Increase in noise and disturbance
 - Poor design
 - Flats within the area are empty and haven't been sold
 - Previous concerns have not been addressed
 - Family housing in short supply
 - Loss of privacy
 - Overlooking
 - Out of character with the area
 - Would set a precedent for further subdivisions in the area

5. CONSULTATIONS

5.1. **Environmental Health:** Comment

This application seeks to develop on a domestic garage/workshop. Given the previous use, there is the potential that contaminants (such as oil) could have been stored on site, and that spillages may have occurred.

- 5.2. It is therefore appropriate to apply a condition to ensure that if there are any unexpected findings encountered during the construction process, works cease and a formal risk assessment by professional and competent individuals takes place to guide further action. This is referred to as a discovery strategy.

- 5.3. **Planning Policy:** No Comment
- 5.4. **Sustainable Transport:**
Comment (previous comments for application BH2019/00509
Access will remain as existing via a level entrance on the ground floor.
- 5.5. The applicant is proposing to remove two car garages and the existing car parking space immediately in front of the property. The existing parking space to the side of the property is to be retained with access via the existing dropped kerb. This will leave a redundant vehicular access and associated dropped kerb. The Highway Authority would recommend that the existing crossover is reinstated back to footway via the inclusion of the suggested Grampian condition. The removal of the existing parking provision could create overspill of parking into the surrounding streets, particularly in light of the significant uplift in residential units on the site. However, it is not considered that additional on-street demand of this level would amount to a serve impact. Furthermore, the site is located in CPZ A, which should mitigate some of the parking demand. Therefore in this instance the Highway Authority have no objections.
- 5.6. The applicant is proposing cycle parking in line with minimum number required as stated in SPD14. However the details of the type of cycle parking are unclear and further details would need to be secured by condition.
- 5.7. The change of use from a 3-bedroom family home to a five-unit site (which could accommodate up to 16 people) is anticipated to generate an uplift in trips. In order to provide for the needs of users of all abilities accessing the development on foot, it is recommended that a Grampian condition requiring the applicant to undertake footway improvements be attached to any planning consent in accordance with Brighton & Hove City Plan Part One policies CP7 and CP9.
- 5.8. **Private Sector Housing:** No Comment

6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);

- 6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. **POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable buildings
CP9	Sustainable transport
CP12	Urban design
CP13	Public streets and spaces

Brighton and Hove Local Plan (retained policies March 2016):

TR7	Safe Development
TR14	Cycle access and parking
QD14	Extensions and alterations
QD27	Protection of amenity
HO5	Provision of private amenity space in residential development
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes

Supplementary Planning Documents:

SPD14	Parking Standards
-------	-------------------

8. **CONSIDERATIONS & ASSESSMENT**

- 8.1. The main considerations in the determination of this application relate to the principle of the development, the design and appearance of the works and how this impacts upon the standard of accommodation for future occupiers and the amenity of existing neighbours.

Principle of Development:

- 8.2. The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this minimum housing requirement that the City's five year housing land supply position is assessed annually.
- 8.3. The Council's most recent housing land supply position is published in the SHLAA Update 2018 (February 2019). The figures presented in the SHLAA reflect the results of the Government's 2018 Housing Delivery Test which was published in February 2019. The Housing Delivery Test shows that housing delivery in Brighton & Hove over the past three years (2015-2018) has totalled only 77% of the City Plan annualised housing target. Since housing delivery has been below 85%, the NPPF requires that a 20% buffer is applied to the five year housing supply figures. This results in a five year

housing shortfall of 576 net dwellings (4.5 years supply). In this situation, when considering the planning balance in the determination of planning applications, increased weight should be given to housing delivery in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

- 8.4. The application is a re-submission of previously refused applications BH2019/00509 and BH2017/02712. The 2019 application was subsequently dismissed at appeal. The LPA considered the principle of the conversion was acceptable, however had a number of concerns. These concerns included the design of the loft conversion and addition of the front balcony, the impact on neighbouring amenity, and the standard of accommodation,
- 8.5. The appeal decision for application BH2019/005090 (Appeal Ref: APP/Q1445/W/19/3227892) agreed with the LPA in regards to the proposed works at roof level, which included raising the ridge height. The Inspector stated that the extensions at the roof level would be overly dominant, out of keeping and disruptive to the streetscene and the wider character and appearance of the area. The Inspector also agreed that the accommodation being created at roof level would not provide adequate living conditions for future occupiers.
- 8.6. The Inspector, however considered the front balcony and the impact of the development on neighbouring properties to be acceptable.
- 8.7. The current application (BH2019/03132) has been revised, with the removal of all works at roof level. In all other respects, the proposals are identical.

Policy:

- 8.8. Policy HO9 of the Brighton and Hove Local Plan relates to conversions of dwellings and requires the original internal floor space of the application site, excluding any later additions to exceed 115m². The original floor space complies with this. Furthermore, the proposed scheme to convert the existing dwelling into smaller residential accommodation is also dependent providing one of the units provided is suitable for family occupation. The ground floor unit would have three bedrooms and access to some amenity spaces and thus would be suitable as family accommodation.

Design and Appearance:

- 8.9. The external works include the introduction of a front first floor balcony and side first floor terrace with a 1.8m obscure glazed screen. The Inspector stated on the previous application that:

'That whilst there are no other identical features in the immediate streetscene, I do not consider that either the front balcony or proposed obscure glazed screen would be unacceptable in terms of their impact on the character and appearance of the surrounding area or result in a contrived or unattractive development when viewed from the wider streetscene.'

- 8.10. In light of the recent appeal decision, the external works are therefore considered acceptable.

Impact on Amenity:

- 8.11. The LPA considered the main impacts of the development to be an increased noise disturbance from the proposed front terrace and an increase in overlooking and loss of privacy from both new windows that were to be located within the roof extensions and from existing windows due to the additional occupancy as a result of the conversion.
- 8.12. The removal of the roof extensions and reduction of 1 residential unit is considered to be an improvement on the previously refused scheme in terms of reducing the levels of overlooking and loss of privacy as well as reducing the intensification of the site.
- 8.13. The Inspector considered the impact on amenity of adjoining properties and gave particular regard to the amenity of 234 Dyke Road, 236 Dyke Road and The Cottage. These are the nearest properties to the application site. The Inspector considered that the original proposal would not result in significant harm to neighbouring properties.
- 8.14. With regard to the impact on No. 234 Dyke Road, the Inspector stated that:

'The rear elevation of the appeal property faces south-east and currently looks out over the rear garden and rear elevation of Number 234 Dyke Road. The number of residential units within the development that would have views out of the rear elevation will increase from one to three, when counting the Flat being created in the roof space.'

The rear elevation of the property currently has 6 windows (3 at ground floor and 3 at first floor). Two windows within both the ground and first floor currently serve habitable rooms, whilst the third ground floor level window serves a kitchen and the third first floor level window serves a utility room. No restrictions in regard to the uses of these rooms have been drawn to my attention and in the absence of such restrictions the owner could change their use into habitable rooms without a formal planning permission being required.

Bearing in mind the above, I do not consider that the development would result in an unacceptable level of increased occupancy or cause overlooking or loss of privacy, as they would not increase to such a degree, over and above that which currently occurs, so as to harm living conditions.'

- 8.15. With regard to the impact on No. 236 Dyke Road, the Inspector stated;

'Number 236 Dyke Road is located to the south-western side of the application site and the Council raises concerns in regard to increase overlooking and loss of privacy arising from both increased occupancy and from the second-floor windows.'

With the exception of the rooflight windows in the second floor, no new windows are proposed in the south-west facing elevation of the development. The proposed ground and first floor windows in this elevation that serve habitable rooms are all secondary windows and therefore a condition could be imposed that would meet the standard tests as set out in the National Planning Practice Guidance related to the 'Use of Planning Conditions' (Paragraph: 003 Reference ID: 21a-003-20190723), requiring those windows to be obscure glazed and fixed shut. In regard to the new rooflights proposed within the roof space these are shown to be installed at a level where direct overlooking and / or loss of privacy would be unlikely to occur.

Bearing in mind the above, I do not consider that the development would result in an increased level of overlooking or loss of privacy to such a degree, over and above that which currently occurs, so as to harm living conditions in this instance.'

8.16. A condition is recommended to ensure that the recommended windows are obscure glazed.

8.17. With regard to the impact on The Cottage, the Inspector stated:

'Concerns have been raised in regard to the proximity of the development to this property, including in regard to increase comings and goings from an intensified use. Other concerns raised include: disturbance from the roof terrace, at first floor level, and potential elevated noise arising from its use; negative impact on outlook, especially from bedroom windows; and overlooking and reduce privacy arising from the additional windows at second floor level.

The existing front door access to the appeal property is accessed off the driveway and is located to the north-eastern side of the house. The Council's Planning officer report notes the adjoining property, The Cottage, has habitable room windows that overlooks the drive and front door access to the appeal site. I noted this on site but do not consider that the development would increase comings and goings to such a degree so as to materially increase the impact on the living conditions of the occupiers of 'The Cottage' in this regard.

In terms of the proximity of the first-floor roof terrace, I consider it to be adequately screened so as to avoid overlooking. This roof terrace area is only accessible from the lobby area and I do not consider that a level of use would be likely to occur which would result in an unacceptable level of noise disturbance arising from its use. The occupiers of The Cottage already have an outlook facing over the appeal site and the proposed development would not change that outlook to such a degree so as to have an unacceptable impact.

In summary, I do not consider that detrimental or adverse levels of impact would occur on the living conditions of adjoining occupiers, especially properties at numbers 234 Dyke Road, 236 Dyke Road and The Cottage.

The proposed development is therefore compliant with Saved Policy QD27 of the Local Plan, in this regard, which seeks to protect the amenity of an area, its users, residents and occupiers, including a development's future users, residents and occupiers.'

- 8.18. Given the above assessment made by the Planning Inspector, it is therefore concluded that the proposed works would not result in any adverse impacts to the amenity of neighbouring properties.

Sustainable Transport:

- 8.19. Sustainable transport comments were provided for the previous application BH2017/02712. Given the similarities of the scheme, these comments are still considered relevant.
- 8.20. The applicant is proposing to remove two car garage spaces and one car parking space. One parking space would remain. The redundant vehicular access and associated dropped kerb would be required to be reinstated back to footway by condition.
- 8.21. The removal of the existing parking provision could create overspill of parking into the surrounding streets, particularly in light of the significant uplift in residential units on the site, but this is not considered to amount to a serve impact. Furthermore, the site is located in CPZ A, which should mitigate some of the parking demand. Consequently there is no objection to the loss of parking. A condition requiring the development to be car free is proposed, however given that the site already benefits from a parking permit, it would be proportionate to restrict further permits to the one and two bedroom units only.
- 8.22. The applicant is proposing cycle parking in line with the minimum number required as stated in SPD14. However the details of the type of cycle parking are unclear and further details would need to be secured by condition.
- 8.23. The transport officer has recommended that highway improvements are secured as part of the development. Since these comments were provided by the Transport Officer, the scheme has been reduced by one 2 bed unit. It is considered that given the size of the original dwelling and the number of occupants it could house, the conversion into four smaller units would not have such a significant uplift in trips to and from the site as to reasonably ask for footway improvements.

Standard of Accommodation:

- 8.24. The current proposal would provide two 1 bedroom flats, one 2 bedroom flats and one 3 bedroom flat. The layouts of these flats are identical to those proposed in the previously refused application. These units were all considered to provide an acceptable standard of accommodation in terms of layout, size, with all rooms having acceptable levels of natural light and outlook. The Inspector did not disagree with these conclusions.

8.25. It is therefore considered that the proposed conversion would provide an acceptable standard of accommodation for future occupiers.

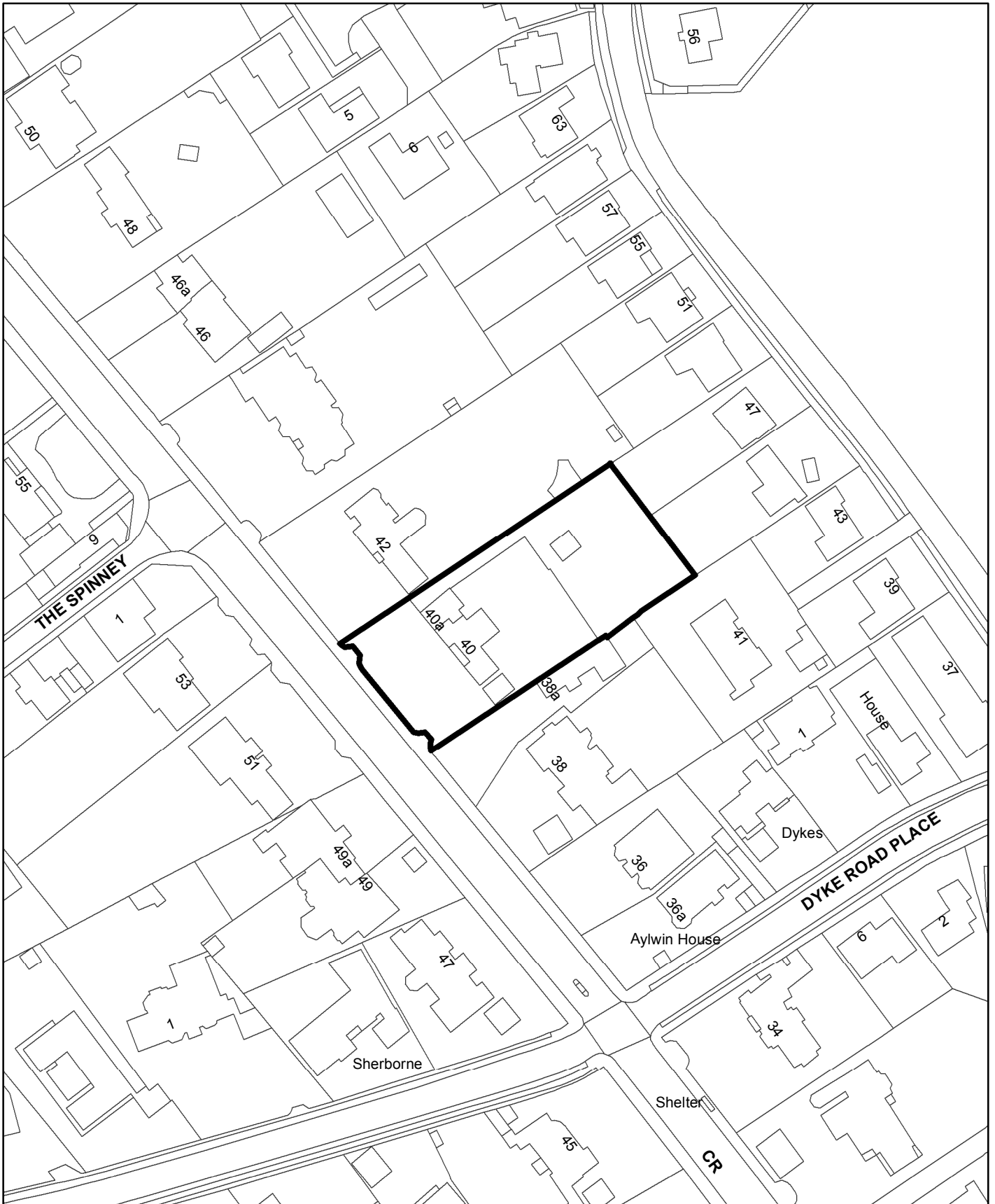
9. EQUALITIES
None identified.

ITEM B

**40 Dyke Road Avenue
BH2019/02306
Full Planning**

DATE OF COMMITTEE: 8th January 2020

BH2019/02306 - 40 Dyke Road Avenue



N



Scale: 1:1,250

<u>No:</u>	BH2019/02306	<u>Ward:</u>	Withdean Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	40 Dyke Road Avenue Brighton BN1 5LE		
<u>Proposal:</u>	Demolition of existing single dwelling (C3) with associated garage and erection of three storey five bedroom single dwelling (C3)		
<u>Officer:</u>	Helen Hobbs, tel: 290585	<u>Valid Date:</u>	03.09.2019
<u>Con Area:</u>	Tongdean	<u>Expiry Date:</u>	29.10.2019
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Morgan Carn Partnership Brighton BN1 6FA	Blakers House	79 Stanford Avenue
<u>Applicant:</u>	Mr & Mrs Hogley	Blakers House	79 Stanford Avenue Brighton BN1 6FA

1. RECOMMENDATION

1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **REFUSE** planning permission for the following reasons:

1. The existing house makes a very positive contribution to the historic and architectural qualities of this part of Dyke Road Avenue and the wider Tongdean Conservation Area, and exhibits many of the common features of the area whilst at the same time being architecturally distinctive and reflective of the period in which this part of the conservation area was developed. No information or supporting evidence has been submitted with the application to justify its demolition and no benefits are evident from the application proposal that would outweigh the building's loss. It is therefore considered that the demolition of the existing building would fail to preserve the appearance and character of the area and would cause harm to the Tongdean Conservation Area. Furthermore the replacement dwelling would introduce a style of architecture not found anywhere else within the conservation area, resulting in a development that would be out of keeping and would fail to make a positive contribution to the streetscene and wider area. The proposal is therefore contrary to policies HE6 and HE8 of the Brighton and Hove Local Plan and CP12 and CP15 of the Brighton and Hove City Plan Part One.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision is based on the drawings received listed below:

Plan Type	Reference	Version	Date Received
Proposed Drawing	1887-P-104		2 September 2019
Proposed Drawing	1887-P-105		2 September 2019
Proposed Drawing	1887-P-106		2 September 2019
Proposed Drawing	1887-P-107		2 September 2019
Proposed Drawing	1887-P-103		2 September 2019
Location and block plan	1887-P-101		2 September 2019
Report/Statement	Heritage Statement		2 September 2019
Report/Statement	Arboricultural Assessment		10 December 2019
Report/Statement	Design and Access		2 September 2019

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The site relates to a detached dwelling on the northern side of Dyke Road Avenue, located within the Tongdean Conservation Area. The building is set back from the road and bounded by a brick wall with piers to the street elevation.
- 2.2. The application seeks permission for the demolition of the existing building and erection of a three storey five bedroom single dwelling.

3. RELEVANT HISTORY

- 3.1. PRE2018/00156 Demolition of existing house and erection of new larger replacement dwelling.
- 3.2. PRE2017/00324 Erection of new dwelling to the rear part of the garden of the existing house

4. REPRESENTATIONS

- 4.1. **Eleven (11)** letters have been received supporting to the proposed development for the following reasons:
 - Well designed
 - Good size
 - The existing house is derelict
 - The design is in keeping with Conservation Area
 - The vegetation at the front is being retained
- 4.2. **Two (2)** letters have been received objecting to the proposed development for the following reasons:
 - Loss of privacy
 - Overlooking
 - Loss of trees
 - Arts and Crafts Architectural style should be preserved

5. CONSULTATIONS

5.1. Environmental Health: No Comment

5.2. Arboricultural: Comment

Initial Comment:

The Arboricultural Team are largely satisfied with the Arboricultural submission.

- 5.3. Trees T6 and T8 are highly visible Elm trees within the street scene close to the frontage of the site. It is claimed the trees have Elms disease and are proposed for removal. It has not been possible on site to confirm whether the trees are diseased due to the time of year. Given that the proposed removal of two trees significant in the local landscape setting, further clarification is required as to whether the trees are diseased before it can be accepted that the trees can be removed.

Updated Comment:

- 5.4. Amended information has been submitted making it clear that all references to the removal of the two Elm trees labelled T6 and T8 have been removed and these trees are now to be retained.

5.5. Heritage: Objection

The proposal would fail to meet policies HE6 and HE8 and would fail to preserve the appearance and character of the conservation area as required by s72 of the Planning (Listed Buildings and Conservation Areas) act 1990. The application would therefore cause clearly demonstrable harm to the conservation area and, whilst this harm would be less than substantial under the terms of the NPPF, it must be given great weight. There are no benefits that may be weighed against that harm. The NPPG, at paragraph 019, states in respect of conservation areas that where the harm is less than substantial "the justification for a building's proposed demolition will still need to be proportionate to its relative significance and its contribution to the significance of the conservation area as a whole." The existing house has high significance as a very positive element of the conservation area that both exhibits many of the common features of the area whilst at the same time being architecturally distinctive and reflective of the period in which this part of the conservation area was developed.

5.6. Planning Policy: No Comment

5.7. Sustainable Transport: Comment

Recommend approval subject to the inclusion of conditions relating to the materials of the hard surfacing and securing cycle parking for the dwelling.

6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan,

and all other material planning considerations identified in the "Considerations and Assessment" section of the report

- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- 6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. **POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable buildings
CP9	Sustainable transport
CP12	Urban design
CP15	Heritage

Brighton and Hove Local Plan (retained policies March 2016):

TR7	Safe Development
TR14	Cycle access and parking
QD5	Design - street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD27	Protection of amenity
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes
HE6	Development within or affecting the setting of conservation areas ancient monuments and other important archaeological sites
HE8	Demolition in conservation areas

Supplementary Planning Documents:

SPD14	Parking Standards
-------	-------------------

8. **CONSIDERATIONS & ASSESSMENT**

- 8.1. The main considerations in the determination of this application relate to the impact of the development on the character and appearance of the existing site, streetscene and the surrounding conservation area, impact on neighbouring amenity, the trees on site, transport network and sustainability issues.

- 8.2. The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this minimum housing requirement that the City's five year housing land supply position is assessed annually.
- 8.3. The Council's most recent housing land supply position is published in the SHLAA Update 2018 (February 2019). The figures presented in the SHLAA reflect the results of the Government's 2018 Housing Delivery Test which was published in February 2019. The Housing Delivery Test shows that housing delivery in Brighton & Hove over the past three years (2015-2018) has totalled only 77% of the City Plan annualised housing target. Since housing delivery has been below 85%, the NPPF requires that a 20% buffer is applied to the five year housing supply figures. This results in a five year housing shortfall of 576 net dwellings (4.5 years supply). In this situation, when considering the planning balance in the determination of planning applications, increased weight should be given to housing delivery in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

Design and Appearance:

- 8.4. When considering whether to grant planning permission for development in a conservation area the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 8.5. The proposal is to wholly demolish the existing house and replace it with a new dwelling which is designed to provide two storeys plus accommodation in the roof space. The existing house contributes very positively to the appearance and character of the conservation area. It dates from the primary period of development on this part of Dyke Road Avenue and is typical of the architectural free eclecticism and prevailing influences of this period, whilst in particular being part of a clutch of houses here that exhibit Arts and Crafts influences. Its scale, siting, form, roofline and relationship to soft landscaping are also very typical of the conservation area.
- 8.6. As the NPPF makes clear at paragraph 184, heritage assets are an irreplaceable resource. Policy HE8 in respect of demolition expects that proposals should retain buildings, structures and features that make a positive contribution to the character or appearance of a conservation area. It sets a high bar requiring evidence to demonstrate the building is beyond economic repair, viable uses cannot be found and that the redevelopment both preserves the area's character and would produce substantial benefits that would outweigh the buildings loss. No supporting case or evidence has been submitted to meet the first two criteria and there are no "substantial benefits" evident from the application proposal that would in any way outweigh the building's loss. Similarly there are no public benefits, as required by paragraph 196 of the NPPF, which outweigh the harm identified.
- 8.7. Similarly criteria (c) of policy HE6 (Development within or affecting the setting of conservation areas) seeks to ensure that developments do not result in a

harmful impact on the townscape and roofscape of the conservation area. In this case the proposed new dwelling is in a classical, Neo-Georgian style with hints of Art Deco in its central attic features. Classicism and Neo-Georgian are not represented at all in the Dyke Road Avenue part of the conservation area and barely represented in the later Tongdean Road and Avenue part of the conservation area. The existing house is much more typical of the area as a whole and, for example, the distinctive diamond pattern on its front gables can also be seen, in similar pattern, at 6 Tongdean Road. Moreover, the proposed new house lacks the typical features that are prevalent in the conservation area such as overhanging eaves, gables and tall chimneys and overall lacks the roof level interest of the historic buildings in the conservation area.

- 8.8. The proposed development would not make a positive contribution to local character and distinctiveness as the NPPF and policy HE6 expect.
- 8.9. A number of trees on the site are to be removed although the two important elms on the frontage are to be retained. The Arboricultural Team are satisfied with the arboricultural submission.
- 8.10. For all of the above reasons it is considered that the proposal would fail to meet policies HE6 and HE8 and would fail to preserve the appearance and character of the conservation area as required by s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The application would therefore cause clearly demonstrable harm to the conservation area and, whilst this harm would be less than substantial under the terms of the NPPF, it must be given great weight. There are no heritage benefits that may be weighed against that harm. The NPPG, at paragraph 019, states in respect of conservation areas that where the harm is less than substantial "the justification for a building's proposed demolition will still need to be proportionate to its relative significance and its contribution to the significance of the conservation area as a whole." The existing house has high significance as a very positive element of the conservation area that both exhibits many of the common features of the area whilst at the same time being architecturally distinctive and reflective of the period in which this part of the conservation area was developed.

Impact on Amenity:

- 8.11. The proposed dwelling would be set in a similar location to the existing dwelling and would retain an appropriate separation from both side boundaries. The rear side wings of the proposed dwelling would project significantly further into the rear garden, than the existing footprint of the dwelling, however these elements would be single storey in height.
- 8.12. To the south, the proposed property would be set approximately 1.5m from the neighbouring property. The upper floor would be set in and would measure approximately 3m from the boundary. The neighbouring property, 38A Dyke Road Avenue, is a two storey dwelling sited along the majority of the shared boundary, set further back than the application property. The remainder of the boundary is in the form of a tall wall with heavy planting. There are no openings within the side elevation of No. 38A that look towards the application

site. Given the level of separation and screening on the boundary, it is considered that the proposal would not have a significant impact on this property.

- 8.13. To the north, the proposed property would be set approximately 1.7m from the shared boundary with the neighbouring property, 42 Dyke Road Avenue. The upper floor would be set in and would measure approximately 5.2m from the shared boundary. The side elevation of 42 Dyke Road has no openings facing the application site. Again the level of separation, coupled with the boundary screening, which is in the form of a fence and planting, the proposal would not have a significant impact on this property.
- 8.14. Large upper floor windows are being introduced on the side elevations which would look towards the adjoining properties. They are largely secondary windows and are a natural consequence of the proposed internal layout/room sizes. Whilst the use of obscure glazing and high level windows can help to mitigate the impact of overlooking and avoid prejudicing neighbours' from undertaking their own development, there are some concerns that the size of the windows and the rooms they are serving may make the use of obscure glazing and/or high level windows less of an option, especially as any permission would seek to ensure that any obscurely glazed are fixed shut, to prevent any overlooking or loss of privacy. It would therefore be expected that in redesigning the dwelling this matter is given further consideration.

Sustainable Transport:

- 8.15. For this development of 1 residential unit with 5 beds the minimum cycle parking standard is 2 cycle parking spaces in total. The application is proposing to install cycle parking in the rear of the garage but this is not a particularly convenient location given it is a relatively standard sized single garage. Further details could be conditioned if the proposal were acceptable in all other respects.
- 8.16. Changes are proposed to the existing vehicle access arrangements onto the adopted (public) highway and for this development this is deemed acceptable in principle.
- 8.17. The proposal would be provided with one parking space within the garage as shown on the proposed plans and three spaces on the forecourt as indicated within the Design and Access Statement. Whilst the overall number of spaces being provided would exceed the maximum number of parking spaces as advised within SPD14, this is not considered to be a concern or a reason for refusal.
- 8.18. A significant increase in vehicle trip generation as a result of these proposals is forecast, therefore any impact on carriageways will be minimal and within their capacity so the application is deemed acceptable and developer contributions for carriageway related improvements will not be sought.

Sustainability:

- 8.19. The Local Planning Authority seeks to secure sustainable energy efficiency and water usage in the construction of the proposed dwelling through the imposition of planning conditions.

Other Issues:

- 8.20. Parts of the front boundary wall have recently been removed as the wall was deemed structurally unsound and dangerous. These works require a separate planning application to regularise the demolition works within a conservation area and have not been considered under this current application.

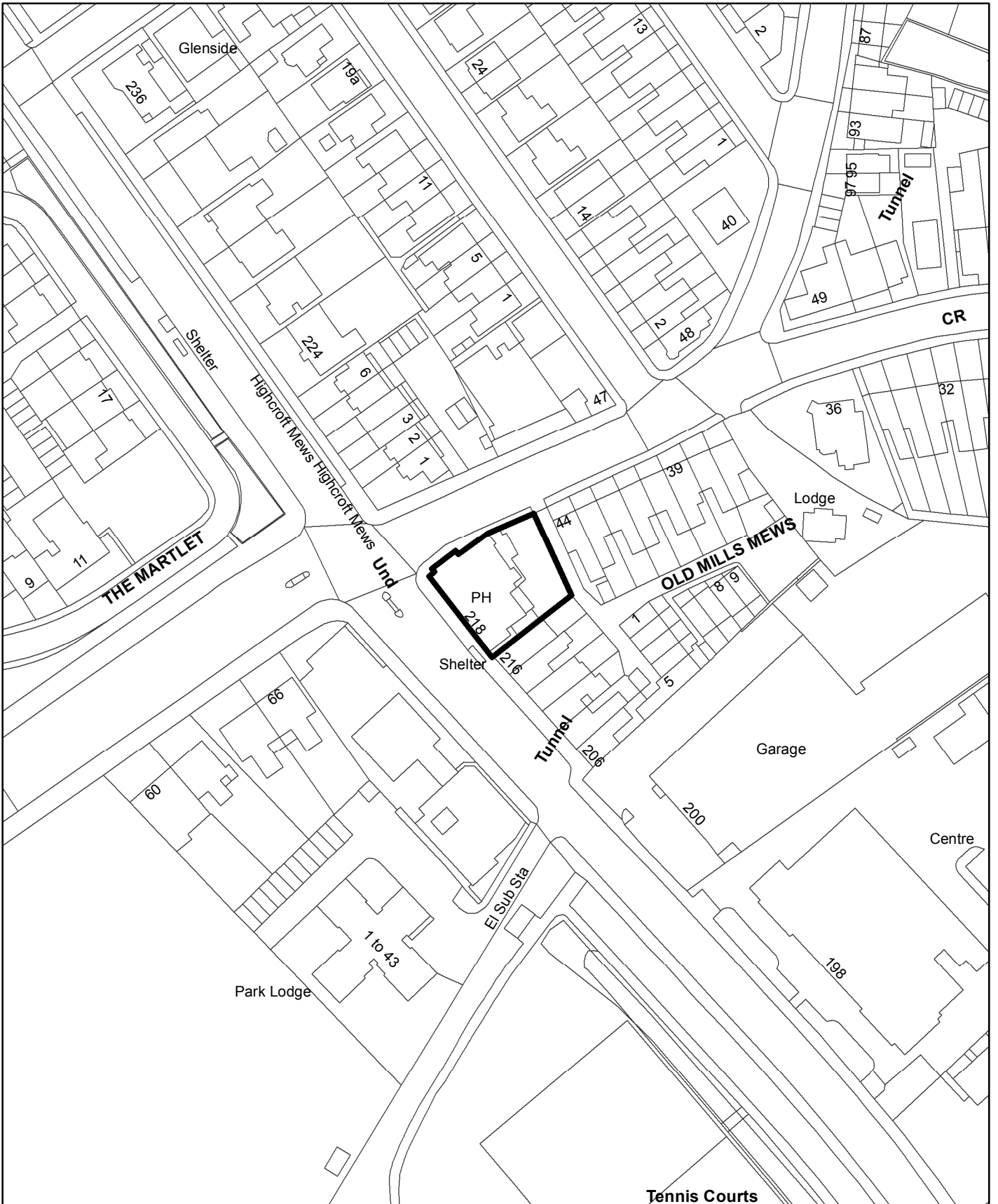
9. **EQUALITIES**
None identified.

ITEM C

**218 Dyke Road
BH2019/02290
Full Planning**

DATE OF COMMITTEE: 8th January 2020

BH2019/02273 & BH2019/02290 218 Dyke Road



N



Scale: 1:1,250

<u>No:</u>	BH2019/02290	<u>Ward:</u>	Preston Park Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	218 Dyke Road Brighton BN1 5AA		
<u>Proposal:</u>	Conversion of existing 2no flats at first floor level to create 2no two bedroom flats & 1no one bedroom flat incorporating part two storey & part first floor rear extensions with gable roofs, front & rear terraces and associated alterations.		
<u>Officer:</u>	Jonathan Martin, tel:	<u>Valid Date:</u>	01.08.2019
<u>Con Area:</u>		<u>Expiry Date:</u>	26.09.2019
<u>Listed Building Grade:</u>	Listed	<u>EOT:</u>	
	Building Grade II		
<u>Agent:</u>	CMK Planning 11 Aymer Road Hove BN3 4GB		
<u>Applicant:</u>	LAN Estates Ltd 27 Palmeira Mansions Hove BN3 2FA		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Proposed Drawing	TA1151/31		4 December 2019
Location and block plan	TA 1151-01	C	4 December 2019
Proposed Drawing	TA1151/10	A	4 December 2019
Proposed Drawing	TA1151/11	A	6 December 2019
Proposed Drawing	TA1151/12	A	4 December 2019
Proposed Drawing	TA1151/13	A	4 December 2019
Proposed Drawing	TA1151/14	A	4 December 2019
Proposed Drawing	TA1151/15	A	4 December 2019
Proposed Drawing	TA1151/20		1 August 2019
Proposed Drawing	TA1151/21	A	5 December 2019
Proposed Drawing	TA1151/22	A	5 December 2019
Proposed Drawing	TA1151/23	A	4 December 2019
Proposed Drawing	TA1151/24	A	4 December 2019
Proposed Drawing	TA1151/25	A	4 December 2019
Proposed Drawing	TA1151/26	A	4 December 2019
Proposed Drawing	TA1151/27	A	4 December 2019
Proposed Drawing	TA1151/28		1 August 2019
Proposed Drawing	TA1151/29	A	4 December 2019
Proposed Drawing	TA1151/30		1 August 2019

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

3. The development hereby permitted shall not be commenced until samples of the following materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority:
 - a) samples of brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) samples of all hard surfacing materials
 The development shall be carried out in strict accordance with the approved details.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

4. No works shall take place to the windows until full details of all new windows and their reveals and cills including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the agreed details thereafter.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

5. All new and replacement rainwater goods shall be in cast iron and shall be painted black and retained as such thereafter.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

6. No cables, wires, aerials, pipework meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

7. The development hereby permitted shall not be first occupied until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out and provided in full in accordance with the approved details prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan,

policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

8. The development hereby permitted shall not be first occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan and SPD14: Parking Standards.

9. Within 6 months of commencement of the development hereby permitted or prior to occupation, whichever is the sooner, a scheme shall be submitted to the Local Planning Authority for approval to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit. The approved scheme shall be implemented before occupation.

Reason: This condition is imposed in order to allow the Traffic Regulation Order to be amended in a timely manner prior to first occupation to ensure that the development does not result in overspill parking and to comply with policies TR7 & QD27 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One and SPD14: Parking Standards.

10. A bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. This property is a grade II listed building. Whilst historically used as a Public House, the ground floor of the building was recently used solely for retail purposes (through Permitted Development Rights) but in June of 2019 planning permission was granted to change part of ground floor (the western part) back to a public house. With regards to the upper floor, in 2018 an

Enforcement Investigation confirmed that the upper floor of the property had been in lawful use as two residential units, separate to the ground floor commercial uses.

- 2.2. It is a purpose-built improved public house of 1895 to designs by Charles Henry Buckman in Tudor Revival Arts and Crafts style for Tamplins Brewery; it has small 1930 extensions to north and east. The ground floor is of red brick in English bond with stone dressing; the first floor mainly timber-framed with plaster or brick infill but part is tile-hung. The rear elevation is mainly rendered. Clay tiled roof with three tall ribbed brick chimneystacks. It is an asymmetrical building of two storeys and four bays along Dyke Road and three bays along Highcroft Villas. The original ground floor plan had a bar servery to the south-west divided between a private bar, public bar and off licence, a bar parlour in the centre and a coffee room to the south-east, with a tap room. The kitchen was extended in 2010.
- 2.3. This application seeks the conversion of existing 2no residential units at first floor level to create 2no two bedroom flats & 1no one bedroom flat incorporating part two storey & part first floor rear extensions with gable roofs, front & rear terraces and associated alterations.

3. RELEVANT HISTORY

- 3.1. **PRE2018/00325** Pre-application for a proposal to convert and extend the upper parts of the premises to create two additional flats, and to erect a new dwelling to the rear.
- 3.2. The response summary regarding the conversion was as follows:
- Development in the roof of the former pub would be harmful to the fabric of the Listed Building and will not be approved.
 - The proposed internal layout should more accurately detail the remaining original features and better preserve or enhance their place in the building.
 - The terraces and balconies at the rear and sides of the proposed development should be removed as they are likely to be harmful to the listed building and to the amenity of neighbours.
 - Consider the provision of alternative private amenity space for occupants of the flats.
- 3.3. The following changes were recommended to improve the proposal:
- Remove alterations to the roof space, and limit flats to the first floor only.
 - Remove balconies and terraces from the proposed layout for the first floor flats.
 - Consider utilising existing outdoor space as private amenity space for the flats.
- 3.4. **BH2019/02273** - Listed Building Application for internal alterations and extensions. Pending Consideration.

- 3.5. **BH2019/02290** - Erection of 1 two storey three bedroom dwelling (C3) on land to rear of 218 Dyke Road including landscaping and access via Highcroft Villas and Old Mill Mews. Pending Consideration.
- 3.6. **BH2019/01912** - Application for approval of details reserved by conditions 3, 4 and 5 of application BH2019/00914. Approved 26/11/2019
- 3.7. **BH2019/00915** - Interior alterations to form new cellar and refurbishment of kitchen and bar. Approved 07/06/2019
- 3.8. **BH2019/00914** - Partial change of use of existing retail unit (A1) to public house (A4), including interior alterations to form new cellar and refurbishment of kitchen and bar. Approved 07/06/2019
- 3.9. **BH2010/00601** - Erection of ground floor rear kitchen and cold store extension with associated extension of kitchen extract ducting. ul Approved 12/05/10.
- 3.10. **95/1320/FP** - Elevation alterations and rear extension to the public house. Erection of pergola in rear garden area. Approved 17/01/1996

4. REPRESENTATIONS

- 4.1. **Sixty Four (64)** letters have been received, objecting to the proposed development for the following reasons:
- impact on Listed Building
 - Traffic, Parking and Congestion
 - Impact on the Dyke Pub
 - Rubbish and litter
 - Overdevelopment
 - Loss of privacy/overlooking
- 4.2. **Councillor Amy Heley** objects to the proposal, a copy of the letter is attached to the report.
- 4.3. **Councillor Hugh-Jones** objects to the proposal, a copy of the letter is attached to the report.

5. CONSULTATIONS

- 5.1. **Heritage:**
Initial Comment 02/09/2019: Requested Amendments:
- 5.2. This application follows on from pre-application advice earlier this year. The Design and Access Statement sets out how that advice has been taken into account in the submitted scheme but aspects of the proposals have not properly or fully reflected the advice given.

- 5.3. The rear of the building has been successively extended and altered over a period of time and its current appearance is disjointed, relating neither to the original 1895 design or to the 1930s remodelling. It does not present an attractive composition as seen from Highcroft Villas or Old Mills Mews. Therefore the rear elevation is not considered to be sensitive to change.
- 5.4. In principle therefore it is considered that the first floor gabled rear extensions as shown would be acceptable, subject to them closely matching the materials and detailing of the original building, which could be secured by condition and subject to improvements to the rear of the ground floor. The southern-most gable, however, should be brick faced to match the existing one, to maintain symmetry. The rear window to the gable to be blocked up is not a historic window. The original copper roof vent would be lost and this would need to be carefully recorded prior to removal.
- 5.5. At pre-application stage it was advised that the utilitarian 2010 flat-roofed ground floor extension (freezer room) should be removed and it would also be beneficial to consider removal of the adjoining monopitch roofed area that appears to date from the same time. Whilst the freezer room extension has been removed it has been replaced by a further extension of the monopitch roofed extension.

Final Comment 06/12/2019: Approve with Conditions:

- 5.6. The amended plans have satisfactorily addressed the previous heritage concerns and approval is therefore recommended subject to conditions. The conditions relate to materials, details of works to windows, rainwater goods and no cables or external wires to be fixed to the external alteration.

5.7. Transport Comment

Initial Comment 29/08/2019: Requested Amendments

Further amendments were requested relating to concerns over car parking and a safe and secure refuse and recycling point. If these comments can be overcome conditions relating to cycle parking and a car free housing should be added if the officer is minded to grant permission.

Final comment 06/12/2019: Concerns regarding bin storage on collection

- 5.8. The Transport officer was satisfied with the amended plans which clarified pedestrian access and where the cycle parking and bin storage would be located. However, the transport officer still has concerns relating to the storage of the bins on the highway, even on a temporary basis, on the highway for collection.

- 5.9. **Conservation Advisory Group:** No Objection

- 5.10. **Private Housing Sector:** No Comment

6. RELEVANT POLICIES & GUIDANCE

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and

proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017); and
 - Shoreham Harbour Joint Area Action Plan (adopted Oct 2019)
- 6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. **POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP1	Housing Delivery
CP8	Sustainable Buildings
CP10	Biodiversity
CP12	Urban design
CP15	Heritage
CP19	Housing Mix

Brighton & Hove Local Plan (retained policies March 2016):

TR14	Cycle and Access Parking
QD5	Design
QD27	Protection of amenity
HO5	Provision of Private Amenity Space in Residential Development
HO9	Residential conversions and the retention of smaller dwellings.
HE1	Listed buildings
HE3	Development affecting the setting of a listed building

Supplementary Planning Document:

SPD09	Architectural Features
SPD 11	Nature Conservation and Development
SPD12	Design Guide for Extensions and Alterations

Asset of Community Value (ACV)

- 7.1. Since December 2018 the ground floor and garden of 218 Dyke Road, the Dyke Pub, has been listed as an Asset of Community Value, under reference ACV ACV/APP/2018/003.
- 7.2. The fact that the ground floor and garden is listed as an ACV is capable of being a material planning consideration in the determination of planning

applications relating to that land. Whether it is, in any given circumstance, and the weight to be attached, is a matter of planning judgment for the Local Planning Authority.

- 7.3. It should be noted that a listing as an ACV gives no right of access to the land concerned: the only right that follows from a listing is the right of a community interest group to bid to purchase the listed land should the owner intend to sell.
- 7.4. So far as the site proposed for development is concerned, the changes relate to the upper floor of the existing building which is not referenced in the ACV listing. The proposal would not result in the loss of any retail (Class A1) or pub (Class A4) floorspace and the changes relate solely to the upper floor of the property which is currently in use for residential purposes (Class C3).
- 7.5. Therefore it is considered that the proposal will have no impact on the ACV and would not impact on the local community's enjoyment of the listed Public House.

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to the principle of development, the impacts of the proposal on the historic character and appearance of the Grade II* Listed Building, related streetscene and wider area, design and appearance, standard of accommodation, impact on amenity, highways and sustainability.

Principle of Development:

- 8.2. The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this minimum housing requirement that the City's five year housing land supply position is assessed annually.
- 8.3. The Council's most recent housing land supply position is published in the SHLAA Update 2018 (February 2019). The figures presented in the SHLAA reflect the results of the Government's 2018 Housing Delivery Test which was published in February 2019. The Housing Delivery Test shows that housing delivery in Brighton & Hove over the past three years (2015-2018) has totalled only 77% of the City Plan annualised housing target. Since housing delivery has been below 85%, the NPPF requires that a 20% buffer is applied to the five year housing supply figures. This results in a five year housing shortfall of 576 net dwellings (4.5 years supply). In this situation, when considering the planning balance in the determination of planning applications, increased weight should be given to housing delivery in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).
- 8.4. City Plan Policy CP1 outlines that at least 13,200 new homes will need to be built over the plan period 2010-2030, which equates to an annual average

rate of provision of 660 dwellings. The proposed development seeks to increase the number of residential units at first floor level from two units to three units. The proposal will contribute to the Council's housing target.

- 8.5. The pub ceased business and a prior notification was submitted for a change the use from class A4 (public house) to class A1 (retail) at ground floor level (submitted May 2016), following which a retail business operated on the site. An element of the ground floor has since received permission to revert back from A1 to A4 public house through BH2019/00914. The proposal would not result in the loss of any retail (Class A1) or pub (Class A4) floorspace and the changes relate solely to the upper floor of the property which is currently in use for residential purposes (Class C3).
- 8.6. In relation to Policy HO9 of the Local Plan, a number of criteria must be met in order for the development to be considered acceptable. Criterion (a) requires "the original floor area is greater than 115sqm." The original floor area is not greater than 115sqm. The existing first floor currently comprises of a studio unit and a family unit (the submitted plans show 4 bedrooms however no lounge is shown and therefore it is considered that one of the plans has been inaccurately labelled).
- 8.7. The proposal seeks to create a 1 bedroom flat and two 2 bedroom family units. The existing studio would be enlarged by a bedroom of the existing family unit becoming the kitchen/lounge area. With respect of policy HO9 the proposal is not a pure conversion development. It is noted that the provision of an additional room for the current studio unit does not actually require planning permission, only listed building consent for the internal works, as the residential unit already exists. Furthermore a two storey rear extension would provide almost the entire floor area for the proposed new 2 bedroom unit except for the loss of the existing kitchen area for the existing family unit. The loss of the existing kitchen area would be incorporated into the existing family unit. As such the proposal would result in the provision of a 1 bedroom unit , the retention of a family unit and the creation of a new 2 two bedroom unit (both 2 bedroom units would be suitable for family occupation). Therefore on planning balance, as the proposal will create an additional family unit on site whilst retaining an existing family unit it is considered to be acceptable despite not fully according with Policy HO9 and on this basis refusal against policy HO9 is not considered warranted.

Heritage and Impact on Listed Building:

- 8.8. Policy CP15 of the Brighton & Hove City Plan Part One states how the Council will ensure that the city's built heritage guides local distinctiveness for new development in historic areas and heritage settings. Policy HE1 of the Local Plan explains how proposals involving the alteration or extensions of a listed building will only be permitted where the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting.
- 8.9. In considering whether to grant planning permission which affects a listed building or its setting the Council has a statutory duty to have special regard

to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 8.10. The proposed development was considered by the Council's Heritage Officer when this scheme was submitted as part of pre-application PRE2018/00325. Detailed discussions took place and the applicant has sought to take on board the comments that were raised in order to make the scheme acceptable.
- 8.11. The proposal would result in the provision of a new rear extension to provide additional floorspace at both ground and first floor levels. The proposed rear extension would comprise gables features, which would match the materials and detailing of the original gable on the rear elevation of the building.
- 8.12. In order to accommodate the proposed rear extension the proposal also results in the loss of two latter extensions (from the 1930s and the most recent 2010 extension), which are not identified in the listing as adding any particular significance or merit to the property. Both the new and previously proposed gables have been designed to be sympathetic to the building, and the finer details can be secured through appropriate conditions. Importantly, as the proposals relate to the rear of the listed building, its principal elevation will be unaffected. The heritage officer has confirmed that the rear elevation is not considered to be sensitive to change. In principle the first floor gabled rear extensions are acceptable and the applicant has submitted amended plans to show the southernmost gable will be brick faced to match the northern gable. In order to further respond to the comments raised by the heritage officer, amended plans have been submitted which shows the 2010 flat roofed ground floor extension removed from the proposal and the proposed additional extension to the freezer room extension has also been removed.
- 8.13. Following submission of the amended plans, and subject to compliance with recommended conditions, overall it is considered that the proposed rear extension would not be of detriment to the character or appearance of the host listed property, the Highcroft Villas streetscene from which it would be viewed or the wider area. As such the proposal complies with policies of the Brighton and Hove City Plan Part One and Brighton and Hove Local Plan.

Design and Appearance:

- 8.14. Policy CP12 of the Brighton and Hove City Plan Part One expects all new development to raise the standard of architecture and design in the city, establish a strong sense of place by respecting the character of existing neighbourhoods and achieve excellence in sustainable building design and construction.
- 8.15. As previously mentioned the proposal was subject to PRE2018/00325 in which the applicant and officer's at the Council had detailed discussion regarding the proposal.

- 8.16. The applicant has responded to the concerns raised by the Council with the new second storey/attic element of the scheme being dropped from the scheme entirely in order for the design to be appropriate for the listed building.
- 8.17. The proposed gable ends of the rear extension provide a more sympathetic extension which better reflects the buildings characteristics. The materials will match the existing building which respects the character of the existing building. The proposed changes will not look out of character with the wider street scene and the surrounding area. The extension will look coherent with the existing building when viewed from Highcroft Villas and Old Mill Mews.
- 8.18. The pre-application submission sought the introduction of a balcony on the north elevation but this has now been removed. In order to compensate for the loss of amenity to flat 3 following the omission of the conservatory and terrace, an alternative screened terrace is now proposed within the roof. This would be accessed internally from the kitchen of flat 3. The proposed screened terrace is of good design and would not have a negative impact on the character of the listed building.
- 8.19. Overall, it is clear that the applicant has responded to the Council's pre application concerns about the design of the proposal and as such the proposal is considered to be of good design and will raise the standard of architecture and design within the area. The proposal is compliant with Policy CP12 of the Brighton and Hove City Plan Part One.

Standard of Accommodation:

- 8.20. Policy QD27 of the Brighton and Hove Local Plan aims to secure a good standard of living accommodation for current and future occupiers in all new developments. Accommodation should therefore provide suitable circulation space within the communal spaces and bedrooms once the standard furniture has been installed, as well as good access to natural light and air in each habitable room.
- 8.21. The 'Nationally Described Space Standards' were introduced by the Department for Communities and Local Government in 2015 to establish acceptable minimum floor space for new build developments. Although these space standards have not been formally adopted into the Brighton and Hove City Plan, they provide a useful guideline on acceptable room sizes that would offer occupants useable floor space once the usual furniture has been installed. The 'Nationally Described Space Standards' establishes the minimum floor space for a single bedroom as measuring at least 7.5m², and a double bedroom should measure at least 11.5m².
- 8.22. At pre-application stage, the proposal did not provide a suitable standard of accommodation in all 3 of the units proposed. The applicant has amended the plans and the following schedule of accommodation is proposed:

- Flat 1 is a 1b2p unit with a bedroom size of 22sqm. The NDSS expects this type of dwelling to provide a GIA of 50sqm. The proposal provides 51sqm and exceeds the standard by 1sqm.
 - Flat 2 is a 2b3p unit with bedroom sizes of 22 and 11sqm. The NDSS expects this type of dwelling to provide a GIA of 61sqm. The proposal provides 94.5sqm and exceeds the standard by 33.5sqm.
 - Flat 3 is a 2b4p unit with bedroom sizes of 18 and 13sqm. The NDSS expects this type of dwelling to provide a GIA of 70sqm. The proposal provides 80sqm and exceeds the standard by 10sqm.
- 8.23. The internal areas all exceed the guidance set out by the NDDS. The proposed flats would all offer a good standard of living accommodation in terms of layout, circulation space, storage and access to natural light and ventilation.
- 8.24. Policy HO5 of the Local Plan requires the provision of private useable amenity space in new residential development which should be appropriate to the scale and character of the development. Flat 1 has a terrace of 9.5sqm and flat 2 has a terrace of 3.6sqm. The proposed scheme would also provide a communal garden which provides 42sqm of amenity space. Overall, the proposal would provide a good level of private amenity space which is considered appropriate to the three flats. It should be noted that the existing flats have no private or communal amenity space and therefore the proposal creates a better living environment for future occupiers.
- 8.25. The proposed scheme would provide a good standard of accommodation, including for two families, and provide an appropriate levels of amenity space and therefore the proposal is compliant with Policies QD27 and HO5 of the Local Plan.
- Impact on Amenity:
- 8.26. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.27. From the original pre-application submission, the proposed scheme has removed the conservatory and terrace that was originally in place for Flat 3. A number of objections have been received raising concerns on the potential for noise disturbance and loss of privacy and outlook as a result of the proposed terrace.
- 8.28. An alternative screened terrace is now proposed within the roof. This terrace would be accessed internally from the kitchen of flat 3. Due to its position and separation distance from nearby properties it would not result in any loss of privacy to neighbouring dwellings. The proposed terraces for the other two

units would also not result in overlooking and would not lead to a loss of privacy due to good separation distances.

- 8.29. The proposal is compliant with Policy QD27 and it ensures that there would be no significant or adverse impacts or loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

Sustainable Transport:

- 8.30. The Council's transport officer has provided a number of comments on the proposal. It should be noted that a high number of objections have been made against the proposal relating to parking and traffic congestion.
- 8.31. The proposed development will have pedestrian access as existing via Dyke Road and this is considered to be acceptable.
- 8.32. The applicant is proposing 4 cycle parking spaces, in the entrance yard (2 Sheffield type stands) which is an acceptable amount for the three residential units. Further details of the cycle parking will be requested via a condition to ensure the spaces are covered and secure.
- 8.33. The transport officer originally raised concerns regarding the double gate that was in place at Old Mills Mews. The applicant has submitted revised plans and the double gate has been removed.
- 8.34. The applicant indicates that it is proposing no parking to be associated with this development. The proposed development may generate additional car(s) that will likely be parked on the highway. The site is within Controlled Parking Zone (CPZ) Q. There is concern that there are existing parking difficulties within this CPZ and that this potential parking overspill may exasperate the current conditions.
- 8.35. SPD14 explains that, where there is a concern that developments within CPZs may generate overspill parking, then the acceptability of proposals will be considered in relation to various factors. These include the capacity of on street parking in the vicinity "which should be demonstrated by the applicant through an on-street parking survey". Based on this consideration the Council may restrict future occupants' eligibility for residents parking permits.
- 8.36. The application has not provided a parking survey to demonstrate the existence of sufficient on-street capacity to absorb this level of overspill. Recent records show the average percentage permit uptake to total permit allocation to be 95-100%. The Highway Authority considers that these levels of uptake demonstrate that the CPZ is likely to be over-capacity (80% uptake being a typical threshold - noting the potential for actual values to be higher on some streets given that the value represents an average across each zone).
- 8.37. The Highway Authority therefore considers that due to the high level of permit uptake and the lack of evidence of parking availability in the area, the

proposed development shall be conditioned in order to remove future resident's eligibility for parking permits. The proposal is therefore considered to be acceptable in relation to car parking.

- 8.38. One of the main objections to the proposal from local residents is that it will lead to an increase in traffic in the area and create greater congestion problems. The transport officer is of the opinion that there may be an increase in trips to the site due to this proposal however these are unlikely to have a significant enough impact on the local highway network to warrant a reason for objection.
- 8.39. The proposal is therefore compliant with paragraph 109 of the NPPF which states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 8.40. In relation to bin storage, the transport officer is satisfied with the location of the bin storage within the site, but has concerns regarding where the bins will be collected from. The applicant has stated that on collection day the bins will be left on Dyke Road and will be brought back in again after collection. Regarding the existing flats, the bins are stored on the highway on collection day along Highcroft Villas. The proposed development will result in 1 additional bin being stored on the highway on collection day and this increase is not considered to be a reason for refusal in light of Paragraph 109 of the NPPF which makes it clear that development should only be refused if the impact would be severe. On balance, the Council consider the proposed bin storage arrangements to be acceptable in line with the existing arrangements.

Other Considerations:

- 8.41. When considering whether to grant planning permission for development which affects a listed building or its setting the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.42. Case law has held that the desirability of preserving a listed building or its setting or the character or appearance of a conservation area must be given "considerable importance and weight".
- 8.43. As noted earlier in the report, the works are considered acceptable in relation to the listed building and its setting and accordingly it is concluded that the proposal will not cause harm to these heritage assets.

9. EQUALITIES:

- 9.1. Policy HO13 seeks access standards above normal Building Regulations. The proposed flats would be located at first floor and it is noted that the proposed flats would be served by the existing staircase. As a step free access could not be achieved it is considered that a condition requiring

compliance with the M4(2) Building Regulations Standard is not necessary in this case.

**Cllrs. Amy Heley and Siriol Hugh-Jones
BH2019/02273 & BH2019/02290 - 218 Dyke Road**

28/08/2019:

Comment reasons:

- Adversely affects conservation area, status as a listed building
- Overdevelopment
- Additional traffic/pollution
- Noise
- Potential impact on an asset of community value

We believe this development should not be granted and would like it to go to Planning Committee for the following reasons:

This proposal constitutes unacceptably dense development in an already densely populated area. This proposal would result in overdevelopment and damage to the street scene that includes a listed building.

As ward councillors, we are deeply concerned by the multiple issues being raised by our residents in Old Mills Mews. This proposal would add a significant amount of noise and disruption to an already busy area, as well as potentially causing further problems with lack of parking spaces in the area. Residents on Highcroft Villas already live with overflowing bins and even rats on the street due to the amount of household rubbish left on the street, and the present proposal could exacerbate this problem.

This proposal would result in extra construction traffic on an already extremely busy junction. This would make this junction and popular school walking route more dangerous. Disruption to the traffic flow in an already over-congested area while works are underway would be deeply detrimental to air quality. Residents who already struggle to enter or leave properties and businesses between 8am - 9.30am and 3pm-6pm would have to contend with problems throughout the day, from 8am – 6pm. Moreover, traffic congestion during and following works could also impede or prevent access by emergency services to surrounding properties, putting existing residents in danger.

This proposal also jeopardises the survival of the pub, which has been the subject of a 3-year community campaign. This was a much-loved pub, as demonstrated by the hard work and dedication of the community campaign to reinstate it, and was awarded Asset of Community Value status in 2016. Through their two applications to have the pub placed on the ACV register, its listing and a 3-year campaign supported by hundreds of people (and the biggest ACV petition ever submitted), as well as by raising thousands of pounds to support the campaign and just under £25k to support the new pub, the community have clearly demonstrated a need and demand for this building to be reinstated as a pub. The campaigning has taken dedication, time, effort and finance from a very large group of people that deserves to be recognised by the local authority. The pub's ground floor and garden are protected by its ACV status.

There have been multiple cases locally of pubs that have closed down following the development of the space around them. The overdevelopment which this planning proposal represents again jeopardises the survival of an asset of community value. Given the history, passion and local support for this building, it would be unreasonable to put the



PLANNING COMMITTEE LIST
COUNCILLOR REPRESENTATION

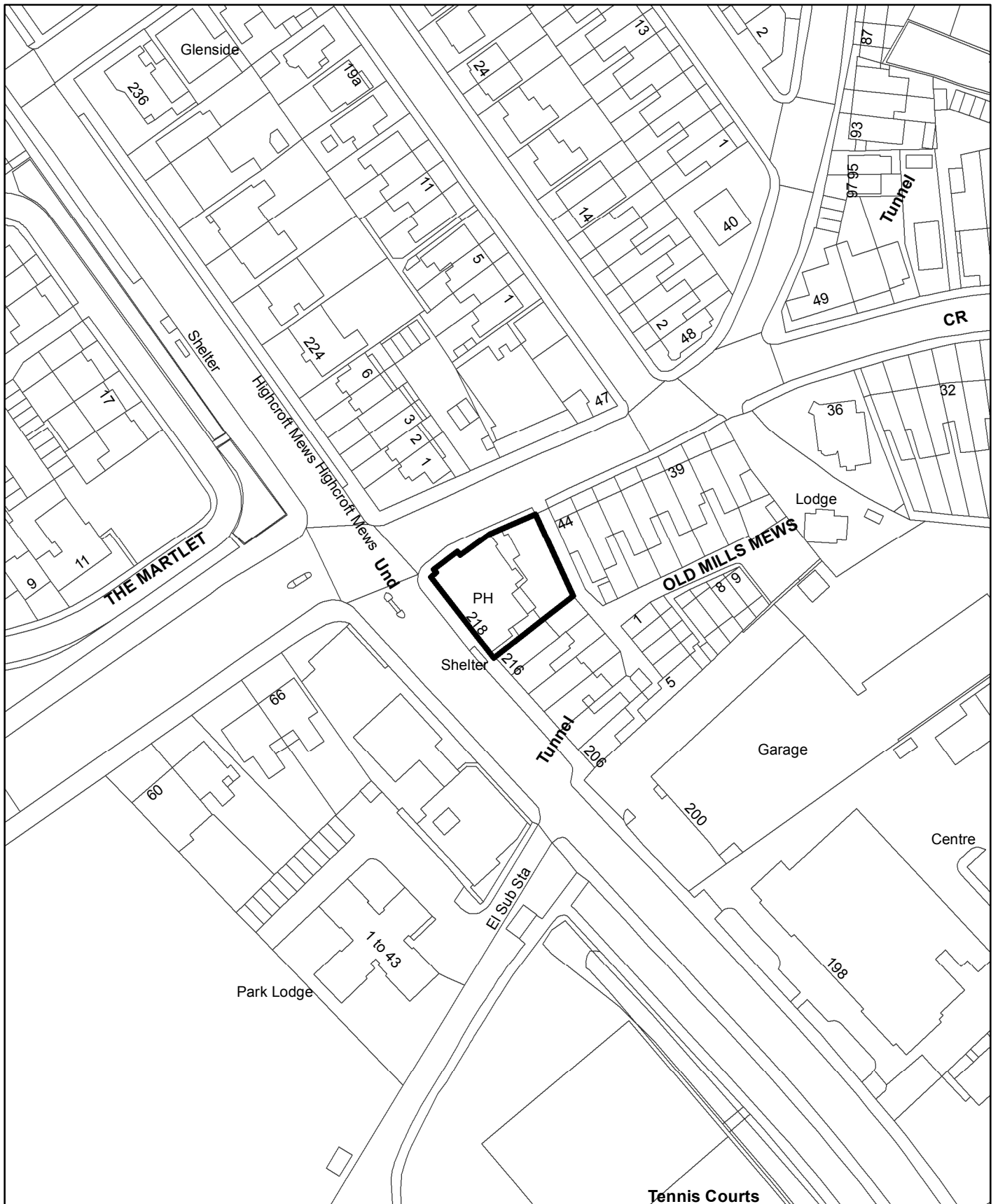
community's campaigning efforts and the building's ACV status to waste by granting this planning proposal.

ITEM D

**218 Dyke Road
BH2019/02273
Listed Building Consent**

DATE OF COMMITTEE: 8th January 2020

BH2019/02273 & BH2019/02290 218 Dyke Road



N



Scale: 1:1,250

<u>No:</u>	BH2019/02273	<u>Ward:</u>	Preston Park Ward
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	218 Dyke Road Brighton BN1 5AA		
<u>Proposal:</u>	Internal alterations and the erection of a two storey rear extension, with associated works.		
<u>Officer:</u>	Jonathan Martin, tel:	<u>Valid Date:</u>	31.07.2019
<u>Con Area:</u>		<u>Expiry Date:</u>	25.09.2019
<u>Listed Building Grade:</u>	Listed Building Grade II		
<u>Agent:</u>	CMK Planning 11 Aymer Road Hove BN3 4GB		
<u>Applicant:</u>	LAN Estates Ltd C/O Agent 11 Aymer Road Hove BN3 4GB		

1. RECOMMENDATION

1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** Listed Building Consent subject to the following Conditions and Informatives.

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development hereby permitted shall not be commenced until samples of the following materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority:
 - a) samples of brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) samples of all hard surfacing materials
Development shall be carried out in strict accordance with the approved details.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
3. The works hereby permitted shall not be commenced until a schedule of all features to be removed, moved, replaced or reinstated has been submitted to and approved in writing by the Local Planning Authority and implemented thereafter. All replacement and reinstatement features must match exactly the original in materials and detail.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
4. No works shall take place to the windows until full details of all new windows and their reveals and cills including 1:20 scale elevational drawings and

sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority and shall be implemented thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

5. All existing doors are to be retained, except where indicated on the drawings hereby approved. New doors shall be of traditional timber panel construction. Any fireproofing to doors should be an integral part of the door construction.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
6. All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
7. The new walls shall be scribed around all existing features including any skirting boards, dado rails, picture rails and cornices, and the existing features shall not be cut into or damaged. Any new skirting boards, picture rails, dado rails and cornices shall be run around the new walls to match exactly the originals in each respective part of the building.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
8. No internal walls or partitions shall be removed or part removed until details of any consequent structural interventions, including any new steel beams, have been submitted to and approved in writing by the Local Planning Authority and shall be implemented thereafter.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
9. All new and replacement rainwater goods shall be in cast iron and shall be painted black and retained as such thereafter.
Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.
10. This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to

and approved in writing by the Local Planning Authority prior to any works commencing.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

Informatives:

1. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Proposed Drawing	TA 1151-12	A	4 December 2019
Proposed Drawing	TA 1151-13	A	4 December 2019
Proposed Drawing	TA 1151-14	A	4 December 2019
Proposed Drawing	TA 1151-10	A	4 December 2019
Proposed Drawing	TA 1151-15	A	4 December 2019
Proposed Drawing	TA 1151-20		31 July 2019
Proposed Drawing	TA 1151-21	A	5 December 2019
Proposed Drawing	TA 1151-22	A	5 December 2019
Proposed Drawing	TA 1151-23	A	4 December 2019
Proposed Drawing	TA 1151-24	A	4 December 2019
Proposed Drawing	TA 1151-25	A	4 December 2019
Proposed Drawing	TA 1151-26	A	4 December 2019
Proposed Drawing	TA 1151-27	A	4 December 2019
Proposed Drawing	TA 1151-28		31 July 2019
Proposed Drawing	TA 1151-29	A	4 December 2019
Proposed Drawing	TA 1151-30		31 July 2019
Proposed Drawing	TA 1151-31		4 December 2019
Location and block plan	TA 1151-01	C	4 December 2019
Proposed Drawing	TA 1151-11	A	5 December 2019

2. SITE LOCATION & DESCRIPTION

- 2.1. This property is a grade II listed building. Whilst historically used as a Public House, the ground floor of the building was recently used solely for retail purposes (through Permitted Development Rights) but in June of 2019 planning permission was granted to change part of ground floor (the western part) back to a public house. With regards to the upper floor, in 2018 an Enforcement Investigation confirmed that the upper floor of the property had been in lawful use as two residential units, separate to the ground floor commercial uses.
- 2.2. It is a purpose-built improved public house of 1895 to designs by Charles Henry Buckman in Tudor Revival Arts and Crafts style for Tamplins Brewery; it has small 1930 extensions to north and east.
- 2.3. The ground floor is of red brick in English bond with stone dressing; the first floor mainly timber-framed with plaster or brick infill but part is tile-hung. The rear elevation is mainly rendered. Clay tiled roof with three tall ribbed brick chimneystacks. It is an asymmetrical building of two storeys and four bays along Dyke Road and three bays along Highcroft Villas. The original ground floor plan had a bar servery to the south-west divided between a private bar,

public bar and off licence, a bar parlour in the centre and a coffee room to the south-east, with a tap room. The kitchen was extended in 2010.

- 2.4. This application seeks Listed Building consent for internal works to convert existing 2no flats at first floor level to create 2no two bedroom flats & 1no one bedroom flat incorporating part two storey & part first floor rear extensions with gable roofs, front & rear terraces and associated alterations.

3. RELEVANT HISTORY

- 3.1. **PRE2018/00325** Pre-application for a proposal to convert and extend the upper parts of the premises to create two additional flats, and to erect a new dwelling to the rear.

- 3.2. The response summary regarding the conversion was as follows:

- Development in the roof of the former pub would be harmful to the fabric of the Listed Building and will not be approved.
- The proposed internal layout should more accurately detail the remaining original features and better preserve or enhance their place in the building.
- The terraces and balconies at the rear and sides of the proposed development should be removed as they are likely to be harmful to the listed building and to the amenity of neighbours.
- Consider the provision of alternative private amenity space for occupants of the flats.

- 3.3. The following changes were recommended to improve the proposal:

- Remove alterations to the roof space, and limit flats to the first floor only.
- Remove balconies and terraces from the proposed layout for the first floor flats.
- Consider utilising existing outdoor space as private amenity space for the flats.

- 3.4. **BH2019/02290** - Conversion of existing 2no flats at first floor level to create 2no two bedroom flats & 1no one bedroom flat incorporating part two storey & part first floor rear extensions with gable roofs, front & rear terraces and associated alterations. Concurrent Application.

- 3.5. **BH2019/02289** - Erection of 1no two storey three bedroom dwelling house (C3) on land to rear including excavation, landscaping and access via Highcroft Villas & Old Mills Mews. ul Concurrent Application

- 3.6. **BH2019/01912** - Application for approval of details reserved by conditions 3, 4 and 5 of application BH2019/00914. Approved 26/11/2019

- 3.7. **BH2019/00915** - Interior alterations to form new cellar and refurbishment of kitchen and bar. Approved 07/06/2019

- 3.8. **BH2019/00914** - Partial change of use of existing retail unit (A1) to public house (A4), including interior alterations to form new cellar and refurbishment of kitchen and bar. Approved 07/06/2019
- 3.9. **BH2010/00601** - Erection of ground floor rear kitchen and cold store extension with associated extension of kitchen extract ducting. ul Approved 12/05/10.
- 3.10. **95/1320/FP** - Elevation alterations and rear extension to the public house. Erection of pergola in rear garden area. Approved 17/01/1996

4. REPRESENTATIONS

- 4.1. **Sixty Four (64)** letters have been received, objecting to the proposed development for the following reasons:
- Impact on Listed Building
 - Traffic, Parking and Congestion
 - Impact on the Dyke Pub
 - Rubbish and litter
 - Overdevelopment
 - Loss of privacy/overlooking
- 4.2. **Councillor Amy Heley** objects to the proposal, a copy of the letter is attached.
- 4.3. **Councillor Hugh-Jones** objects to the proposal, a copy of the letter is attached.

5. CONSULTATIONS

- 5.1. **Heritage:**
Initial Comment 02/09/2019: Requested Amendments
The alterations as currently proposed would cause harm to the listed building and could not be supported by the Heritage Officer.
- 5.2. This application follows on from pre-application advice earlier this year. The Design and Access Statement sets out how that advice has been taken into account in the submitted scheme but aspects of the proposals have not properly or fully reflected the advice given.
- Internal alterations
- 5.3. The first floor is a very intact late 19th century interior; it largely retains its original plan form unaltered and the rooms include much original joinery including panelled doors, built-in cupboards, architraves and skirting boards as well as plaster cornices and original fireplaces with surrounds, tiling, grates and hearths. These features are generally typical of late 19th century good quality interiors. The interior is very sensitive to change.

- 5.4. The proposals involve significant and harmful alteration to the original plan form to the northern half of the first floor and a consequent harmful loss of architectural features. Of greatest concern is that at the northern end the distinctive pair of angled chimney breasts, with original fireplaces would be lost and the two room proportions greatly altered, whilst the angled chimney breast and fireplace in the kitchen in the north-west corner would also be lost.
- 5.5. The current wall between Bedroom 2 and the boiler room appears to be a masonry wall and may therefore be structural. Its demolition may require the insertion of alternative means of structural support but no such intervention has been indicated on the drawings (plan and section) and no structural engineer's report has been included.
- 5.6. The internal section drawings refer generally to new 4 panelled doors to match existing and it is not clear that existing panelled doors that are to be removed will be re-used and relocated.

External Alterations

- 5.7. The rear of the building has been successively extended and altered over a period of time and its current appearance is disjointed, relating neither to the original 1895 design or to the 1930s remodelling. It does not present an attractive composition as seen from Highcroft Villas or Old Mills Mews. Therefore the rear elevation is not considered to be sensitive to change.
- 5.8. In principle therefore it is considered that the first floor gabled rear extensions as shown would be acceptable, subject to them closely matching the materials and detailing of the original building, which could be secured by condition and subject to improvements to the rear of the ground floor. The southern-most gable, however, should be brick faced to match the existing one, to maintain symmetry. The rear window to the gable to be blocked up is not a historic window. The original copper roof vent would be lost and this would need to be carefully recorded prior to removal.
- 5.9. At pre-application stage it was advised that the utilitarian 2010 flat-roofed ground floor extension (freezer room) should be removed and it would also be beneficial to consider removal of the adjoining monopitch roofed area that appears to date from the same time. Whilst the freezer room extension has been removed it has been replaced by a further extension of the monopitch roofed extension.

Final Comment 06/12/2019: Approve with Conditions:

- 5.10. The amended plans have satisfactorily addressed all of the previous heritage concerns and approval is therefore now recommended, subject to conditions. The conditions relate to internal walls, schedule of features, window details, existing doors, existing architectural features, new walls, external finishes, rainwater goods and further works.
- 5.11. **Conservation Advisory Group: No Objection**

6. RELEVANT POLICIES & GUIDANCE

6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

6.2. The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016)
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- Shoreham Harbour Joint Area Action Plan (adopted Oct 2019)

6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development
CP15 Heritage

Brighton & Hove Local Plan (retained policies March 2016):

HE1 Listed buildings
HE3 Development affecting the setting of a listed building
HE4 Reinstatement of original features on listed buildings

Supplementary Planning Document:

SPD09 Architectural Features
SPG11 Listed Building Interiors
SPD12 Design Guide for Extensions and Alterations

Asset of Community Value (ACV)

7.1. Since December 2018 the ground floor and garden of 218 Dyke Road, the Dyke Pub, has been listed as an under Asset of Community Value, under reference ACV ACV/APP/2018/003.

7.2. The fact that the ground floor and garden is listed as an ACV is capable of being a material planning consideration in the determination of Listed Building applications relating to that land. Whether it is, in any given circumstance, and the weight to be attached, is a matter of planning judgment for the Local Planning Authority.

- 7.3. It should be noted that a listing as an ACV gives no right of access to the land concerned: the only right that follows from a listing is the right of a community interest group to bid to purchase the listed land should the owner intend to sell.
- 7.4. So far as the site proposed for development is concerned, the changes relate to the upper floor of the existing building which is not referenced in the ACV listing. The proposal would not result in the loss of any retail (Class A1) or pub (Class A4) floorspace and the changes relate solely to the upper floor of the property which is currently in use for residential purposes (Class C3).
- 7.5. Therefore it is considered that the proposal will have no impact on the ACV and would not impact on the local community's enjoyment of the listed Public House.

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this Listed Building application relate to the impacts of the proposal on the historic character and appearance of the Grade II* Listed Building.
- 8.2. The application seeks Listed Building Consent for internal alterations to convert the existing 2no residential units at first floor level to 2no two bedroom flats & 1no one bedroom flat. A part two storey & part first floor rear extensions with gable roofs, front & rear terraces and associated alterations are also proposed to accommodate the proposed additional residential unit.

Statement of Significance:

- 8.3. The building is significant as an early example of a 'reformed' public house. It is a prominent corner public house with well-articulated frontages and decorative features, built in good quality materials to a high standard of craftsmanship; the exterior is little altered since the 1930s and the interior retains number of original or historic features. The building is considered to be Buckman's best public house built in Brighton, possessing all the features of the Tudor Revival style.

Heritage and Impact on Listed Building:

- 8.4. Policy CP15 of the Brighton & Hove City Plan Part One states how the Council will ensure that the city's built heritage guides local distinctiveness for new development in historic areas and heritage settings. Policy HE1 of the Local Plan explains how proposals involving the alteration or extensions of a listed building will only be permitted where the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting.
- 8.5. In considering whether to grant Listed Building permission which affects a listed building or its setting the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

8.6. The proposed development was considered by the Council's Heritage Officer when this scheme was submitted as part of pre-application PREAPP 2018/00325. Detailed discussions took place and the applicant has sought to take on board the comments that were raised in order to make the scheme acceptable.

Exterior

8.7. The proposal would result in the provision of a new rear extension to provide additional floorspace at both ground and first floor levels. The proposed rear extension would comprise gables features, which would match the materials and detailing of the original gable on the rear elevation of the building.

8.8. Following submission of amended plans, and subject to compliance with recommended conditions, overall it is considered that the proposed rear extension would not be of significant harm to the character or appearance of the host listed property. As such the proposal complies with policies of the Brighton and Hove City Plan Part One and Brighton and Hove Local Plan.

Interior

8.9. In addition to the provision of a rear extension internal alterations are proposed to convert the existing 2 residential units into 3 residential units, including the creation of new doorways to coincide with the altered floor layout.

8.10. The first floor level of the property comprises intact 19th century interior and largely retains its original unaltered plan form and the rooms include and the rooms include much original joinery including panelled doors, built-in cupboards, door architraves and skirting boards as well as plaster cornices and original fireplaces with surrounds, grates and hearths.

8.11. Amended plans have been submitted to address original concerns raised by the Heritage officer. Overall is not considered that the internal alterations now proposed would not harm the historic character or appearance of the Grade II listed building. As such the proposal complies with policies of the Brighton and Hove City Plan Part One and Brighton and Hove Local Plan.

Other Considerations:

8.12. When considering whether to grant Listed Building permission for development which affects a listed building or its setting the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the building or its setting or any features of special architectural or historic interest which it possesses.

8.13. Case law has held that the desirability of preserving a listed building or its setting or the character or appearance of a conservation area must be given "considerable importance and weight".

8.14. As noted earlier in the report, the works are considered acceptable in relation to the listed building and its setting and accordingly it is concluded that the proposal will not cause harm to these heritage assets.

Conclusion:

- 8.15. Subject to the recommended conditions, the proposed works would not harm the historic character or appearance of the Grade II listed building in accordance with policies HE1, & HE3 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

- 9. EQUALITIES:**
None identified

**Cllrs. Amy Heley and Siriol Hugh-Jones
BH2019/02273 & BH2019/02290 - 218 Dyke Road**

28/08/2019:

Comment reasons:

- Adversely affects conservation area, status as a listed building
- Overdevelopment
- Additional traffic/pollution
- Noise
- Potential impact on an asset of community value

We believe this development should not be granted and would like it to go to Planning Committee for the following reasons:

This proposal constitutes unacceptably dense development in an already densely populated area. This proposal would result in overdevelopment and damage to the street scene that includes a listed building.

As ward councillors, we are deeply concerned by the multiple issues being raised by our residents in Old Mills Mews. This proposal would add a significant amount of noise and disruption to an already busy area, as well as potentially causing further problems with lack of parking spaces in the area. Residents on Highcroft Villas already live with overflowing bins and even rats on the street due to the amount of household rubbish left on the street, and the present proposal could exacerbate this problem.

This proposal would result in extra construction traffic on an already extremely busy junction. This would make this junction and popular school walking route more dangerous. Disruption to the traffic flow in an already over-congested area while works are underway would be deeply detrimental to air quality. Residents who already struggle to enter or leave properties and businesses between 8am - 9.30am and 3pm-6pm would have to contend with problems throughout the day, from 8am – 6pm. Moreover, traffic congestion during and following works could also impede or prevent access by emergency services to surrounding properties, putting existing residents in danger.

This proposal also jeopardises the survival of the pub, which has been the subject of a 3-year community campaign. This was a much-loved pub, as demonstrated by the hard work and dedication of the community campaign to reinstate it, and was awarded Asset of Community Value status in 2016. Through their two applications to have the pub placed on the ACV register, its listing and a 3-year campaign supported by hundreds of people (and the biggest ACV petition ever submitted), as well as by raising thousands of pounds to support the campaign and just under £25k to support the new pub, the community have clearly demonstrated a need and demand for this building to be reinstated as a pub. The campaigning has taken dedication, time, effort and finance from a very large group of people that deserves to be recognised by the local authority. The pub's ground floor and garden are protected by its ACV status.

There have been multiple cases locally of pubs that have closed down following the development of the space around them. The overdevelopment which this planning proposal represents again jeopardises the survival of an asset of community value. Given the history, passion and local support for this building, it would be unreasonable to put the



PLANNING COMMITTEE LIST
COUNCILLOR REPRESENTATION

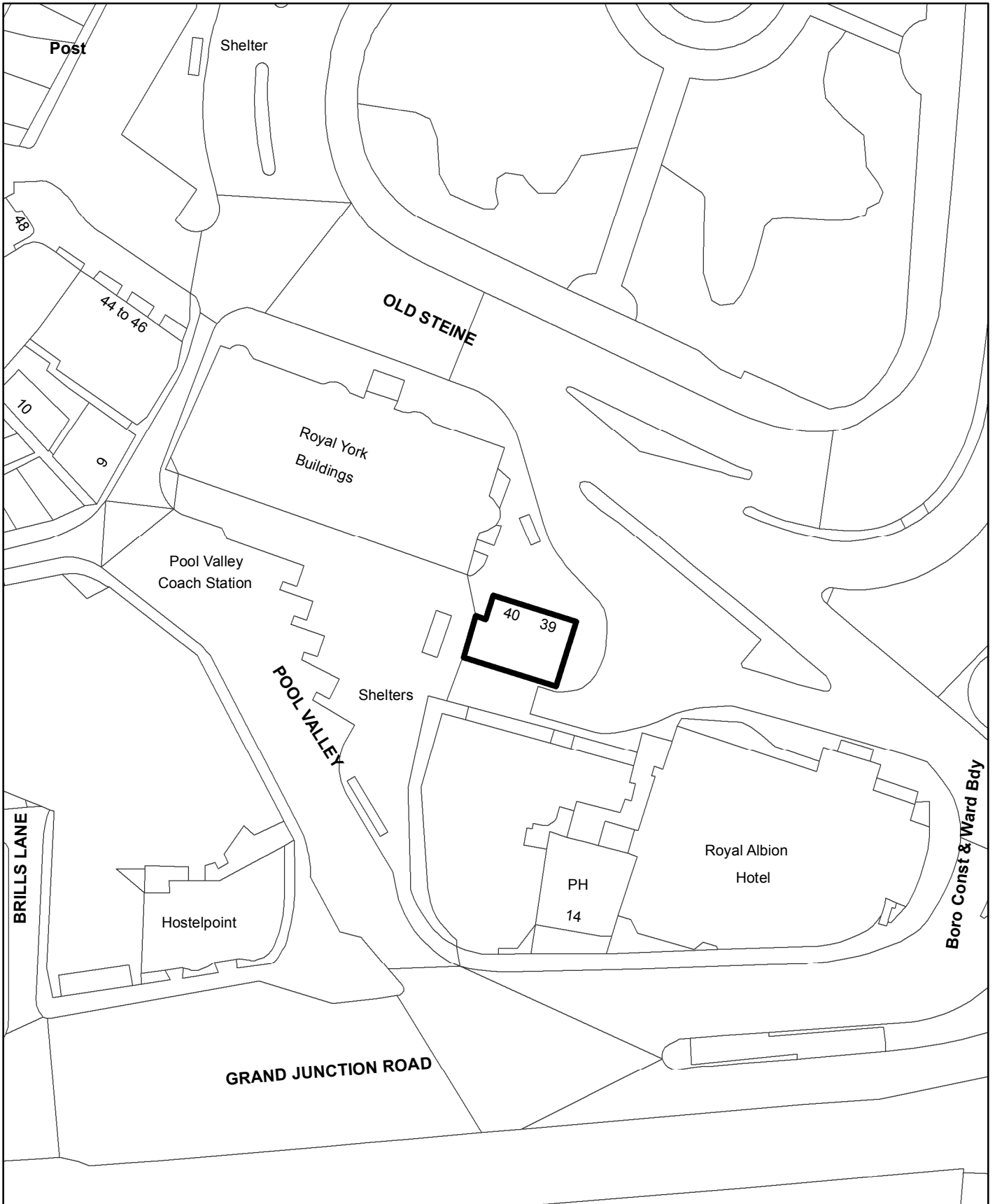
community's campaigning efforts and the building's ACV status to waste by granting this planning proposal.

ITEM E

**Lace House, 39 - 40 Old Steine
BH2019/03091
Full Planning**

DATE OF COMMITTEE: 8th January 2020

BH2019/03091 - Lace House, 39 - 40 Old Steine



N



Scale: 1:725

No:	BH2019/03091	Ward:	Regency Ward
App Type:	Full Planning		
Address:	Lace House Flats 1 To 9 39 - 40 Old Steine Brighton BN1 1NH		
Proposal:	Replacement of existing aluminum framed double glazed windows with aluminum framed double glazed windows (retrospective).		
Officer:	Sam Bethwaite, 292138	tel: Valid Date:	17.10.2019
Con Area:	Valley Gardens	Expiry Date:	12.12.2019
Listed Building Grade:		EOT:	
Agent:	Hapa Architects 11 The Old Steine Brighton BN2 4JA		
Applicant:	Lace Wilson Properties 30-34 North Street Halilsham BN27 1DW		

1. RECOMMENDATION

1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **REFUSE** planning permission for the following reasons:

1. The windows by virtue of their design and method of opening relate poorly to the appearance of the building, the setting of the adjacent Listed Buildings and the character of the wider conservation area. Accordingly they are considered to be contrary to policies CP12 and CP15 of the Brighton & Hove City Plan Part One and policies QD14, HE3 and HE6 of the Brighton and Hove Local Plan (retained policies March 2016).

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision is based on the drawings received listed below:

Plan Type	Reference	Version	Date Received
Proposed Drawing	AL-100		16 October 2019
Location and block plan	L-01		16 October 2019

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The site is a stand-alone five storey building divided into self-contained flats. Located at the southern end of the Valley Gardens, the site is highly visible when approaching from the North or East. It is within the Valley Gardens Conservation Area and is adjacent the Grade II* Listed Royal Albion Hotel and the Grade II Listed Royal York Buildings.

2.2. This application is seeking retrospective permission for the replacement of aluminium framed sash windows with aluminium framed casement windows.

3. RELEVANT HISTORY

3.1. BH2016/02600 - Prior approval for change of use from offices (B1) to residential (C3) to create 7no one bedroom flats and 2no two bedroom flats. - Prior Approval Required Approved 12.09.2016

4. REPRESENTATIONS

4.1. **Thirteen (13)** letters have been received, supporting the proposed development for the following reasons:

- Good design
- Windows are well suited and in keeping
- Building has been vastly improved over the previously dilapidated state
- Windows compliment contemporary design of site
- Renovation of the site has improved the feeling of the entire area
- The acoustic qualities of the windows are a very attractive feature of the site

4.2. **One (1)** letter has been received, commenting on the proposed development for the following reasons:

- The site had a foreboding feel prior to renovation with the damaged windows contributing to this, it has now been vastly improved

4.3. **One (1)** letter has been received from **Councillor Druitt**. A copy of their correspondence is attached.

5. CONSULTATIONS

5.1. **Heritage: Objection**

The building seemingly gained its current appearance as a Victorian-style building in around 1973. It is assumed that the pre-existing aluminium sash windows were installed at that date. These windows, in their style and pattern, contributed positively to the simple Victorian style of the building in this very prominent location within the conservation area and within the setting of the listed Royal Albion Hotel and Royal York buildings, both of which have traditional timber sash windows. The new windows as installed fail to match the traditional style and pattern of the previous windows, being uneven casements of clearly contemporary design which are at odds with the formality and symmetry of the building and so represent an incongruous feature. The key point is that the new windows should at the least be of a design and proportions similar to that of the previous sash windows - i.e. with a central meeting rail or transom rail.

5.2. There would of course be no objection to new windows that provide better acoustic performance but there is nothing to suggest that only this particular design, style and finish of windows could meet the required level of acoustic performance. Issues of safety from falls can be addressed in other ways, for example by having only the top half of a sash window opening and this has been

the solution in other cases. Regrettably there is no evidence that the applicant or architects sought to find a solution that would retain the more traditional appearance of the pre-existing window proportions.

- 5.3. The other window examples referred to in the application are not considered to be comparable as this is a unique building in an especially sensitive location. The Valley Gardens Conservation Area Study and Enhancement Plan notes that the southern side of Old Steine is dominated by the large scale buildings of the Royal Albion Hotel and the Royal York Buildings, which form a fitting backdrop and termination to the central public gardens when approached from the north, and also notes how sash windows are one of the unifying features of the area.
- 5.4. It is considered that the replacement windows, as a result of their incongruity with the building's style and the surrounding historic context, have clearly harmed the appearance of the Valley Gardens conservation area and have clearly harmed the settings of the adjacent listed buildings of the Royal Albion Hotel and Royal York Buildings. In each case this harm is considered to be less than substantial under the terms of the NPPF but must nevertheless be given great weight in accordance with paragraph 193. Paragraph 194 of the NPPF makes clear that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.

6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 6.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- 6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP12	Urban design
CP15	Heritage

Brighton and Hove Local Plan (retained policies March 2016):

SU10	Noise Nuisance
QD14	Extensions and alterations
QD27	Protection of amenity
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas
HE10	Buildings of local interest

Supplementary Planning Documents:

SPD09	Architectural Features
SPD12	Design Guide for Extensions and Alterations

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to the impact of the existing windows on the appearance of the site, the wider Valley Gardens Conservation Area and the setting of the adjacent Listed Buildings.
- 8.2. Case law has held that the desirability of preserving a listed building or its setting or the character or appearance of a conservation area must be given "considerable importance and weight". When considering whether to grant planning permission for development in a conservation area the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Design and Appearance:

- 8.3. The previous windows were aluminium sash windows. The existing windows are aluminium casement windows. The visual differences are that the sash windows were divided centrally and opened by the top or bottom section sliding up or down. The existing windows are not divided centrally; having a larger upper section that is top hung and pivots out.
- 8.4. The existing windows jar with the setting of the site and the prevailing rhythm of the fenestration set by the adjacent properties and the wider conservation area, which is predominantly sliding sash windows. The site is highly visible when approaching from the North and the East. From these directions in particular the building is set against the adjacent Listed buildings of the Royal Albion Hotel (Grade II*) and the Royal York Buildings (Grade II). Both of these properties have timber sliding sash windows. As a result of this the existing windows by virtue of their different proportions and opening style appear out of keeping.
- 8.5. Windows are a key architectural feature and in this instance the prominence of the site in a conservation area and the close proximity of Listed Buildings mean the details are critical to the acceptability of the appearance of the site. It is considered that the existing windows are not acceptable as they represent an incongruous feature that harms the appearance of the building, the setting of the adjacent Listed Buildings and the character of the wider Valley Gardens Conservation Area.

8.6. For the reasons outlined above the existing windows are considered to be contrary to policies CP12 and CP15 of the Brighton & Hove City Plan Part One and policies QD14, HE3 and HE6 of the Brighton and Hove Local Plan (retained policies March 2016).

8.7. The works represent less than substantial harm but the test for the Local Planning Authority is whether there is a public benefit from the use of these windows that would outweigh this harm. The application states that the window design was necessary to comply with Building Regulations requirements relating to protection against falls and means of escape. However, it has not been demonstrated that a more appropriate sash window design could not have been made to meet these criteria, as has happened on other properties within the city, for example by having only the top half of a sash window opening. In the circumstances, it is considered that no public benefit has been demonstrated to outweigh the identified harm.

Impact on Amenity:

8.8. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

8.9. The existing windows replaced the previous windows and were fitted into existing apertures. As a result of this they have not provided any additional views towards surrounding properties and have not had an impact on amenity.

9. EQUALITIES

None identified.

Cllr. Tom Drutt
BH2019/03091 - Lace House, 39 - 40 Old Steine

13/11/2019:

Not sure who the caseworker is but I have received correspondence from residents about Lace House, retrospective application for replacement windows. I understand that the managing agent is being asked to remove the new, safer, windows in favour of less safe windows and if this is true have to question the logic of this. Can it go to committee please?

PLANNING COMMITTEE

Agenda Item 77

Brighton & Hove City Council

NEW APPEALS RECEIVED

WARD**HOVE PARK**APPEALAPPNUMBER

BH2019/00150

ADDRESS

2 Dyke Close Hove BN3 6DB

DEVELOPMENT DESCRIPTION

Erection of two storey rear extension, formation of lower ground floor, roof alterations incorporating front rooflights and rear terrace area with balcony, revision to garage location, rear terrace with access to garden and associated works.

APPEAL STATUS

APPEAL IN PROGRESS

APPEAL RECEIVED DATE

08/11/2019

APPLICATION DECISION LEVEL

Delegated

WARD**HOVE PARK**APPEALAPPNUMBER

BH2019/00840

ADDRESS

2 The Conifers Tongdean Avenue Hove BN3 6TN

DEVELOPMENT DESCRIPTION

Enlargement and alterations to existing garage including roof extensions and alterations to fenestration. (Retrospective)

APPEAL STATUS

APPEAL IN PROGRESS

APPEAL RECEIVED DATE

04/12/2019

APPLICATION DECISION LEVEL

Delegated

WARD**HOVE PARK**APPEALAPPNUMBER

BH2019/01611

ADDRESS

Land To The Rear Of 5 Chalfont Drive Hove BN3 6QR

DEVELOPMENT DESCRIPTION

Erection of 1no. single storey (plus basement level) three bedroom dwelling (C3) to the rear of 5 Chalfont Drive. Proposal also incorporates: vehicle crossover; parking; and associated works.

APPEAL STATUS

APPEAL IN PROGRESS

APPEAL RECEIVED DATE

07/11/2019

APPLICATION DECISION LEVEL

Delegated

WARD**PRESTON PARK**APPEALAPPNUMBER

BH2019/01610

ADDRESS

Land To Rear Of 62-64 Preston Road Brighton BN1 4QF

DEVELOPMENT DESCRIPTION Excavation and erection of three storey building comprising 4no residential units (C3) with associated alterations.
APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 27/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **QUEEN'S PARK**
APPEALAPPNUMBER BH2018/03867
ADDRESS 19 West Drive Brighton BN2 0GD
DEVELOPMENT DESCRIPTION Erection of part single storey and part 2no storey rear extension with enlargement of existing roof above, replacement of a rooflight with a rear dormer, and insertion obscurely glazed timber sash window to side elevation.
APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 04/12/2019
APPLICATION DECISION LEVEL Delegated

WARD **QUEEN'S PARK**
APPEALAPPNUMBER BH2019/02269
ADDRESS 6 Wyndham Street Brighton BN2 1AF
DEVELOPMENT DESCRIPTION Installation of a hinged access hatch and obscure glazed balustrade and screening to roof terrace.
APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 19/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **ROTTINGDEAN COASTAL**
APPEALAPPNUMBER BH2019/01183
ADDRESS 44 The Cliff Brighton BN2 5RE
DEVELOPMENT DESCRIPTION Hard landscaping for the creation of a sunken garden. The proposals also incorporate: the extension of an existing decked area and retaining walls; and associated works. (Part Retrospective).
APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 13/11/2019
APPLICATION DECISION LEVEL Planning (Applications) Committee

WARD **ROTTINGDEAN COASTAL**
APPEALAPPNUMBER BH2019/01730
ADDRESS 9 Hawthorn Close Saltdean Brighton BN2 8HX
DEVELOPMENT DESCRIPTION Erection of single storey extension to front elevation incorporating conversion of existing integral garage into habitable space, revised fenestration and associated works

APPEAL STATUS APPEAL ALLOWED
APPEAL RECEIVED DATE 08/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **ROTTINGDEAN COASTAL**
APPEALAPPNUMBER BH2019/02431
ADDRESS 46 Coombe Vale Saltdean Brighton BN2 8HL
DEVELOPMENT DESCRIPTION Erection of single storey side extension to replace existing garage and two storey rear extension with juliet balcony, insertion of 1 no rooflight to South, East and West elevations and revised fenestration with associated works.

APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 19/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **ROTTINGDEAN COASTAL**
APPEALAPPNUMBER BH2019/02554
ADDRESS 22 Winton Avenue Saltdean Brighton BN2 8FN
DEVELOPMENT DESCRIPTION Erection of two storey rear extension at lower ground floor and ground floor level.

APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 04/12/2019
APPLICATION DECISION LEVEL Delegated

WARD **ROTTINGDEAN COASTAL**
APPEALAPPNUMBER BH2019/02706
ADDRESS 18 Wilkinson Close Brighton BN2 7EG
DEVELOPMENT DESCRIPTION Erection of 1no two bedroom two storey dwelling (C3) to rear of existing house.

APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 27/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **ST. PETER'S AND NORTH LAINE**
APPEALAPPNUMBER BH2018/03714
ADDRESS 7 Kingscote Way Brighton BN1 4GJ
DEVELOPMENT DESCRIPTION Third floor extension over existing roof terrace incorporating revised fenestration.

APPEAL STATUS APPEAL DISMISSED
APPEAL RECEIVED DATE 08/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **ST. PETER'S AND NORTH LAINE**
APPEALAPPNUMBER BH2019/01889

ADDRESS 12 Pavilion Buildings Brighton BN1 1EE
DEVELOPMENT DESCRIPTION Installation of roller shutter to front elevation.
(Retrospective)
APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 26/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **WISH**
APPEALAPPNUMBER BH2019/00616
ADDRESS 54 Worcester Villas Hove BN3 5TB
DEVELOPMENT DESCRIPTION Certificate of lawfulness for proposed loft conversion incorporating erection of a dormer to rear roofslope & outrigger and 2no front rooflights.
APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 12/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **WITHDEAN**
APPEALAPPNUMBER BH2019/00288
ADDRESS 15 Withdean Crescent Brighton BN1 6WG
DEVELOPMENT DESCRIPTION Certificate of lawfulness for proposed loft conversion incorporating rear dormer, 3no front rooflights and 1no side rooflight. Erection of detached garage and covered side passageway.
APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 11/11/2019
APPLICATION DECISION LEVEL Delegated

WARD **WITHDEAN**
APPEALAPPNUMBER BH2019/01965
ADDRESS 34 Fernwood Rise Brighton BN1 5EP
DEVELOPMENT DESCRIPTION Hip to gable roof extensions incorporating a rear dormer, juliette balcony, rooflights to the front and side elevations with associated alterations.
APPEAL STATUS APPEAL IN PROGRESS
APPEAL RECEIVED DATE 04/12/2019
APPLICATION DECISION LEVEL Delegated

WARD **WITHDEAN**
APPEALAPPNUMBER BH2019/02419
ADDRESS 18 Robertson Road Brighton BN1 5NL
DEVELOPMENT DESCRIPTION Conversion of existing 6 bedroom small HMO (C4) into 1no 1 bedroom (C3) dwelling and 1no 5 bedroom small HMO (C4)
APPEAL STATUS APPEAL IN PROGRESS

APPEAL RECEIVED DATE 28/11/2019

APPLICATION DECISION LEVEL Delegated

APPEAL DECISIONS FOR THE PERIOD BETWEEN 19/11/2019 AND 13/12/2019

WARD

APPEAL APPLICATION NUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

GOLDSMID

APL2019/00234

41 Denmark Villas Hove BN3 3TD

Removal of condition 3 of application BH2017/04040 (Alterations to rear elevation including replacement of existing first floor balcony with juliet balcony & installation of new bi-fold doors to ground floor) relating to fenestration paint colour.

APPEAL TYPE

Against Refusal

APPEAL DECISION

APPEAL DISMISSED

PLANNING APPLICATION NUMBER

BH2019/01823

APPLICATION DECISION LEVEL

Delegated

WARD

APPEAL APPLICATION NUMBER

HANOVER AND ELM GROVE

APL2019/00224

ADDRESS

33 Hallett Road Brighton BN2 9ZN

DEVELOPMENT DESCRIPTION

Change of use from single dwelling (C3) to 6 bedroom small house in multiple occupation (C4). Erection of a single storey rear extension. (Retrospective).

APPEAL TYPE

Against Refusal

APPEAL DECISION

APPEAL ALLOWED

PLANNING APPLICATION NUMBER

BH2018/02036

APPLICATION DECISION LEVEL

Delegated

WARD

APPEAL APPLICATION NUMBER

QUEEN'S PARK

APL2019/00174

ADDRESS

17 Wyndham Street Brighton BN2 1AF

DEVELOPMENT DESCRIPTION

Replacement of front entrance door with replica hardwood timber door, fixing of timber trellis to rear garden walls, installation of retractable awning to rear elevation (part-retrospective).

APPEAL TYPE

Against Refusal

APPEAL DECISION

SPLIT DECISION

PLANNING APPLICATION NUMBER

BH2018/03370

APPLICATION DECISION LEVEL

Delegated

WARD

APPEAL APPLICATION NUMBER

QUEEN'S PARK

APL2019/00176

ADDRESS 17 Wyndham Street Brighton BN2 1AF
DEVELOPMENT DESCRIPTION Replacement of front entrance door with replica hardwood timber door, fixing of timber trellis to rear garden walls, installation of retractable awning to rear elevation (part-retrospective).
APPEAL TYPE Against Refusal
APPEAL DECISION SPLIT DECISION
PLANNING APPLICATION NUMBER BH2018/03371
APPLICATION DECISION LEVEL Delegated

WARD **QUEEN'S PARK**
APPEAL APPLICATION NUMBER APL2019/00242
ADDRESS 206 Queens Park Road Brighton BN2 9ZB
DEVELOPMENT DESCRIPTION Installation of rear dormer and front rooflights.
APPEAL TYPE Against Refusal
APPEAL DECISION APPEAL DISMISSED
PLANNING APPLICATION NUMBER BH2019/02201
APPLICATION DECISION LEVEL Delegated

WARD **ROTTINGDEAN COASTAL**
APPEAL APPLICATION NUMBER APL2019/00255
ADDRESS 9 Hawthorn Close Saltdean Brighton BN2 8HX
DEVELOPMENT DESCRIPTION Erection of single storey extension to front elevation incorporating conversion of existing integral garage into habitable space, revised fenestration and associated works
APPEAL TYPE Against Refusal
APPEAL DECISION APPEAL ALLOWED
PLANNING APPLICATION NUMBER BH2019/01730
APPLICATION DECISION LEVEL Delegated

WARD **ST. PETER'S AND NORTH LAINE**
APPEAL APPLICATION NUMBER APL2019/00238
ADDRESS 2 Gloucester Yard 121-123 Gloucester Road Brighton BN1 4AF
DEVELOPMENT DESCRIPTION Erection of single storey rear infill extension with rooflight.
APPEAL TYPE Against Refusal
APPEAL DECISION APPEAL ALLOWED
PLANNING APPLICATION NUMBER BH2019/01639
APPLICATION DECISION LEVEL Delegated

WARD **ST. PETER'S AND NORTH LAINE**
APPEAL APPLICATION NUMBER APL2019/00239
ADDRESS Sainsbury's 93 Lewes Road Brighton BN2 3QA

DEVELOPMENT DESCRIPTION Display of 1no internally-illuminated projecting sign at car park entrance (Retrospective).
APPEAL TYPE Against Refusal
APPEAL DECISION APPEAL ALLOWED
PLANNING APPLICATION NUMBER BH2018/03877
APPLICATION DECISION LEVEL Delegated

WARD **ST. PETER'S AND NORTH LAINE**
APPEAL APPLICATION NUMBER APL2019/00258
ADDRESS 7 Kingscote Way Brighton BN1 4GJ
DEVELOPMENT DESCRIPTION Third floor extension over existing roof terrace incorporating revised fenestration.
APPEAL TYPE Against Refusal
APPEAL DECISION APPEAL DISMISSED
PLANNING APPLICATION NUMBER BH2018/03714
APPLICATION DECISION LEVEL Delegated

WARD **WESTBOURNE**
APPEAL APPLICATION NUMBER APL2019/00241
ADDRESS 15 Reynolds Road Hove BN3 5RJ
DEVELOPMENT DESCRIPTION Erection of rear ground floor single storey extension and associated works (Retrospective).
APPEAL TYPE Against Refusal
APPEAL DECISION APPEAL ALLOWED
PLANNING APPLICATION NUMBER BH2019/00818
APPLICATION DECISION LEVEL Delegated

WARD **WISH**
APPEAL APPLICATION NUMBER APL2019/00220
ADDRESS 45 Glebe Villas Hove BN3 5SL
DEVELOPMENT DESCRIPTION Erection of single storey rear extension, proposed new flat roof to existing side extension with associated alterations.
APPEAL TYPE Against Refusal
APPEAL DECISION APPEAL ALLOWED
PLANNING APPLICATION NUMBER BH2018/02803
APPLICATION DECISION LEVEL Delegated
