

The Pinnacle
(formerly Rayford House),
8 School Road

BH2025/02297

4th February 2026



Brighton & Hove
City Council

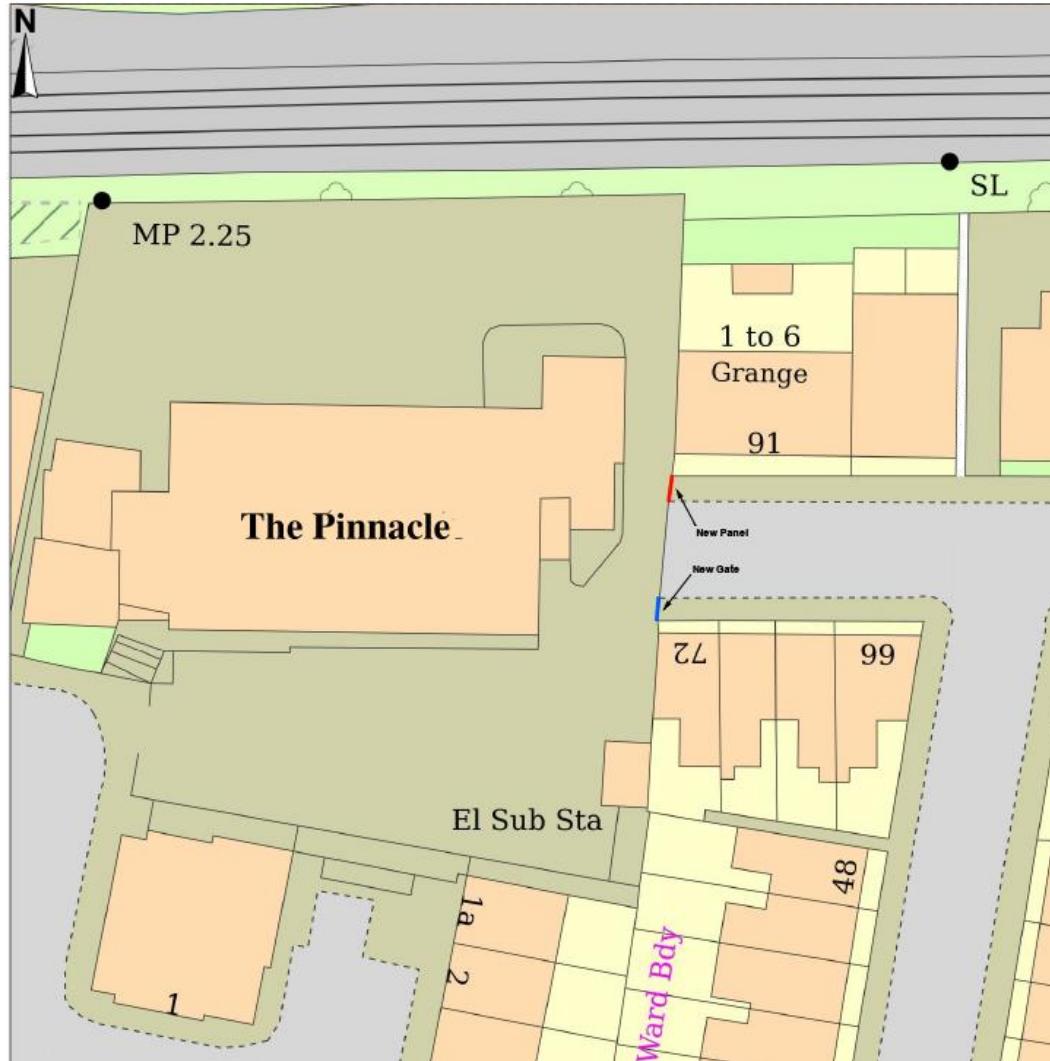
Application Description

Planning permission is sought under Section 73a of The Town and Country Planning Act to vary conditions 1 (plans) and 11 (access) of BH2023/00009 to allow for:

- ▶ the provision of one controlled access gate in eastern site boundary for use by all residents in The Pinnacle only, and
- ▶ the blocking up of the second existing access point to the eastern site boundary

Block Plan

53



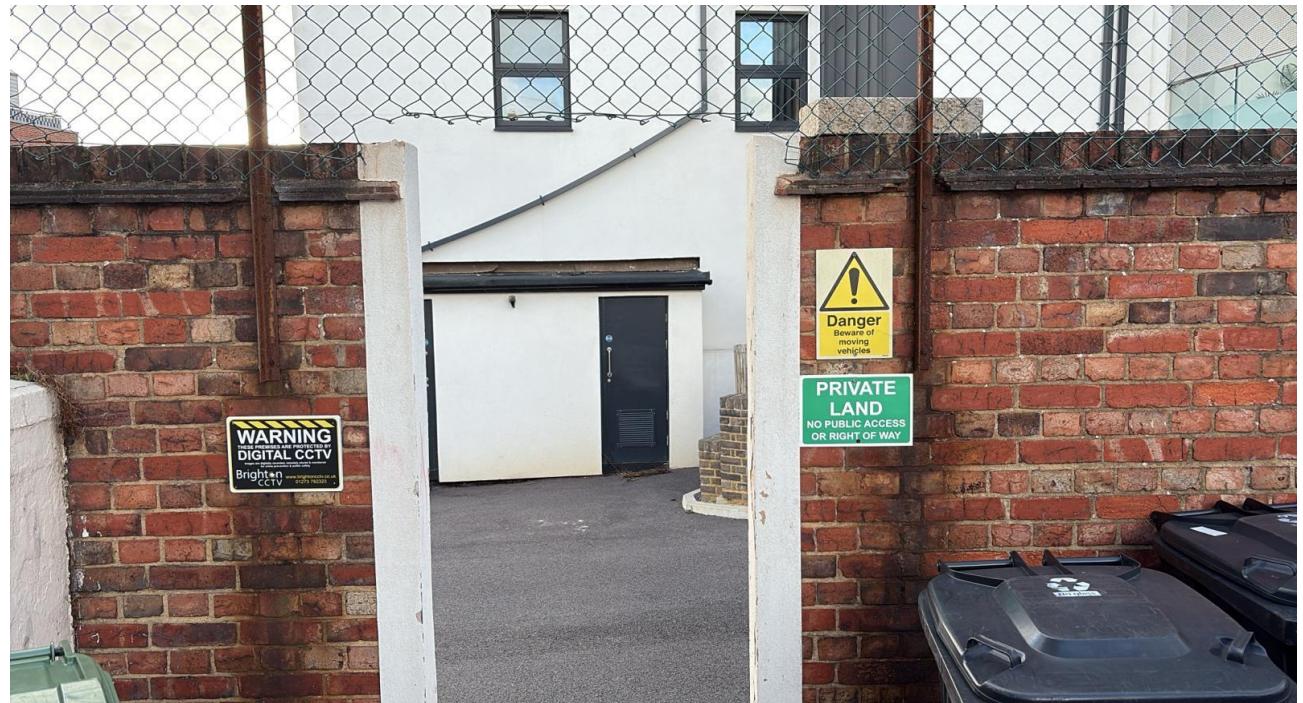
Aerial Photo of Site



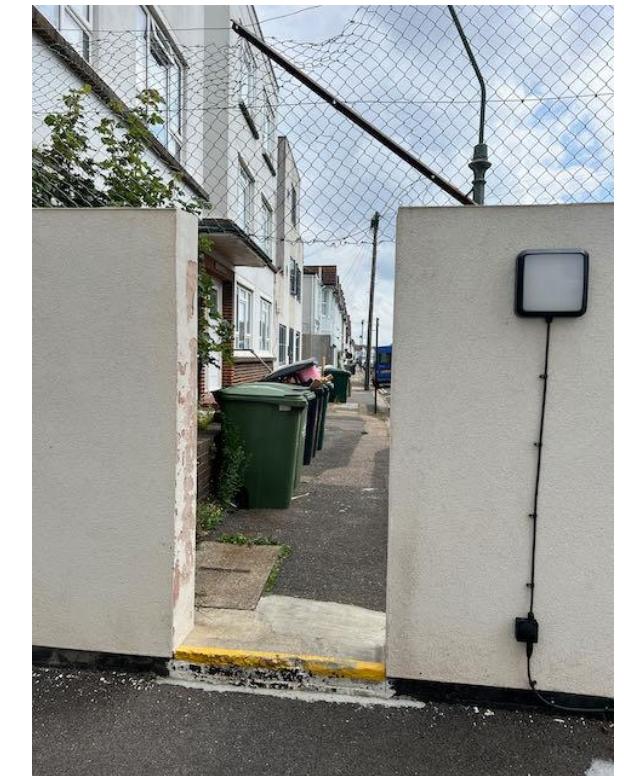
3D Aerial Photo of Site



Street Photo/ Signage – View from Payne Avenue



Photos within the site showing existing access points in eastern boundary



Historic Photo from east – No Access from Payne Avenue



Planning History

► BH2020/00955 - Planning permission was secured in June 2020 for the erection of a four-storey extension to the existing building to provide 4 flats. The permission was granted subject to condition 13 which stated:

- *The two points of pedestrian access hereby approved to the eastern boundary of the site shall be provided prior to the first occupation of the flats hereby approved and shall be retained thereafter with no means of preventing access installed.*

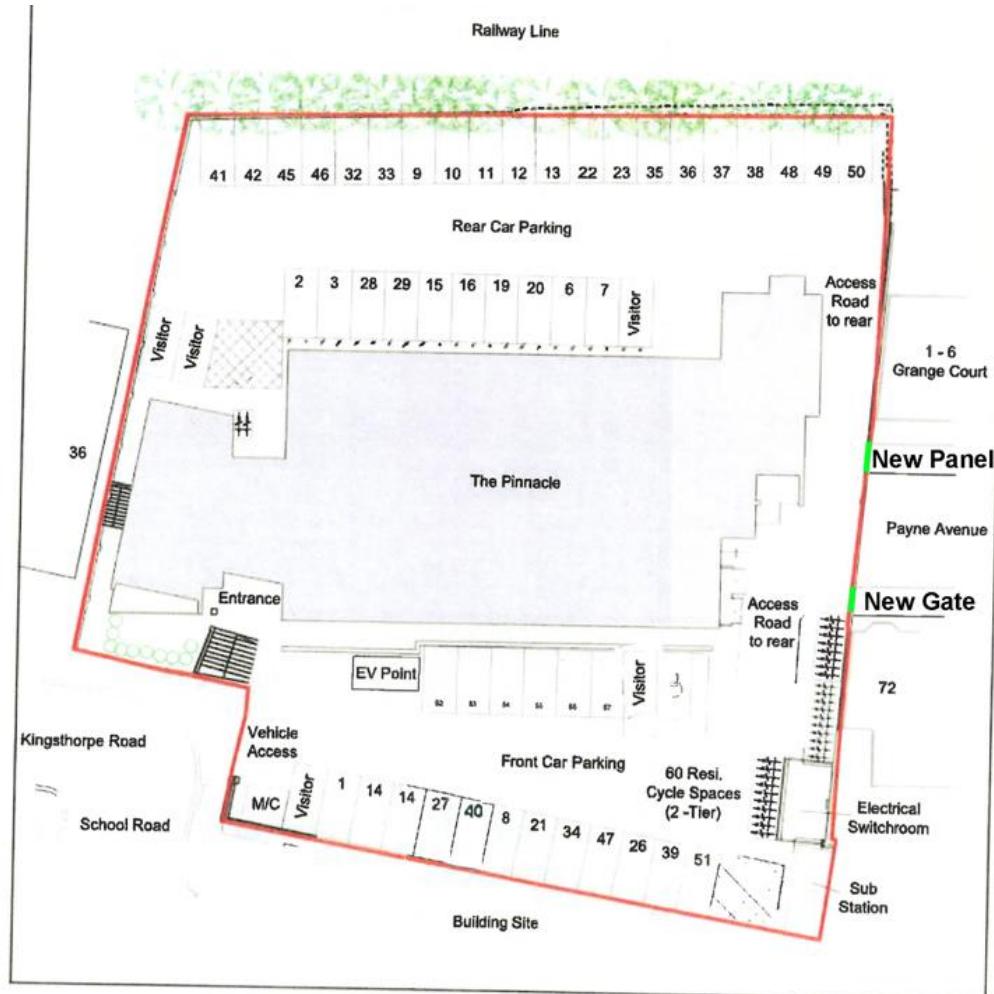
Reason: *To encourage safe, active and sustainable forms of travel other than private motor vehicles to and from the development, and to ensure that this is retained in compliance with Policies TR7 of the Brighton & Hove Local Plan and CP9 of the Brighton & Hove City Plan Part One.*

► BH2023/00009 - A subsequent s73 application to remove the above condition was refused by the LPA. However, the appeal was allowed, and PINs amended the condition to state that the pedestrian access should be retained for use only by occupiers of the approved four dwellings:

- *The two points of pedestrian access hereby approved, as shown on plan reference 6778-2PO2 Rev C to the eastern boundary of the site, shall be retained in accordance with the approved plan for use by occupiers of the four dwellings hereby approved.*

Proposed Site Plan

60



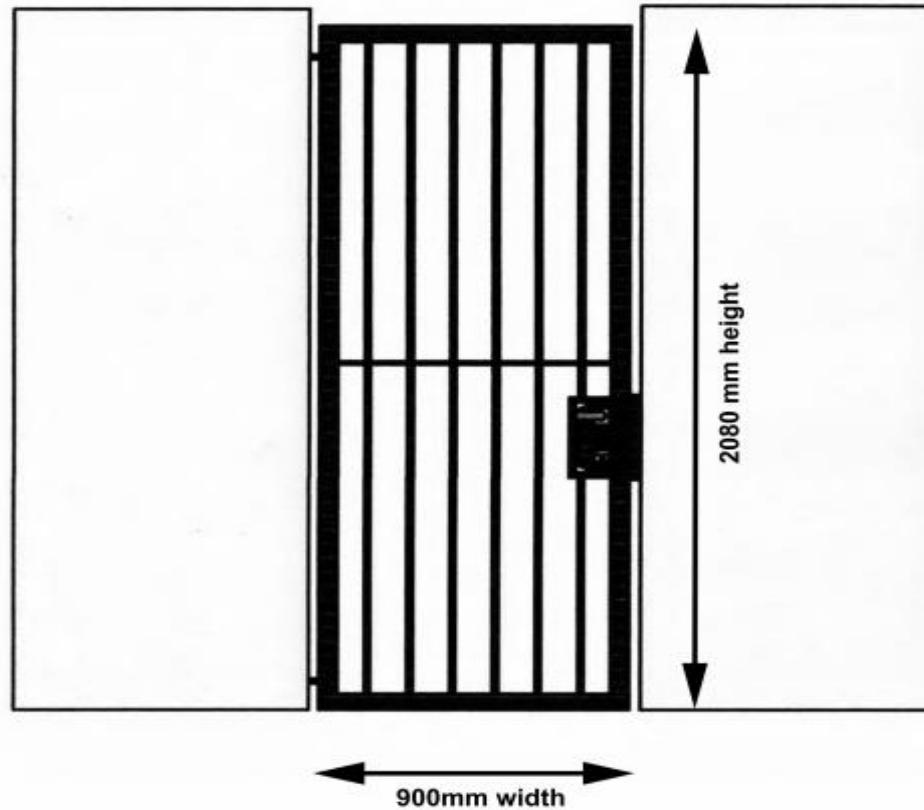
Parking Plan

Scale - 1:500@A3

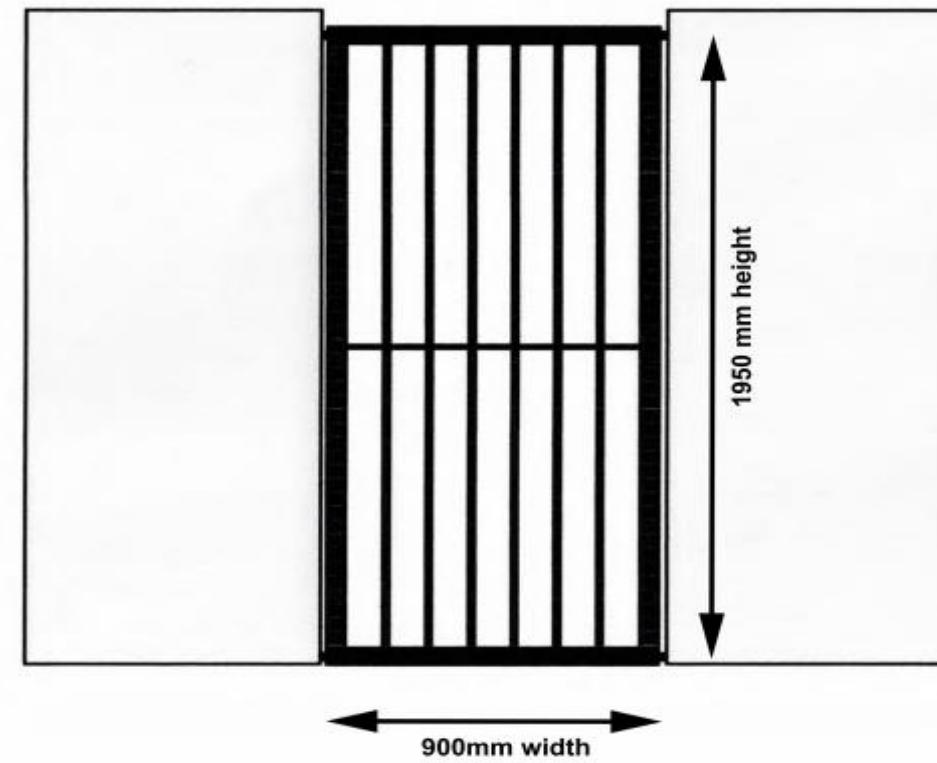
— New gate/panel

Proposed Elevations

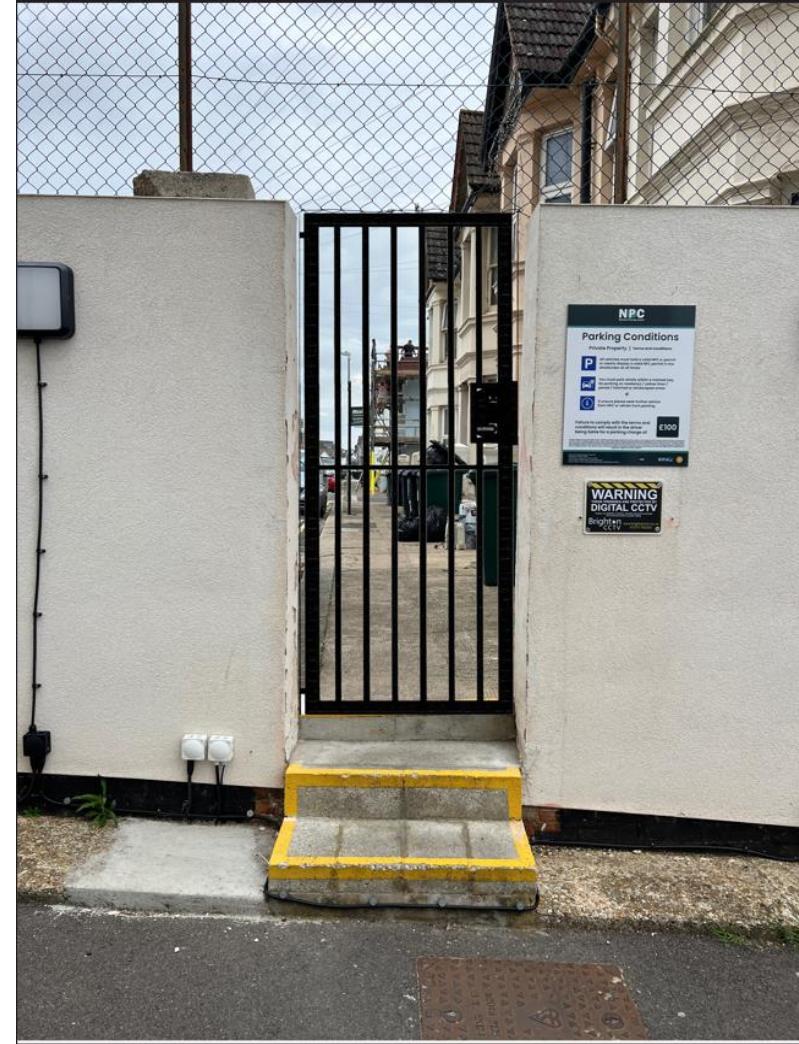
Combination lock controlled gate at southern access point



Steel infill panel at northern access point



Proposed Visuals



Representations

One hundred and twelve (112) representations received objecting on the following grounds:

- ▶ Loss of established public amenity
- ▶ Lengthen journeys
- ▶ Increase in traffic and noise and environmental / pollution impact
- ▶ Provides safe access to public transport and schools
- ▶ Impact on local businesses and impact on local cohesion/ community
- ▶ Benefit few at expense of many
- ▶ No evidence of anti-social behaviour; natural surveillance and improved lighting/ cameras could deter such behaviour
- ▶ Impact on health/ wellbeing
- ▶ Equalities issues
- ▶ Goes against original consent/ design
- ▶ Contrary to planning policy
- ▶ Legal precedent for access over private land

Ward Councillors Bella Sankey and Paul Nann object to the proposal.

Representations

Thirty (30) representations received supporting the proposal for the following reasons:

- ▶ Private land/ no public right of way
- ▶ Trespassing
- ▶ Safety hazard
- ▶ Liability for accidents
- ▶ Anti-social behaviour/ security issues
- ▶ Privacy issues
- ▶ Noise pollution/ disturbance
- ▶ Multiple other routes
- ▶ Flats sold on basis of secure private parking and controlled access
- ▶ Original condition did not reference 'public' access.

Key Considerations

- ▶ Principle of development
- ▶ Design and Appearance
- ▶ Impact on Amenity
- ▶ Sustainable Transport

Conclusion and Planning Balance

- ▶ Land is privately owned and there is no public right of way in place.
- ▶ Prior to the approved extension, there was no access in place to the east of the site.
- ▶ Original development was for an extension for **4 flats** - PINS clearly stated that it is:
 - *"neither the role nor responsibility of this development to facilitate or improve access for existing local residents, other than those occupying the approved flats"*
- ▶ Proposal would provide good access to sustainable transport as well as safe and convenient access to and from the proposed development for **all** residents of The Pinnacle, rather than just the 4 flats within the original application and this is considered a public benefit of the proposal.
- ▶ The LHA acknowledge it would not be appropriate to seek to secure public access through the site via the planning system and raise no objection
- ▶ Acceptable in terms of design and appearance.
- ▶ No objections from Sussex Police or the Council's Environmental Health Team.

Approval is therefore recommended