

**PLANNING COMMITTEE  
ADDENDUM  
Councillor Letters of Representation  
BH2021/01013  
4 Keymer Road**

**2.00PM, WEDNESDAY, 7 JULY 2021**

**COUNCIL CHAMBER, HOVE TOWN HALL**

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# ADDENDUM

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**Councillor Alistair McNair**  
**Conservative Party Member for Patcham Ward**  
C/o Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ  
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Date: 15<sup>th</sup> April 2021  
Phone: 07562 437615  
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Dear Liz Hobden

**BH2021/01013 | Erection of a two storey two bedroom attached dwelling (C3). | 4 Keymer Road Brighton BN1 8FB**

Please accept this letter as my **OBJECTION** to this planning application.

I have three overarching reasons for objecting to this planning application: the previous history of the development; the number of questionable and possibly unreliable comments in the planning statement; setting a precedence.

**History of Development**

This is the third application to build either a separate house on the land of 4 Keymer Road, or to extend the building, within 5 years. The previous two applications were rejected, and as will be seen later in this objection letter, the current application does not solve any of the previous issues raised by planning officers. A third application seems vexatious, especially when the owner does not live at the dwelling, and thus their only interest merely pecuniary.

It should be noted that the application is made under the name of Mr Comer, when previously the name was Mr John Westlake. 4 Keymer Road has also recently been granted planning permission for a loft conversion and rear dormer window (BH2020/03668), under the name of Mr Westlake. I therefore do not know why there has been a change of name for this application, other than perhaps trying to obscure the owner's involvement in yet another application.

It is also worth noting that the current plans for the extension to 4 Keymer Road do not include the new loft conversion and dormer. This loft conversion may be used to house further residents, adds to the bulky rear-view appearance of the current house, and potentially adds to the overcrowding of the area, so it's exclusion from the plans is questionable.

**Issues with planning statement**

There are several issues with the planning statement.

Firstly, the plans provided do not give a very accurate impression of the impact the extension would have on neighbouring properties, and it must be questioned why these views were not included in the planning statement.

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According to the plan in Figure 1 below, there seems ample space between the properties.



Fig. 1: plan of current dwelling at 4 Keymer Road (p.2 in Planning Statement)

However, when we see the actual view from the gardens of residences of Fernhurst Crescent, our impressions are significantly different.

The view from 87 Fernhurst Crescent clearly shows that the new extension would not only completely obscure their outlook of the South Downs, an important feature and a portion of the value of houses in this part of Brighton, but would also mean their house was overlooked by a number of new windows.



Fig 2: view from 87 Fernhurst Crescent

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Figure 3 below shows that the view from 89 Fernhurst Crescent would also be completely lost. The washing line provides a useful guide for the potential roofline. Instead of having a very open and light aspect, key reasons for the resident acquiring this property, it would become overlooked and shaded.



Fig. 3: view from 87 Fernhurst Crescent

Secondly, the planning statement makes several unreliable statements.

First:

“In the background you can see the properties on Fernhurst Crescent located on significantly higher ground beyond.” (p.2)

No photos are provided from Fernhurst Crescent because the Crescent is not significantly higher. As can be seen from Figures 2 and 3 above, residents’ views would be completely obscured by the extended roof of the extension, despite the drop in the roofline. The gardens of both 87 and 89 Fernhurst Crescent are significantly lower than the front entrance from Fernhurst Crescent, so 4 Keymer Road and its extension would in fact tower over the gardens, as can be seen from Fig. 4 below.





Fig 4.: view from garden level of 87 Fernhurst Crescent

Second, the planning statement states on page 4:

“We have used proportion and massing techniques to comprehensively address the scale and bulk concerns raised with the previous planning proposal.”

If we examine the plans and the photograph of the current property, you will note that although the extension’s roof will be sloping, the current house’s sloping roof will be extended and its slope lost, thus not actually reducing the bulk, obscuring the views of houses behind. The new dormer will also add bulk to the roof from the rear view. The new roof is also only minimally lower than the current roof.

As can be seen from Fig 5 below, from pavement level, because the current property, 2 and 4 Keymer Road, are significantly higher than pavement level, the facade is very imposing and bulky. The extension, turning the property into a terrace, will only make it more so.



Fig. 5: view of Keymer Road from pavement level.

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The design given in the Planning Statement (see Fig. 6) does not accurately portray the impact of the house and extension from pavement level. Most dwellings in this area are semi-detached; this would be a terraced house of considerable bulk looking down onto the pavement. The view from Figure 6 is straight-on, and thus misleading.



Fig. 6: plans of extension from Keymer Road

Third, the application states that the new application is “noticeably smaller” (p.5). While it may be minimally less wide (6100mm wide (the previous scheme measured 7450mm – so a reduction of 1350mm)), it is actually deeper, and thus closer to properties in Fernhurst Crescent. In reality, this is still a house for potentially 4 people, so the size of the property does not in any way address serious issues with parking, overpopulation with its resulting noise issues, and the reduction of the garden.

Fourth, the statement notes that:

“Particular attention has been paid in the proposal to secure cycle storage so that the household will be encouraged to participate in this sustainable mode of transport.”

In what way will residents of this property be compelled to use bicycles? I very much doubt any owner of a property of this size will rely simply on bicycles in Hollingbury considering the significant hills, inclement weather close to the South Downs, and the fact that everyone else in the area relies on cars. Why would these residents be any different? They will not.

Fifth, the planning officer’s report (BH2017/02490) for the previous application stated,

“The applicant has proposed cycle parking in the rear garden. This is considered convenient due to the access at the side of the building. Full details of the proposed store could be secured by condition. The application does not include off street parking. This is considered acceptable given the unrestricted on-street provision.”

How can the on-street parking provision be considered ‘unrestricted’? Parking is extremely limited in this area (see Fig.7 below). The new property, housing potentially four adults, could result in another four cars in this area, plus potential for an increase in visitors.



Fig. 7: parking on Keymer Road

Parking is a very serious concern in this area. Importantly, recent developments in Patcham & Hollingbury Ward have been approved only after they included significant increase in off-road parking, for example BH2020/01860 2 Winfield Avenue Brighton BN1 8QH, which now provides six off-road parking places for four houses when the previous plan for that site was for two parking places for five houses. There is no reason why this application should also not be required to supply off-road parking.

I am also very surprised by the Sustainable Transport Comment (BH2017/02490) for the previous application:

“The applicant is not proposing any changes to (the non-existent) vehicle access arrangements onto the adopted (public) highway and for this development this is deemed acceptable. ...the proposed level of car parking (zero spaces) is in line with the maximum standards and is therefore considered acceptable in this case. There is not forecast to be a significant increase in vehicle trip generation as a result of these proposals 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.”

The above statement has led to the current application stating:

“An important point to reiterate regarding access is the wider picture that this site is located in a highly sustainable and accessible location. It is within easy walking distance of local shops, schools and healthcare facilities, and is close to local bus routes providing regular services into Brighton and Hove City Centre.” (p.6)

The only local school is Carden Primary School. If any of the occupants are secondary school children, they may be able to walk to Patcham High, but they would not be guaranteed this school, and if selected for a different school would need to use either a bus or, more likely, a car. Disappointingly, this proposed residence is clearly not intended for disabled or infirm residents, who would find the steep incline, and lack of car space,

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prohibitive. With potentially four more adults living in this property, the impact on the carriageway would clearly be significant.

Six, the planning statement also notes:

An area we felt we could improve on with this scheme was bio-diversity. We have carefully incorporated natural habitats into the scheme. This includes the proposed use of native planting, planting of wild flowers and the provision of bird boxes and bee hotels within the garden to encourage wildlife to the site. Please refer to the proposed site plan for further details. (p.6)

This biodiversity statement seems at odds with the significant reduction in the size of the garden, which surely affects the biodiversity of the area. The current owner has done nothing to enhance the biodiversity of the property (see Fig. 8), so there is nothing to suggest any of these biodiversity plans would actually be implemented, and equally important, maintained. This house is after all being rented out, so any maintenance would be the concern of renters.



Fig. 8: the garden of 4 Keymer Road, exhibiting no enthusiasm for biodiversity

The plans also suggest 'taller species' of plant may be provided on the boundary with 89 Fernhurst Crescent (see Fig. 9 below). If these were trees, these would further obscure and darken the latter's outlook.

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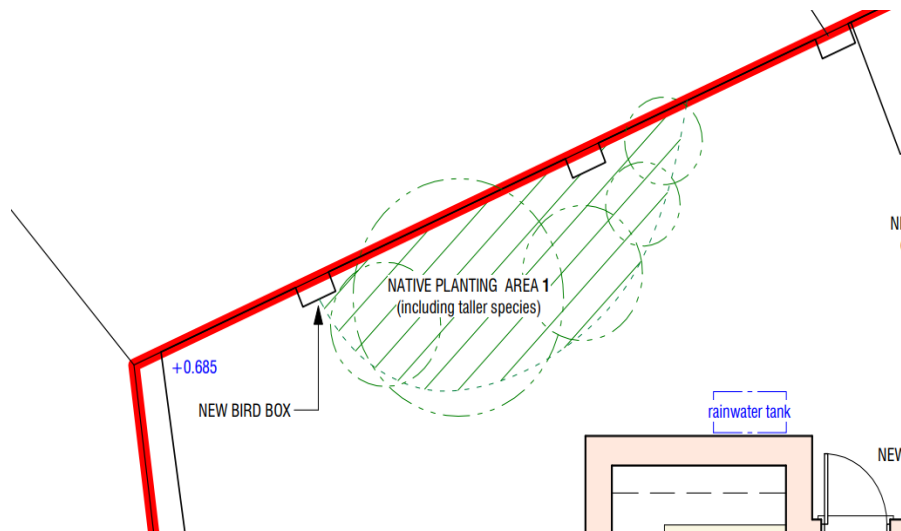


Fig. 9: plans of garden

Seven, the planning statement claims that the proposed development would not affect the views from neighbouring properties. However, the photo used (see Fig. 10 below) is taken not from the actual view from the residents' houses, but from a significant height above parked vehicles, giving a very inaccurate portrayal of the significant visual harm the extension would cause.



Street view of the gap between 89 and 87 Fernhurst cres showing the distant perspective view.

It's worth noting that the proposed development is set down so much lower than this that it doesn't register from this location.

Fig 10: the view provided by the Planning Statement (p.9).

Eight, the Planning Statements refers to the appeal decision APP/Q1445/W/18/3192649 (1-3 Ellen Street Hove), where, on 24th January 2019, the inspector said:

“The main parties agreed at the Hearing that the Council cannot demonstrate a five-year housing land supply. In such circumstances, the Framework’s presumption in favour of sustainable development is engaged. This states that where policies which are most important for determining applications are out of date, which is the case here by reason of the absence of a five-year housing land supply, planning permission should be granted for development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.” (p.10)

However, on p.164 of City Plan Part 2, it is stated

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“3.49 Policy CP1 Housing Delivery in City Plan Part One sets out the city’s housing target of 13,200 new homes over the Plan period to 2030 and states that additional sites will be allocated in Part 2 of the Plan to help ensure housing delivery is maintained over the plan period.”

Many sites across the city have been earmarked for hundreds of homes. Whether this is over a 5-year period or not, ample housing is in the pipeline. The 2 bedrooms of this proposal will make no material impact on housing targets, and would demonstrably impact neighbours outweighing any advantage of the extra rooms.

The planning statement also mentions this is a ‘windfall site’ (p.11). However, as my predecessors, Cllrs Wares and Theobald have previously pointed out, windfall sites are locations that normally comprise previously-developed sites that have unexpectedly become available ([Glossary | Planning Portal](#)). The garden has never been previously developed, and has not unexpectedly become available.#

### **Setting a precedence**

Contrary to the planning statement’s assertion that

“The design of this new dwelling...will make a small but positive contribution to the area both visually and environmentally.”,

this proposal would significantly negatively affect the residents immediately behind in Fernhurst Crescent by irretrievably destroying their views of the South Downs, and reducing their light levels; would undoubtedly exacerbate the problem of off-street parking; would undoubtedly increase noise levels in the area by adding a significant number of new residents to this quiet community; and would not in any way be guaranteed to improve biodiversity, 1) because the garden is being reduced in size, and 2) it would require maintenance by tenants.

This plan, were it to be approved, would set a dangerous precedent for a number of reasons. Not only would it encourage more developments in gardens in an area popular for its large plots and rural character, but would lead to overpopulation, the significant loss of privacy for residents, and the destruction of outstanding views of the South Downs, a notable feature of Hollingbury.

As can be seen from Figure 11 below, the current garden at 4 Keymer Road is not any larger than surrounding properties. The large plots are an essential feature of the desirability of the area.

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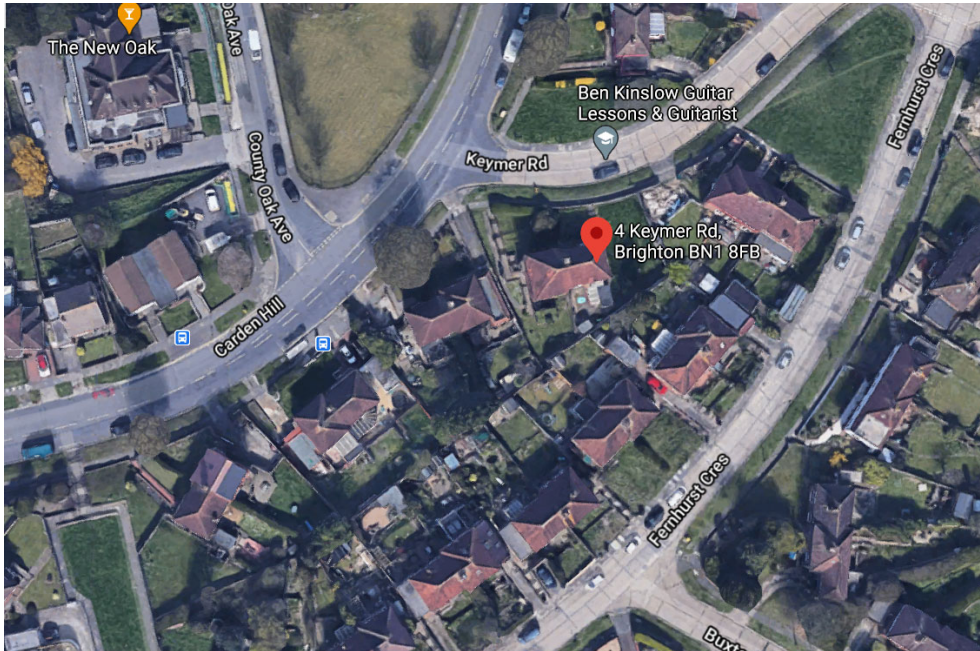


Fig. 11: Google Map of Hollingbury

It would also enable applications which do not provide for parking – indeed, it would encourage the removal of parking spaces in an area which already lacks spaces. This lack of parking provision already provides significant difficulties for local buses and visitors to the area. The Big Lemon Bus uses Keymer Road, and route 46 uses nearby roads, and both frequently have difficulties passing parked cars. These plans would have a significant and lasting detrimental effect on resident harmony, and the character and appearance of the neighbourhood.

In particular, this proposed extension would have a very detrimental effect on immediate neighbours. A few other houses in the area have been extended, but their extensions have not infringed on the views of their neighbours in any way. This proposal would completely remove the views from 87 and 89 Fernhurst Crescent, create a significant issue with shading, loss of privacy and loss of the financial and personal value the houses have to their owners. Such a peculiar infringement on neighbouring properties and lives should not be allowed to succeed.

I am of the opinion that the proposal would be contrary to Brighton and Hove City Plan Part One Policies CP12 (Urban Design) and CP14 (Housing Density), and policy QD 27 (Protection of Amenity) of Brighton and Hove Local Plan.

Should the Local Planning Authority consider granting this application, I request that it is brought to Planning Committee for determination where I reserve my right to speak to my letter and the application.

Kind regards

Cllr Alistair McNair

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Date: 6<sup>th</sup> June 2021  
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 Email: alistair.mcnaire@brighton-hove.gov.uk

Dear Liz Hobden

**BH2021/01013 | Erection of a two storey two bedroom attached dwelling (C3). | 4 Keymer Road Brighton BN1 8FB**

Please accept this letter as an **OBJECTION** to the changes in the updated planning application.

Further to my previous letter of objection (2<sup>nd</sup> April 2021) I have three further comments to make regarding the updated planning application: concern about yet another application; increased height of the roof; new window suggesting possible future modification of building.

**Concern regarding another application**

It is very disappointing to find a new planning submission posted after the previous deadline. It might be understandable if the new proposals were in response to criticism from residents, but the changes in no way address criticisms, and indeed run counter to them. I do not understand why this proposal has been allowed to be submitted when clearly the developers had ample time to include these design features in the original submission.

**Increased height of roof**

The previous planning statement claimed that the proposal would be “noticeably smaller” (p.5) than previous ones, and would not obstruct the outlook of neighbours. As I mentioned previously, this is clearly not the case. The new proposal includes an even higher roof line (see Fig. 1) which would ensure the even greater overshadowing of nos 85 and 87 Fernhurst Crescent.

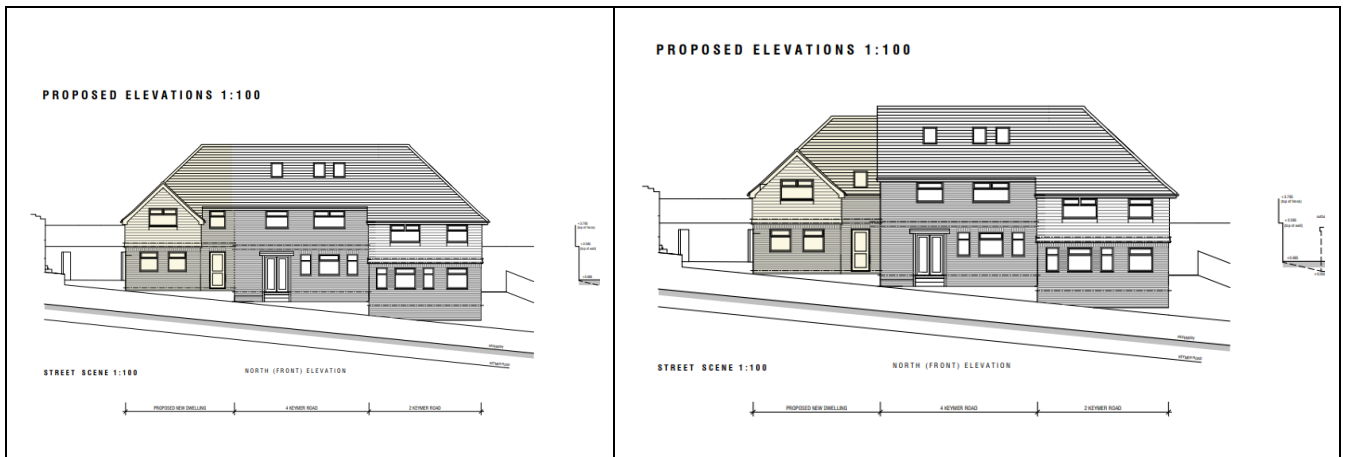


Fig. 1: new proposed elevation (left) and previous proposal (right).



The view from 85 Fernhurst Crescent clearly shows that the new extension would completely obscure their outlook of the South Downs, an important feature of houses in this part of Brighton.



Fig 2: view from 85 Fernhurst Crescent

The residents would also be overlooked by a number of new windows (see Fig. 3), exacerbated by the fact that the angle of the property ensures the extension is extremely close to the residents on Fernhurst Crescent (see Fig. 4).



Fig.3: numerous rear windows

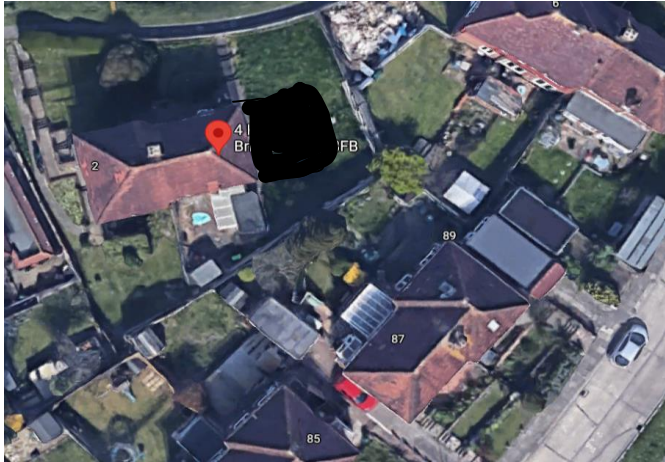


Fig. 4: proximity of proposed development to residents on Fernhurst Crescent

Figure 5 below shows that the view from 87 Fernhurst Crescent would also be completely lost. The washing line provides a useful guide for the potential roofline. Instead of having a very open and light aspect, key reasons for the resident acquiring this property, the property and garden would become permanently overlooked and shaded.

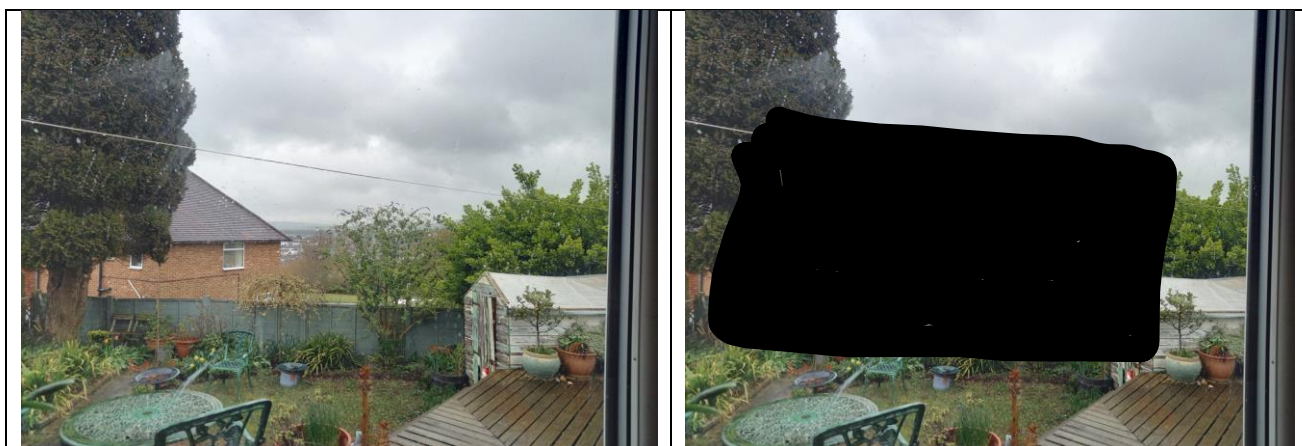


Fig. 5: view from 87 Fernhurst Crescent (before and after)

The original planning statement states on page 4:

“We have used proportion and massing techniques to comprehensively address the scale and bulk concerns raised with the previous planning proposal.”

While I disagreed with this in my previous letter of objection, I most certainly do now, as what little concession was made to the mass of the property by reducing the roof height has now been lost.

As can be seen from Fig 6 below, from pavement level, because the current property, 2 and 4 Keymer Road, are significantly higher than pavement level, the facade is very imposing and bulky. The extension, turning the property into a terrace, will only make it more so.



Fig. 6: view of Keymer Road from pavement level (before and after).

## New window

Another alteration to the proposals is a change to a first floor window from being in the roof, and essentially a light source, to being a proper window (Fig 7.).

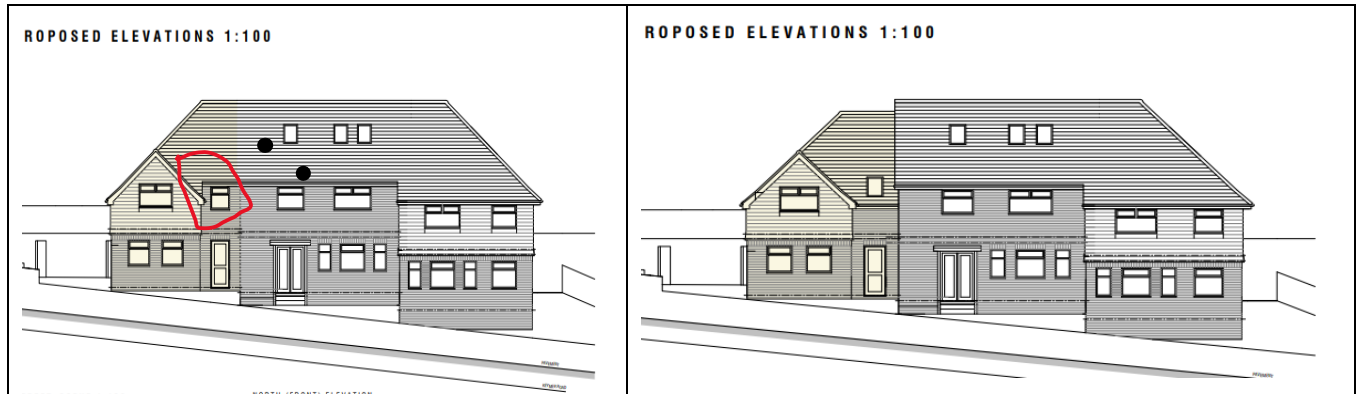


Fig. 7: proposed new window (left)

The planning application in 2017 (BH2017/02490) provided for 2 bedrooms and a study. However, the study was the same size, if not slightly larger than bedroom 2, leaving residents to wonder if this would eventually become a third bedroom, increasing the density of the residence and even further exacerbating the parking situation. The addition of the window in this new proposal could also be seen to lend weight to the argument that the internal configuration may be altered in the future for a third bedroom, especially given the number of attempts to develop this site.

## Setting a precedence

I would like to take this opportunity to reiterate that, contrary to the planning statement's assertion that

“The design of this new dwelling...will make a small but positive contribution to the area both visually and environmentally.”,

this proposal would significantly negatively affect the residents immediately behind in Fernhurst Crescent by irretrievably destroying their privacy, and reducing their light levels; would undoubtedly exacerbate the problem of off-street parking; would undoubtedly increase noise levels in the area by adding a significant number of new residents to this quiet community; and would not improve biodiversity, 1) because the garden is being reduced in size, and 2) it would require maintenance by tenants.

This plan, were it to be approved, would set a dangerous precedent for a number of reasons. Not only would it encourage more developments in gardens in an area popular for its large plots and rural character, but would lead to overpopulation, the significant loss of privacy for residents, the destruction of outlook, and of the open and spacious nature of this part of Brighton.

I am of the opinion that the proposal would be contrary to Brighton and Hove City Plan Part One Policies CP12 (Urban Design) and CP14 (Housing Density), and policy QD 27 (Protection of Amenity) of Brighton and Hove Local Plan.

Should the Local Planning Authority consider granting this application, I request that it is brought to Planning Committee for determination where I reserve my right to speak to my letter and the application.

Kind regards

Cllr Alistair McNair

