

<u>No:</u>	BH2021/03588	<u>Ward:</u>	Central Hove Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	8 Blatchington Road Hove BN3 3YN		
<u>Proposal:</u>	Change of use from retail (Class E) and self-contained flat (C3) to single dwellinghouse (C3), with associated external alterations.		
<u>Officer:</u>	Rebecca Smith, tel: 291075	<u>Valid Date:</u>	07.10.2021
<u>Con Area:</u>		<u>Expiry Date:</u>	02.12.2021
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Whaleback Planning and Design The Old Bank 257 New Church Road Hove BN3 4EE		
<u>Applicant:</u>	Setec Astronomy Ltd C/o Whaleback Planning and Design The Old Bank 257 New Church Road Hove BN3 4EE		

This application is been presented to Planning Committee for determination as the applicant is an elected Member.

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
Location and block plan	7081/010	A	10 November 2021
Proposed Drawing	7081/020	H	10 November 2021
Proposed Drawing	7081/021	H	10 November 2021
Proposed Drawing	7081/022	D	10 November 2021

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.

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 that this planning permission does not override the need to go through the Highway Authority's Approval in Principle (AIP) process for all necessary works adjacent to (that is, within 3.66m) and within the highway (including under and over) and gain any appropriate licences, prior to the commencement of any construction works. The applicant is further advised that they must contact the Council's Civil Engineering team (transport.projects@brighton-hove.gov.uk 01273 294570) and Streetworks team (permit.admin@brighton-hove.gov.uk 01273 290729) for further information at their earliest convenience to avoid delay.
3. The paving proposed as part of this application lie within an area that is currently part of Highway Authority land. The area of about 1m frontage of the site would need to be stopped up, via an s247 (TCPA 1990) application. The area to be stopped up must not protrude beyond an area directly in line with the existing highway boundary to link with the adjacent properties on either side of the application site.

2. SITE LOCATION

- 2.1. The application site comprises a two-storey terraced-over-basement property on the southern side of Blatchington Road, the ground floor of which is currently a vacant shop unit with ancillary basement areas. The first floor is in residential use as a separate planning unit. The site is not listed, and it is not within a conservation area, although it is noted that it is adjacent to the Old Hove Conservation Area. It is also noted that there are no Article 4 Directions covering the site that would restrict this change or use or external alterations.

3. RELEVANT HISTORY

- 3.1. **BH2021/01750** - Prior approval for change of use of ground floor and basement retail unit (A1) to two bedroom maisonette (C3) with associated alterations to shopfront and rear fenestration. Prior Approval Required Approved 08.07.2021

4. APPLICATION DESCRIPTION

- 4.1. The application seeks planning permission to change the use of the building to a single dwelling house (C3) from a retail unit over the lower ground/ground floors (Class E) and a one-bedroom flat (C3) at first floor. The application also seeks alterations to the shopfront including removal of a doorway and new paving on the adjacent pavement. At the rear permission is sought for revised fenestration and landscaping to the rear garden.
- 4.2. The application has been amended to remove the cycle parking and railings to the front and set the steps back so they do not protrude onto the highway. The red line for the application has been amended to reflect the proposed paving beyond the shop front.

5. REPRESENTATIONS

5.1. **Twenty (20)** letters have been received supporting the proposed development for the following reasons:

- Good design
- Shopfront design is fitting for the historic setting
- Creation of a whole house/family sized dwelling
- Residential Amenity
- Renovates a derelict adult shop
- Eco-features
- Fits in well with the mixed commercial residential nature of Blatchington Road
- Applicant made an effort to discuss proposals with neighbours
- Applicant is passionate about redeveloping the property
- Proposal for the garden is welcome
- Good to see investment in this part of Hove
- Family Home/house rather than flats
- Complies with NPPF policies and local supplementary planning documents
- Improvement to street scene and visual amenity

5.2. A comment has been received from the **National Federation of Builders** which supports the application for the following reasons:

- Fits with building line
- Reuse of brownfield land
- Maintains prevailing character
- Meets identified housing needs and redevelops an underutilised building
- Converts an existing building
- Likely to result in employment opportunities for local due to small scale and complex nature of some aspects of the proposals.

6. CONSULTATIONS

6.1. **Economic Development:** No comments to make

6.2. **Environmental Health:** No comment received

6.3. **Housing Strategy:** No comment received

6.4. **Planning Policy:** No objection

The proposal for 8 Blatchington Road, which is currently a vacant retail unit at ground floor and basement level with a self-contained flat at first floor level, is seeking to change use to a single dwellinghouse, with associated external alterations. The site is found within the Hove Town Centre area and adjacent to the Old Hove Conservation Area. Prior Approval was granted on 8 July 2021 for change of use of the ground floor and basement retail unit to a two-bedroom maisonette with associated alterations to shopfront and rear fenestration.

- 6.5. The proposal would result in the loss of retail floorspace in Hove Town Centre and Saved Local Plan Policy SR5, CPP1 Policy CP4 and CPP2 Policy DM12 would therefore apply. No marketing information has been submitted to support the application or details of how long the unit has been vacant. However, the granted Prior Approval is a material consideration in the determination of the application as the use of the ground and lower ground floors can be changed from Class E to residential irrespective of the outcome of this planning application. No objection is therefore raised in this instance.
- 6.6. The proposal would not result in the net loss of any residential units, but result in a larger, single dwellinghouse with private garden.
- 6.7. **Private Sector Housing:** No comments to make
- 6.8. **Sustainable Transport - Verbal Comment:** No objection
The Highway Terrier shows that the cycle parking as proposed and the steps to the property are proposed on Highway land - highways own the land up to the shopfront. Highways would not normally allow for stairs or cycle parking to be installed on highway land. This would be subject to separate agreements.
- 6.9. The proposed cycle parking shown resembles that typically installed for 'short-stay' visitor parking, the submitted design is not supported for long stay residential parking. However, it is noted that the site is constrained owing to limited frontage and that were cycle parking to be provided in the enclosed rear, this would not be policy compliant (SPD14) as this would not be easily accessible or convenient as internal stairs would need to be navigated to get to the lower ground level garden. Therefore the site is considered to be too constrained and cycle parking is not insisted upon on this occasion. In terms of trip generation it is considered that the change is likely to be insignificant in terms of trips to and from the site for the proposed residential use.
- 6.10. It is noted that there is no car parking proposed as part of the application and that the site is located within Controlled Parking Zone (CPZ) N. Future residents would need to apply to the Council's parking team to obtain a parking permit or join a waiting list if all permits are issued. For visitors, there are on-street parking bays which visitors to the development could use for a fee.

7. MATERIAL CONSIDERATIONS

- 7.1. 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
- 7.2. 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 JAAP (adopted October 2019).

7.3. 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.

8. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP4	Retail provision
CP8	Sustainable Buildings
CP9	Sustainable Transport
CP10	Biodiversity
CP12	Urban Design
CP13	Public Streets and spaces
CP19	Housing Mix

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

TR7	Safe development
TR14	Cycle access and parking
SU10	Noise nuisance
QD5	Design - street frontages
QD10	Shop Fronts
QD14	Extensions and alterations
QD27	Protection of Amenity
HO5	Provision of private amenity space in residential development
SR5	Town and district shopping centres

Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The weight given to the relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

DM1	Housing, Accommodation and Community
DM12	Primary, Secondary and Local Centre Shopping Frontages
DM20	Protection of Amenity
DM21	Extensions and alterations
DM23	Shop Fronts
DM33	Safe, Sustainable and Active Travel

DM36	Parking and Servicing
DM37	Green Infrastructure and Nature Conservation
DM40	Protection of the Environment and Health - Pollution and Nuisance
DM44	Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD02 Shopfronts

SPD14 Parking Standards

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of the loss of the separate residential unit and retail unit and provision of a single dwelling in their place, the design and appearance of the external alterations, the proposed standard of accommodation, the impact of the proposals on neighbour amenity transport matters, sustainability and biodiversity.

Principle of Development:

- 9.2. Policy CP1 sets out the housing targets for the plan period with a provision target of 13,200 new homes for the city up to 2030. The council's most recent housing land supply position against this minimum target was published in the SHLAA Update 2020 and shows a five-year housing supply shortfall of 342 (equivalent to 4.7 years of housing supply).
- 9.3. However, on 24 March 2021 the City Plan Part One reached five years since adoption. National planning policy states that where strategic policies are more than five years old, local housing need calculated using the Government's standard method should be used in place of the local plan housing requirement. In addition, following an amendment to the standard method set out in national planning practice guidance, from 16 June 2021 onwards Brighton & Hove is required to apply an additional 35% uplift as one of the top 20 cities in the urban centres list.
- 9.4. The local housing need figure for Brighton & Hove using the standard method (including the 35% uplift) is 2,331 homes per year which gives a five-year housing supply shortfall of 6,604 (equivalent to 2.2 years of housing supply).
- 9.5. As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).
- 9.6. The proposed dwelling would occupy the whole building, currently the building is a mix of uses with a one bedroom residential flat on the first floor (compliant with space standards) and a separate vacant retail unit on the ground and lower ground floor.

- 9.7. The Planning Policy Team have acknowledged that there is an extant prior approval permission (BH2021/01750) for the change of use from retail to residential on the site. This is a significant material consideration and as such they do not object to the application.
- 9.8. Notwithstanding the loss of retail provision, there are various shops within the vicinity and local residents will still be able to access goods and services usually provides by a Class E unit within the locality.
- 9.9. The proposal would also provide a single dwellinghouse with garden and overall the principle of development is supported.

Design and Appearance:

- 9.10. The application site currently has a retail frontage with an entrance to the shop unit and a separate entrance to the existing residential above. There are no changes to the openings at first floor level on the front elevation.
- 9.11. At ground floor level, the applicant is proposing to restore the current shopfront to a more traditional appearance, including uncovering boarded up features within the existing shopfront. The entrance to the proposed dwelling would also be altered, some steps would be added to allow the existing entrance door to the separate residence to be slightly elevated and be retained as the access to the dwelling. There would also be a fanlight above this door. The entrance to the shop would be removed from the frontage and a larger shop window would take prime place in the frontage. It is also understood that a historic sign would be installed to the retained fascia board. The proposals also show a window extending down to ground floor level to provide light through to a set back window serving the proposed basement lounge.
- 9.12. As initially submitted the plans included cycle parking to the pavement in front of the building, front steps and a paved area which was to be partitioned from the street by railings. This was considered harmful to character of the street and noted as an obstruction on the pavement. The cycle parking and railings have been removed along with external steps which protruded onto the pavement. These alterations ensure that views to the restored shopfront are not obstructed and a sense of openness to the street frontage is retained. The proposed paving outside the front of the property is considered to be acceptable in design terms.
- 9.13. To the rear of the proposed dwellinghouse changes in fenestration are proposed to facilitate the residential layout within. At lower ground floor the rear small window is removed, and a larger opening made to facilitate bi-folding doors to the lounge and the window to the outrigger is removed at lower ground floor level. In place of this lower ground floor window an air source heat pump is proposed.
- 9.14. At ground floor a partially boarded up window will be opened up to the full extent of the existing opening. The existing door at ground floor level with side window is to be removed and a new opening for French doors with a balcony is proposed. The balcony is similar to the existing platform at the top of the existing steps. The steps currently providing access to the garden from this level are to

be removed and access is from the lower ground floor. There are no alterations to the rear openings at first floor level. The application form states that all windows and doors will be timber and painted white to match existing.

- 9.15. Overall, the proposed alterations to the building will visually improve the shopfront whilst still allowing the historical function of the shop to be read within the streetscene. The proposed fenestration changes at the rear and the removal of one of the front entrances also improve the overall appearance and character of the building as a residence with a commercial past. The development is considered to be in accordance with policies QD10 and QD14 of the Local Plan, policy CP12 of the City Plan Part One and emerging policies DM21 and DM23 which can be afforded significant weight.

Standard of Accommodation:

- 9.16. The 'Nationally Described Space Standards' (NDSS) 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 & Hove City Plan, policy DM1 of CPP2 proposes to adopt them and can now be given significant and greater weight respectively.
- 9.17. The proposed dwelling would be over basement, ground and first floors and have an overall internal floor area of approximately 165sqm. There is no comparable standard for a three storey, two-bedroom, four-person dwelling in the NDSS but the two-storey minimum is 79sqm, the proposed floor area is double this minimum.
- 9.18. In terms of living areas there would be the lounge (42.4sqm) in the basement or the dining room (33.2sqm) at ground floor level. The kitchen, also ground floor, would be on the small size, 9.6sqm, relative to the overall internal area but as there is ample dining and living space this is considered acceptable. Bathrooms would be located within the existing rear outrigger at lower ground and first floor, providing convenient access from all levels.
- 9.19. In terms of the bedrooms both are proposed as doubles (23.6sqm & 12sqm) and would provide adequate spaces for occupants to move around once the rooms are furnished with standard furniture (bed, desk/dressing table, chair and storage furniture).
- 9.20. The bedrooms would have good access to natural light and ventilation from the existing and proposed window and door openings. There would also be reasonable outlook from all habitable rooms. It is noted that being at basement level the lounge will naturally have a gloomier appearance than rooms at ground floor and above but with the inset window to the front of the space and the bifold doors to the rear it is considered that this would not be detrimental to the amenity of future occupiers.
- 9.21. As noted above and on the plans the development proposed a rear garden for the dwelling which is appropriate for the size and character of the dwelling and the town centre location. Therefore, it is considered in accordance with policy HO5 in respect of outdoor private amenity space.

9.22. Overall, it is considered that the development of a two-bedroom, four-person dwelling would achieve a standard of amenity for future occupiers that is in accordance with policies QD27 and H05 of the Local Plan and paragraph 130F of the NPPF. It is also considered that the proposals meet the standards set out to be adopted in City plan part Two policy DM1 which can be afforded significant weight.

Impact on Amenity:

9.23. Policy QD27 of the Brighton & Hove Local Plan and emerging Policy DM20 of City Plan Part 2 (which can be given significant weight) state 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.

9.24. The proposed redevelopment of the entire building into a single dwellinghouse would be consistent with the mix of commercial and residential uses within Blatchington Road and particularly at this end. The use of the building as a residence is not expected to cause a nuisance to neighbouring residents or businesses. It is also noted that the first floor has been in residential use for some time, and this has not been a cause for concern in terms of amenity. The proposed air source heat pump is not expected to generate the level of noise or disturbance that would amount to harm to residential amenity.

9.25. Accordingly, the development is considered to be in accordance with Local Plan policy QD27 and emerging policy DM20 of the City Plan Part Two.

Sustainable Transport:

9.26. The site is located within the Key Public Transport Corridor, with easy access to buses going all over the city from just east of the site along Blatchington Road. Hove Station is also a few minutes' walk to the north. It is also noted that there are Bikeshare and Car Club facilities within easy reach of the site, further increasing travel choice for future occupiers away from personal vehicles.

9.27. As noted above, the application originally proposed works adjacent to the frontage to provide cycle parking, the Highway Authority noted that this was on Local Highway Authority land and that the cycle parking provision was not suitable for long stay residential use, but instead more in line with what is expected for short-stay visitor cycle parking. These elements were then removed, and it was concluded that as the only suitable space for cycle parking is at the rear in the garden the site is too constrained. Cycle parking at the rear is also not something which would be supported due to having to navigate through the dwelling and up and down internal staircases.

9.28. It is noted that there is no car parking proposed as part of the application and that the site is located within Controlled Parking Zone (CPZ) N. Future residents would need to apply to the Council's parking team to obtain a parking permit or join a waiting list if all permits are issued. For visitors, there are on-street parking bays which visitors to the development could use for a fee.

- 9.29. There is no objection to the proposed paving to the front of the property on highway safety grounds although it is noted that works could not be carried out without formal permission from the Local Highway Authority which would need to be obtained outside the planning process.
- 9.30. Accordingly, the development is acceptable in relation to transport matters and given the constraints and opportunities for active/sustainable travel is in accordance with polices TR7 and TR14 of the Local Plan. The development is also considered to be in accordance with emerging development plan polices DM33 and DM36 within City Plan Part Two which can be given significant weight.

Biodiversity and Sustainability:

- 9.31. The application proposes to enhance the existing rear garden to provide an area of lawn and flowerbeds. This will provide some welcome "green" aspects to the development. A condition is recommended to ensure that the landscaping will be appropriate and ecologically beneficial. No extensions are proposed in this instance, so it is not considered appropriate to seek inclusion of a bee brick to improve ecological outcomes, even though this may be possible with the fenestration alterations.
- 9.32. The planning statement suggests that the development will allow for the building to be upgraded to meet current building regulations which require high standards of water and energy efficiency. As the dwelling is not a new dwelling, but the result of a conversion, it is not appropriate to require the objectives of CP8 to be met by condition, but it is acknowledged that this may be achieved through other regulation, still resulting in a sustainability benefit.
- 9.33. Finally, the proposal includes the addition of an air source heat pump (ASHP) is a benefit to the energy efficiency and sustainability credentials of the development in accordance with emerging policy DM44 which can be afforded limited weight.

Conclusion:

- 9.34. Whilst the loss of the retail unit is regrettable the proposal would create a family dwelling with garden within a sustainable location. The improvements to the shopfront would make a positive contribution to the appearance and character of the property. The proposed dwelling would benefit from a high standard of accommodation for future occupiers and would include a number of sustainability improvements.

10. EQUALITIES

- 10.1. As above the access to the property is altered and is now via front steps, this may prevent some individuals who are less mobile from accessing the site. However, it is noted that a handrail could be fitted which may improve accessibility for some. Furthermore, it is noted that some retrofitting/adaptions to the development could be done internally to meet an individual's needs despite the dwelling being over multiple levels.

11. CLIMATE CHANGE/BIODIVERSITY

- The development is in a sustainable location in term so access to travel options and local facilities/services for daily living.
- The proposal is redevelopment of brownfield land and modernises an existing building.
- The plans include installation of an air source heat pump.
- Windows will be double or triple glazed.

