

Development Control Team
Brighton and Hove City Council
Hove Town Hall
Norton Road
Hove
BN3 3BQ

06 November 2023

Dear Sirs

RE: 26 DITCHLING ROAD, BRIGHTON, BN1 4SF

This letter is submitted with regard to an application for full planning permission for the conversion of ground floor offices into three self contained flats. The application also seeks retrospective consent for the replacement of the boundary wall with railings (of a different design to those previously approved for the site) .

The existing offices have an “offices only” planning condition attached to their main planning permission – and so permitted development rights for change of use do not apply.

This letter should be read in conjunction with the following documents:

- Application forms and CIL forms
- Biodiversity Checklist
- Sustainability checklist
- Marketing Report (Oakley Commercial)
- Marketing Report (Flude Commercial)
- Noise Report
- Air Quality Assessment
- Drawings by Mooncie Studio

The Site and Surrounding Area

The application site comprises a traditional two storey (plus roof accommodation) building on the south east side of the Upper Lewes Road / Ditchling Road junction.



RTPI

mediation of space · making of place

Chartered Town Planners

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Brighton, BN1 6SB
Registered in England and Wales

The site was formerly used by social services, but was converted into ground floor offices (with residential flats on the first and second floors) under planning permission reference BH2016/05884. The planning permission included permission for a two storey extension on the site's Upper Lewes Road elevation – to provide direct access to all floors. The application site is shown on the photograph below. Note that there is car parking and cycle parking located to the rear of the building (accessed from Upper Lewes Road).



The ground floor offices are still let out to the existing “tenant” – though that tenant is not currently in occupation, and is looking to forfeit the lease when its first break clause becomes operational in 2024.

There is an agreement between the tenant and landlord (the applicant) that the lease could be broken sooner if new tenants can be found). To this end, the premises have been subject to marketing by both Oakley Commercial and Flude Commercial, but without success. The flats on the upper floors continue to prove popular and are always let out on ASTs.

The site was previously protected by a high flint wall along its Upper Lewes Road frontage, but permission for its replacement with railings was granted as part of the overall planning permission for the conversion of the building into offices and flats. The wall was not replaced at the time of the development (though could of course be replaced at a later date as part of the main planning permission). However, the wall was subsequently damaged by a car earlier this year, and so has now been replaced by railings. The railings are roughly the same height as the wall that they replaced, but are taller than the railings that were previously approved. Consequently the railings are included in the application – see images overleaf.

Wall prior to damage by car:



Railings as reinstated.



Railings as approved under BH2016/05884:



The Proposed Development

In addition to the railings (see above), the application seeks consent for the conversion of the ground floor offices into three 2-bed self contained flats. The flats will be “three person” units measuring 61m² or 62m², and so comply with national space standards for dwellings.

Proposed Ground Floor Plan



As can be seen, the site contains existing parking for 5 cars – which will be shared between the existing and proposed flats. Secure cycle parking for 8 bikes is provided. Residential units at the site are served by communal bins for waste and recycling, and so there is no need for on site provision:

Flat 3, 26A Ditchling Road, Brighton, BN1 4SF [Change address](#)

<p>Recycling</p> <p>Please use communal bins for your Recycle. We empty communal bins when they are full. We don't empty them on a fixed schedule</p>	<p>Rubbish</p> <p>Please use communal bins for your Refuse. We empty communal bins when they are full. We don't empty them on a fixed schedule</p>
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Main Planning Policy Considerations

Principle of Development

City Plan policy CP3 requires the applicant to demonstrate redundancy of any office space prior to approval of applications for residential uses.

Marketing information is provided by both Flude Commercial and Oakly Commercial. The information confirms that the site has been marketed since 2019 (when tenants were still in occupation), but without success. The main issues appear to be the site's secondary location, lack of car parking for such a location, and the stepped access to the ground floor. The reports also confirm roughly 46,000m² of available office space within the City, and with around 12,000m² of grade A officed space currently under construction.

In light of the above considerations, it can be seen that the scheme complies with City Plan policy CP3.

The scheme is for three units of accommodation, and so is below the threshold for affordable housing set out in City Plan policy (CP20) and the National Planning Policy Framework (10 units).

Quality of Proposed Accommodation

The proposed units accord with national space standards for dwellings, and so comply with City Plan policy DM1 part c. The ground floor has stepped access (a reason why the offices are proving difficult to let), and so it may not be possible to make the scheme Part M4(2) compliant (City Plan policy DM1 part d. The policy allows for residential units to not be Part M4(2) compliant where it is not possible to achieve such a standard.

City Plan policy DM1 part f requires the provision of outside space appropriate to the scale and character of the development. The site benefits from landscaped areas - which is in character with existing flats on the first and second floors.

The air quality and noise reports provided by EAS limited confirm that the residential use of the ground floor is acceptable subject to adequate means of ventilation etc. Officers will note that the ground floor is air conditioned, and so alternative means of ventilation and cooling are already available.

Overall, the proposed flats will provide a good standard of accommodation similar to that already provided in existing flats on the first and second floors. The scheme therefore complies with City Plan policy DM20 (protection of amenity).

Neighbouring Amenities

The use of the ground floor for residential use will not result in any harm to the amenities of neighbouring residents. The majority of the site is already in residential use. The scheme therefore complies with City Plan policy DM20 (protection of amenity).

Sustainability

Conditions can be applied to ensure compliance with City Plan policies CP8 and DM44

In addition to the requirements set out in Policy CP8 Sustainable Buildings¹⁰³, the following standards of energy efficiency and energy performance will be required unless it can be demonstrated that doing so is not technically feasible and/or would make the scheme unviable:

- 1. Conversions and change of use of existing buildings to new residential dwellings to achieve at least 19% improvement on the carbon emission targets set by Part L (2013) until the Future Homes Standard or any interim uplift in Part L which exceeds 19% improvement come into effect;¹⁰⁴**

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Visual Impact

The principle of proposed railings has already been approved under planning permission BH2016/05884. The main difference to the approved railings is that the installed railings are higher. However, the railings are the same height as the wall that they replace – and so their visual impact is acceptable.

Biodiversity and Ecology

There will be no works to the roof, and all existing planting is to be retained. There will not be any impact on biodiversity and ecology.

CONCLUSIONS

The proposed change of use is supported by marketing evidence which confirms that the existing offices are unsuited for continued office use. The proposed use for residential occupation will be in keeping with the remainder of the building, and will make a positive contribution to housing supply.

The flats will provide for a good standard of accommodation, and will preserve the amenities of the surrounding area.

In light of the above considerations, we trust that planning permission can be granted.

Yours faithfully

LCP

Lewis & Co Planning