

Planning Statement

SITE ADDRESS: 30 BODIAM AVENUE, BRIGHTON, BN2 4LQ



APPLICATION TYPE: PLANNING PERMISSION

ON BEHALF OF: RIVERS BIRTWELL

NOVEMBER 2023

Client: Rivers Birthwell

Site Location: 30 Bodiam Avenue, Brighton, BN2 4LQ

Job History:

Version	Date	Author	Checked	Notes
V1	23/11/2023	EP	PJ	
V2	27/11/2023	EP	PJ	

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1.0 INTRODUCTION & SUMMARY

1.1 This statement is submitted on behalf of Rivers Birtwell in support of the application for planning permission relating to the site at 30 Bodiam Avenue, Brighton, BN2 4LQ.

1.2 Planning permission is sought from Brighton & Hove City Council for a *change of use from (C3) dwellinghouse to (C4) small house in multiple occupation*.

1.3 This statement should be read in conjunction with the application forms and drawings.

1.4 The application drawings, provided by BPM Architectural Services Ltd, are:

- 2003.01 Existing Floor Plans, Elevations and Site Location Plan
- 2003.02 Proposed Floor Plans and Elevations

1.5 This statement demonstrates that planning permission should be granted for the change of use to C4 HMO. Analysis is provided of:

- The site and area
- Planning history
- The proposed development
- Planning policy
- The principle of the change of use
- Neighbouring amenity
- Standard of accommodation
- Design & Appearance
- Sustainable transport

1.6 It will be shown that a high-quality HMO will be provided in an appropriate location without causing harm to the balance of the community or the amenities of neighbours.

2.0 SITE DESCRIPTION

2.1 30 Bodiam Avenue is an existing, semi-detached dwelling house (C3). The two-storey house is of red brick and sits under a concrete tile roof. The house is set well back from the street behind a grass verge and gently sloping front garden with steps up from the street. To the rear is a large garden that backs onto open downland.



(30 Bodiam Avenue, Brighton: Google Streetview)

- 2.2 The existing dwelling is laid out as follows. At ground-floor: a large open plan living / dining room, separate kitchen, bathroom, and single storey utility area. At first-floor: there are three bedrooms (two large doubles and a single) and family bathroom. As a good-sized three bedroom dwelling the house could be occupied by a familial group of four to five members.
- 2.3 Bodiam Avenue is in the Bevendean area of north east Brighton. This edge of city area is suburban in nature and predominantly residential. There is a range of day to day service

premises in the area, including schools, small scale retail premises and public transport. There is a bus stop directly outside 30 Bodiam Avenue. Local bus services feed into nearby Lewes Road, a main transport corridor from where destinations across the City are accessible.



(GoogleEarth image of site and surrounds)

- 2.4 Bevendean is situated between the two large universities of Sussex and Brighton. To control the changes to use to Houses in Multiple Occupation (HMOs) largely associated with students of these universities, an Article 4 direction was introduced by the Council in April 2013. The Article 4 Direction initially removed the permitted development rights of C3 dwelling houses in five wards to change use to C4 HMOs. Bevendean is within the Moulsecoomb & Bevendean ward, one of the five wards initially affected.
- 2.5 The Article 4 Direction was introduced to provide a mechanism to control the concentration of shared houses in particular areas of the city. The objective of the Direction is to manage, rather than prevent, the conversion of houses into HMOs. Shared houses play a valuable role in the local housing supply by providing affordable and accessible housing to significant demographics, such as students, care workers and young professionals.

- 2.6 The Direction and related City Plan policies CP21 and DM7 allow for the change of use from C3 to C4 HMO through a grant of planning permission in cases where a mixed and balanced community is maintained.
- 2.7 The City Plan Part 2 Policies Map shows that the site is within the Built-Up Area Boundary and is not subject to any specific policies or restrictions.



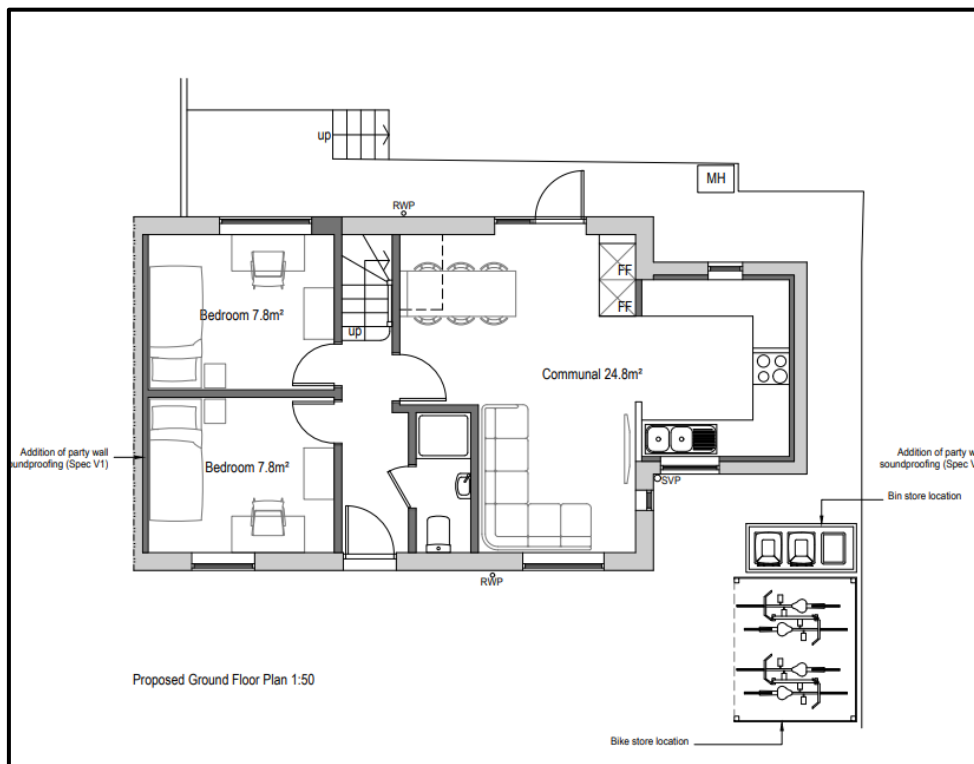
(Extract from City Plan Part Two Policies Map)

3.0 RELEVANT PLANNING HISTORY

- 3.1 In December 2018, an application was made for the Change of use of 30 Bodiam Avenue from residential dwelling (C3) to small house in multiple occupation (C4) with cycle stands to front elevation, revised fenestration and other associated works (BH2018/02627). The application was withdrawn prior to determination.

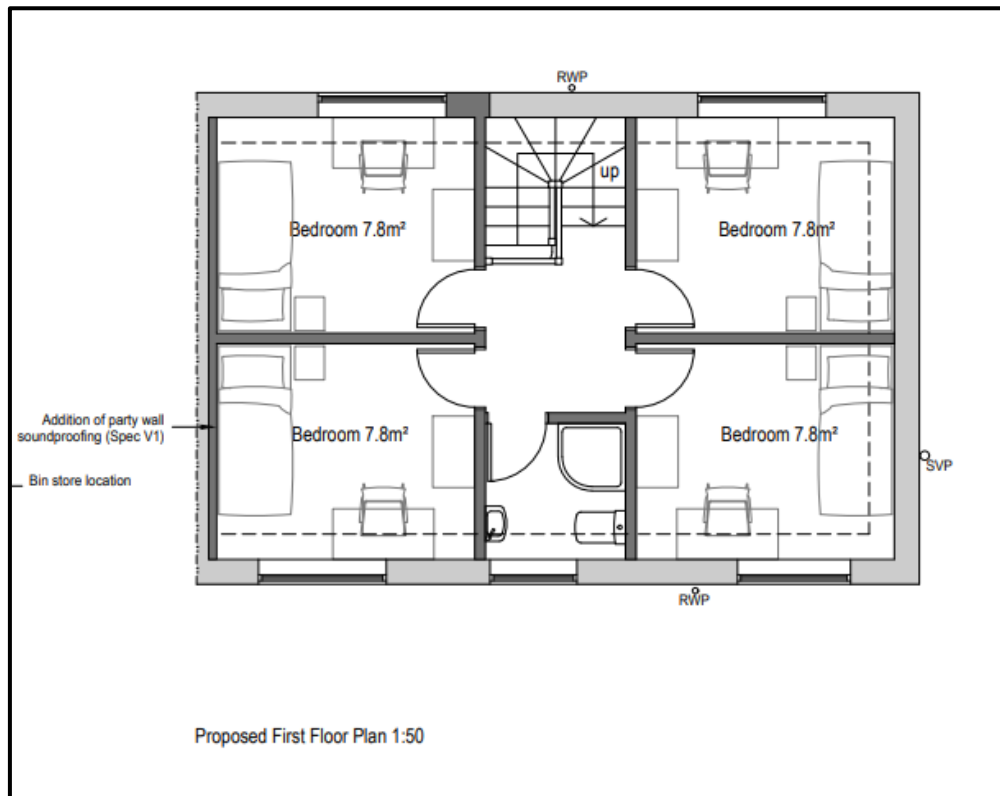
4.0 PROPOSED DEVELOPMENT

- 4.1 The development proposed is the change of use of 30 Bodiam Avenue from (C3) dwelling to (C4) small HMO and the provision of secure cycle storage. The resultant (C4) HMO will provide 6 single-occupancy bedrooms, two at ground-floor and four at first-floor. Internal re-configuration is required to achieve the proposed layout. Minor alterations to the fenestration at the property are also proposed to align with the new layout.
- 4.2 At ground-floor a large communal kitchen / diner / living room will be provided by utilising the existing utility area and comprise half the ground floor. This will provide 24.8m² of usable communal amenity space for future occupiers. The communal spaces have been well-designed with two seating areas with space for all occupiers and ample space for the storage and preparation of food. Two bedrooms will also be provided at ground floor to the party wall side along and a shower room and WC.



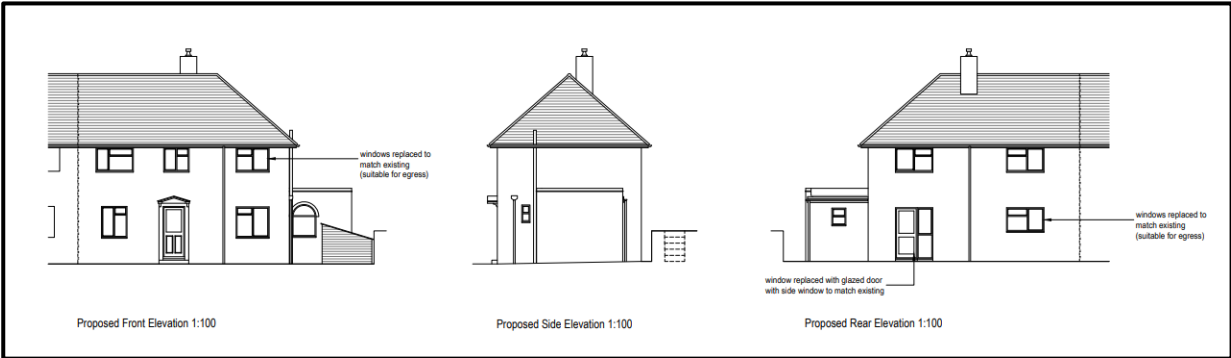
(Proposed ground floor plan)

- 4.3 At first floor four bedrooms will be provided arranged around a central hallway. A second shower room with WC is also provided.



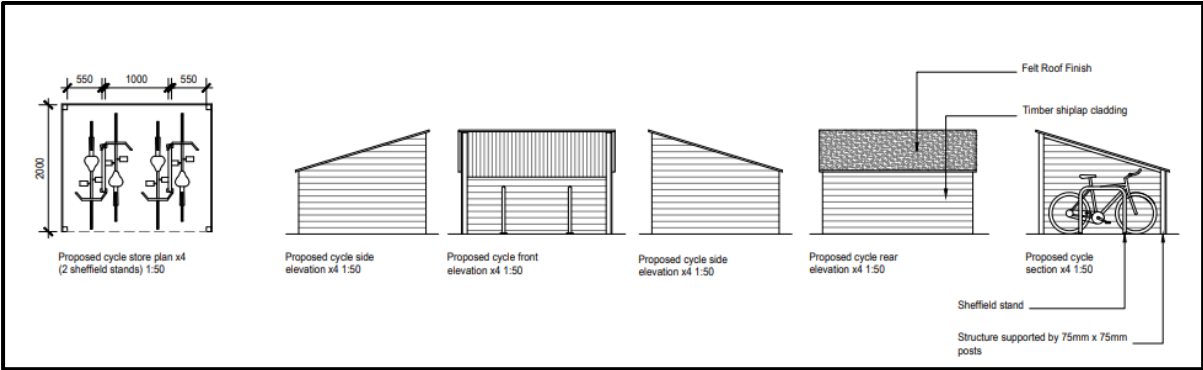
(Proposed first floor plan)

- 4.4 Soundproofing would also be installed to the party wall with the semi-detached pair no32 Bodiam Avenue.
- 4.5 To align with the new internal layout alterations are required to some window and door openings at the house. At ground-floor front, the window would be enlarged to provide greater natural light into the proposed living area. The existing door to the utility part would be changed to a window serving the proposed kitchen. To the rear, at ground floor, the existing French doors would be replaced by a window to a new bedroom, and the existing window to the kitchen will be replaced by a door, that leads from the new communal area and kitchen to the garden.



(Proposed elevations)

4.6 A cycle and bin storage will be provided to the front garden.



(Proposed floor plan and elevation of bike store)

5.0 RELEVANT PLANNING POLICIES

5.1 The following policy of the Brighton & Hove City Plan Part One is relevant to this application:

CP21: Student housing and Housing in multiple occupation - Part ii of the policy directly relates to changes of use to HMO. It states that where more than 10% of dwellings within a 50metre radius of the application site are already in HMO use further conversions to HMO will be resisted. Conversely, where the proportion of dwellings in HMO use is less than 10% then changes of use to HMO will be acceptable in principle.

5.2 The following policies from Brighton & Hove City Plan Part Two are relevant to this application:

Policy DM7: Houses in Multiple Occupation (HMOs) – states that with regard to change of use to (C4) HMO, the following criteria must be met:

- a) fewer than 20% of dwellings in the wider neighbourhood area are already in use as HMOs;
- b) the proposal does not result in a non-HMO dwelling being sandwiched between two existing HMOs in a continuous frontage;
- c) the proposal does not lead to a continuous frontage of three or more HMOs;
- d) the internal and private outdoor space standards provided comply with Policy DM1;
- e) communal living space and cooking and bathroom facilities are provided appropriate in size to the expected number of occupants.

DM18: High quality design and places – states that planning permission will be granted for development proposals that demonstrate a high standard of design and make a positive contribution to a sense of place and the visual quality of the environment.

DM20: Protection of Amenity – states that planning permission for development including changes of use will be granted where it would not cause unacceptable loss of amenity to the proposed, existing, adjacent or nearby users, residents and occupiers.

6.0 PLANNING ASSESSMENT

6.1 The following material considerations are relevant to this application: the principle of the change of use to small HMO; the amenity of neighbours; the standard of accommodation; design and appearance, and sustainable transport. These considerations are addressed below.

Principle of Development

6.2 Pre-application advice was sought and received in November 2023 regarding the density calculations of policies CP21 and DM7. The pre-application advice (PRE2023/0018) concluded that the site would comply with the density calculations of policies CP21 and DM7, making the principle of development acceptable.

6.3 The Council's pre-application advice stated:

City Plan Part One – Policy CP21:

The 50m radius calculation has been carried out in response to this pre-application advice request and the mapping exercise has identified no properties within the radius are currently in use as a HMO. This is an approximate calculation and subject to change at submission stage.

City Plan Part Two – Policy DM7:

The proposed HMO would meet the wider neighbourhood threshold test (20%) in DM7 of the Brighton and Hove City Plan Part Two, as there are only approximately 7% of properties within the wider neighbourhood area in HMO use.

The proposal is not currently situated between two HMO dwellings and would not result in the above.

The proposed HMO location would not result in a continuous frontage of three or more HMOs.

- 6.4 The Pre-Application advice confirms that there are no neighbouring HMOs and the proposed HMO would meet the wider neighbourhood threshold test (20%) and the 50m radius test. Therefore, the criteria of policies CP21 and DM7 are met, and the principle of development is acceptable.

Neighbouring amenity

- 6.5 Ordinarily it remains permitted development for residential properties to move between the C3 and C4 use classes. This recognises there is little material difference between the respective impacts of these dwelling types. The objective of the Article 4 Direction in place is to prevent concentrations of HMOs and maintain balanced housing communities. The Article 4 Direction does not indicate that C4 HMOs are harmful to neighbours.
- 6.6 As the proportion of HMOs in the wider neighbourhood is below 20% and below 10% within a radius of 50 metres, no cumulative adverse impact, that can arise through a concentration of HMOs, will be caused to neighbours.
- 6.7 The small HMO for six persons is proposed in place of a dwelling for a familial group of five persons. The increase in occupancy level by one person makes it unlikely that any noticeable uplift in activity or disturbance would occur.
- 6.8 The change in occupation type may result in a slight shift in the behavioural patterns from the house. However, as the occupancy level would not materially increase comings and goings from the house would not significantly change or cause harm to neighbouring residents. As family homes and HMOs are interspersed in the area, varied patterns of behaviour are established. HMOs form a key part of the character of the area and provide accessible housing to various community groups, including students, young professionals, and care workers. The C4 use would be in keeping with the character of the area.
- 6.9 As the property is semi-detached the Applicant proposes the installation of soundproofing to the party wall with no32 at both floors of the house a substantial reduction in noise transference to neighbours would be achieved. This measure would significantly reduce any potential for disturbance to the adjoining house.

- 6.10 To further ensure harm is not caused to the adjoining neighbour the communal areas of the shared house have been positioned to the south of the ground floor away from the party wall. It is reasonable to suggest that the communal areas have most potential, within the HMO, for noise to be generated. Positioning the communal areas away from the party wall reduces any potential for noise transference to this neighbour.
- 6.11 That there is good spacing to the other immediate neighbour, no28, and that there are no dwellings to the rear of the house further reduces any potential for disturbance to be caused to neighbours. The houses on Bodiam Avenue are set on relatively spacious plots and there is a good degree of separation between houses. This physical trait further reduces the potential to disturbance to neighbours from the proposed C4 HMO.
- 6.12 For these reasons, the amenity of neighbouring residents will be protected in compliance with Policy DM20.

Standard of accommodation

- 6.13 A good standard of accommodation will be provided at 30 Bodiam Avenue. The six single occupancy bedrooms all measure 7.8m² exceeding the Nationally Described Space Standards of 7.5m² for a single occupancy bedroom. The Standards are adherence criteria in Policy DM1 which is referred to in Policy DM7.
- 6.14 All expected furniture (beds, wardrobes, desks and chairs) will fit comfortably within the bedrooms with circulation space around. The rooms are a usable rectangular shape. The bedrooms would benefit from good levels of natural light and outlook through large windows. The bedrooms will function well as both sleeping quarters and private amenity space.
- 6.15 The communal area, at ground level, further demonstrates the good standard of accommodation proposed. The open plan kitchen, living, diner will provide ample worktop areas and space for all occupiers to store and prepare food. It includes a dining area with a table and chairs for all six occupiers. A sofa will also be provided to provide another amenity space for the occupiers.

- 6.16 The communal space provides 24.8m² of floor area, which equates to 4.13m² per occupier. This meets the expectation set out in Policy DM7 that a minimum of 16m² (4m² per occupier) of communal space be provided.
- 6.17 As can be seen, good-quality accommodation is proposed and the amenity of future occupiers will be protected, in further compliance with Policy DM7 and DM18 of Brighton & Hove City Plan Part Two.

Design and Appearance

- 6.18 The alterations to the fenestration would give a more consistent appearance to the house which would improve its appearance. All proposed windows will match in style and the proposed windows sizes will give a better visual symmetry to the property. To this end the works will enhance the appearance of the house and streetscene in compliance with Policy DM18.

Sustainable transport

- 6.19 Generally, occupiers of shared houses are less likely to have access to private vehicles than families. Additionally, the occupancy level of the property would remain relatively constant. Therefore, it is not likely that a significant increase in on-street parking or vehicular trips would occur as a result of the conversion to C4 HMO. Notwithstanding this, Bevendean is not a controlled parking zone, so the current on-street parking situation is not considered to be under strain.
- 6.20 Secure covered cycle storage for at least 4 bicycles will be provided at the HMO. This will be provided to the front of the house for ease of access. The cycle storage and availability of public transport (a bus stop is outside the house) in the area will promote the use of sustainable transport modes and ensure occupiers are not reliant on the private vehicle for transport. The development is, therefore, considered acceptable on transport grounds.

7.0 CONCLUSIONS

- 7.1 Planning Permission is sought at 30 Bodiam Avenue, Brighton for the change of use from (C3) dwelling to (C4) small House in Multiple Occupation and the provision of secure cycle storage.
- 7.2 The conversion to C4 HMO is acceptable in principle as confirmed in the pre-application advice provided by Brighton & Hove City Council in November 2023 (PRE/00185). There is no recognised concentration of HMOs in this location and policy CP21 is complied with.
- 7.3 The installation of soundproofing to the party wall with no32 will significantly reduce any noise transference to or potential impact on the amenity of the adjacent dwelling. An increase in activity levels is unlikely to arise as the occupation of the house will not be materially increased over the existing use. Therefore, neighbouring amenity will be protected and Policy DM20 complied with.
- 7.4 The proposed internal layout will provide future shared occupiers with a high standard of accommodation that will protect their amenity. All proposed bedrooms are adequately sized and a very good quantum of communal space will be provided. As such the proposed scheme complies with Policies DM7 and DM18.
- 7.5 The alterations to fenestration to align with the new layout would improve the appearance of the property in accordance with Policy DM18.
- 7.6 No adverse or significant impact would be caused to the local road network through increased trip generation or parking and sustainable transport modes are encouraged by the provision of cycle storage and proximity to public transport.
- 7.7 In light of the above, Brighton & Hove City Council is respectfully requested to grant Planning Permission without undue delay.