

City Development & Regeneration  
Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ

26<sup>th</sup> February 2024

## Land at Junction of Pankhurst Avenue and Freshfield Road, Brighton Prior Approval Application for Demolition of Existing Buildings (Blocks A & C)

On behalf of the applicant, The Guinness Partnership, please find enclosed an application submitted under Schedule 2, Part 11, Class B –demolition of buildings of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for determination as to whether prior approval is required for demolition of the building identified on the submitted demolition plan.

### Town and Country Planning (General Permitted Development) Order 2015 (as amended)

Schedule 2, Part 11, B.1 sets out the reasons why development will not be permitted under Class B. The proposed demolition falls outside of these criteria and therefore can be defined as *'any building operation consisting of the demolition of a building'*.

Development is permitted by Class B subject to the following conditions:

- a) Where demolition is urgently necessary in the interests of safety or health and the measures immediately necessary in such interests are the demolition of the building the developer must, as soon as reasonably practicable, give the local planning authority a written justification of the demolition.
- b) Where the demolition does not fall within paragraph (a) and is not excluded demolition—
  - (i) the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site;
  - (ii) an application described in paragraph (i) must be accompanied by a written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (iv) and any fee required to be paid;
  - (iii) ...

- (iv) subject to paragraph (v), the applicant must display a site notice by site display on or near the land on which the building to be demolished is sited and must leave the notice in place for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority;
- (v) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in paragraph (iv) has elapsed, the applicant is treated as having complied with the requirements of that paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;
- (vi) ...
- (vii) the development must not begin before the occurrence of one of the following—
  - (aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;
  - (bb) where the local planning authority give the applicant notice within 28 days following the date of receiving the application of their determination that such prior approval is required, the giving of such approval; or
  - (cc) the expiry of 28 days following the date on which the application was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;
- (viii) the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—
  - (aa) where prior approval is required, in accordance with the details approved;
  - (bb) where prior approval is not required, in accordance with the details submitted with the application;
- (ix) .. the development must be carried out—
  - (aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;
  - (bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (b)(ii); and

## Background

The site was previously granted planning permission for the construction of three buildings comprising 22 affordable units (ref. BH2006/03982) which was implemented. A fire took place in the building facing Freshfield Road (referred to as Building B in the original permission). The severity of the fire was such that this block is now derelict and beyond repair. An application for Prior Approval of demolition of Block B (ref. BH2020/01721) was approved. After this, an application for the erection of a three-storey building (Block B) to replace the lost dwellings with 12 affordable units was approved on 17<sup>th</sup> January 2022 (ref. BH2020/02665).

The applicant seeks to demolish the remaining Blocks A and C and redevelop to provide residential dwellings on the remainder of the site.

## Submitted Documents

Therefore, the following documents are provided in support of this application:

- Application Form
- Application Fee
- Photographic evidence of Site Notices at the site
- Demolition Method Statement
- Site/Block Plan
- Traffic Management Plan
- Construction Phase Plan
- Complaint Procedure

The Site Notices were put up on site on 22<sup>nd</sup> February 2024 and therefore the 21-day consultation period as identified under the General Permitted Development Order expires during the determination period of this prior approval application. For clarity, the site notices were placed on the perimeter fence of the Pankhurst Avenue and Freshfield Road.

Yours Sincerely



**Maddie Wild**  
**Assistant Planner**

