

Planning Statement

22 Queens Road, Brighton, East Sussex BN1 3XA



Planning Statement

Introduction

Introduction

This Planning Statement is in support of a Full Planning for the Change of use of first and second floors from commercial (E) to residential to form 1no three bedroom flats (C3) at 22 Queens Road, Brighton, East Sussex BN1 3YE.

This statement should be read in conjunction with the submitted existing and proposed plans.

This statement provides information on the background to the site, relationship to surrounding buildings, planning policy at a national, and local level and an assessment and justification of the proposal. The statement has been prepared in full accordance with Government guidance, including DCLG Guidance on information requirements and validation for planning applications.

Planning Statement

Site and Surroundings

Site and Surroundings

The property is a three-storey mid-terrace building on the western side of Queens Road.

The building is located within a Conservation Area.

The site is easily accessible, located centrally within Brighton, with access to buses and trains. The site is therefore very sustainably located.



BH2003/00606/FP

Construction of two residential dwellings one x 1 bed and one x 3 bed.

Refused - 17th April 2003

Appeal Dismissed - 17th November 2003

BH2004/00202/FP

Construction of two new dwellings - (Further Amendments).

Approved - 1st July 2004

BH2008/02382

Change of use from lockup storage to 1 x bedroom basement flat.

Refused - 28th November 2008

BH2009/02231

Erection of 2no. three storey, semi detached dwellings with new ironwork entrance gates. (Part retrospective).

Approved - 16th April 2010

BH2011/00767

Change of use of lower ground floor from ancillary office storage (B1) to 1no one bedroom flat with associated external alterations.

Refused - 12th May 2011

Other applications of relevance

BH2022/03064

First And Second Floor 29 Queens Road Brighton BN1 3XA

Change of use at first and second floors from office (E) to residential to form 2no. two-bedroom flats (C3).

Approved - 14th December 2022

“Planning Policy: No objection

Marketing information provided to justify the loss of the office space. The use of the units as residential would contribute to the city's housing target. The proposed units would meet space standards under NDSS and DM1.

The proposed change of use would result in the loss of office floor space in the city centre. Such a loss would need to be justified by demonstrating that the existing use as an office is not viable and that there is no market for this.

The applicant has supplied marketing information that demonstrates that despite the marketing activity that took place, no successful letting of the unit was possible. Therefore, in line with the requirements of policies SA2 and CP3 of the Brighton and Hove City Plan Part One is considered that the proposed loss of office space is acceptable.”

BH2023/03068

66 Upper North Street Brighton BN1 3FL

Change of use of ground and lower ground floors from commercial, business and services (E) to form 1no two bedroom maisonette (C3) and associated revised fenestration.

Approved - 21st February 2024

“Planning Policy: No objection

Considering the length of time the space has been vacant, condition of the property, and how marketing had been ongoing for over 12 months, in this instance, it is considered that redundancy of the commercial floorspace has been demonstrated.

The proposal is accompanied by marketing evidence in the form of a marketing report by the agency Graves Jenkins, which states that the commercial floorspace has formally been marketed since December 2018, via the agency's website, other property websites and agent systems. A marketing board was also placed at the site advertising the commercial space. The marketing evidence details that due to limited interest, agents Grave Son & Pilcher were then appointed in May 2021 to continue marketing, with the property eventually being sold in June 2022. Considering the length of time the space has been vacant, condition of the property, and how marketing had been ongoing for over 12 months, in this instance, it is considered that redundancy of the commercial floorspace has been demonstrated and the change of use to residential is acceptable under the criteria set out in CPP1 Policy CP3.”

Planning Policy

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that any determination should be made in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework (NPPF)

Paragraph 8 outlines that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform several roles. With regards to social, this includes supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high-quality built environment.

Paragraph 10 confirms that the common theme running through National Planning Policy is a presumption in favour of sustainable development.

Paragraph 38 illustrates “local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible”.

Chapter 5 of the NPPF refers to “Delivering a sufficient supply of homes”. Paragraph 60 states “to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”.

Paragraph 70 looks to promote the development of smaller sites and identifies that “small and medium sized sites can make an important contribution to meeting the housing requirements of an area and are often built out relatively quickly”.

Paragraph 90 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

- a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
- b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
- c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
- d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
- e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
- f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development

Chapter 11 is titled “Making efficient use of land” where “planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land”. (paragraph 123)

Paragraph 131 states “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Paragraph 135 lists a number of criteria that planning policies and decisions should ensure that developments provide. This is as follows:

- *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.*

Paragraph 139 considers the issues of poor design and the character and quality of the area and advises *“permission should be refused for development of poor design that fails to take the opportunities available improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”*

Paragraph 200 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 203 states that In determining applications, local planning authorities should take account of:

- a) a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Local Plan Policy

This City Plan has been prepared in the context of the Localism Act and the National Planning Policy Framework. It reflects the aspirations of Central Government and the District Council to give local people more ownership and control over the planning of their area so that development is viewed positively to help communities maintain a high quality of life, increase economic prosperity and protect the environment to meet current needs and the needs of future generations.

Brighton & Hove City Plan - Part One

Policy SS1 relates to a Presumption in Favour of Sustainable Development. It states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy CP1 relates to Housing Delivery. It states that the council will make provision for at least 13,200 new homes to be built over the plan period 2010 – 2030 (this equates to an annual average rate of provision of 660 dwellings). This will be achieved by:

- a) Focussing new development in accessible areas of the city and those with the most capacity to accommodate new homes;
- b) Promoting the efficient use and development of land/sites across the city including higher densities in appropriate locations

Policy CP3 states that the loss of unallocated sites or premises in, or whose last use was, employment use (Use Classes B1-B8) will only be permitted where the site or premises can be demonstrated to be redundant and incapable of meeting the needs of alternative employment uses (Use Classes B1-B8).

Policy CP9 relates to Sustainable Transport. It states that the council will work with partners, stakeholders and communities to provide an integrated,

safe and sustainable transport system that will accommodate new development; support the city's role as a sub-regional service and employment hub; and improve accessibility.

Policy CP12 relates to Urban Design. It states that a city-wide Urban Design Framework will identify and set out areas of the city which should largely be conserved; areas of the city suitable for localised, incremental development and enhancement; and areas of the city where positive and pro-active measures are required to secure major enhancement. Where appropriate, density will be raised through predominantly low-to-medium rise development but making most effective use of those identified areas which have the potential for taller developments, defined as 18 metres or more in height (approximately 6 storeys). The areas with such potential include Western Seafront / Kingsway.

All new development will be expected to:

- Raise the standard of architecture and design in the city;
- Establish a strong sense of place by respecting the diverse character and urban grain of the city's identified neighbourhoods;
- Achieve excellence in sustainable building design and construction;
- Conserve or enhance the city's built and archaeological heritage and its Have regard to impact on the purposes of the National Park, where within the setting of the National Park;
- Protect or enhance strategic views into, out of and within the city;
- Be inclusive, adaptable and accessible;
- Ensure that the design of the external spaces is an integral element of the overall design approach, in a manner which provides a legible distinction between public and private realm; and
- Incorporate design features which deter crime or disorder and the fear of crime;

Policy CP14 relates to Housing Density. It states that residential development should be of a density that is appropriate to the identified positive character of the neighbourhood and be determined on a case by case basis. Development will be permitted at higher densities than those typically found in the locality where it can be adequately demonstrated that the proposal:

- Would be of a high standard of design and would help to maintain or create a coherent townscape;
- Would respect, reinforce or repair the character of the neighbourhood and contribute positively to its sense of place;
- Would include a mix of dwelling types, tenures and sizes that reflect identified local needs;
- Is easily accessible by sustainable transport or has the potential to be easily accessible;
- Is well served by local services and community facilities; and
- Provides for outdoor recreation space appropriate to the demand it would generate and contributes towards the 'green network' where an identified gap exists.

Policy CP15 states that the city's historic environment will be conserved and enhanced in accordance with its identified significance, giving the greatest weight to designated heritage assets and their settings and prioritising positive action for those assets at risk through, neglect, decay, vacancy or other threats. The council will further ensure that the city's built heritage guides local distinctiveness for new development in historic areas and heritage settings.

Policy CP19 relates to Housing Mix. It states that to improve housing choice and ensure that an appropriate mix of housing (in terms of housing type, size and tenure) is achieved across the city, the council's approach to housing delivery (CP1) will be further developed as follows:

- Sites coming forward as 'windfall' development will be required to demonstrate that proposals have had regard to housing mix considerations and have been informed by local assessments of housing demand and need.

Policy SA2 states that to reinforce central Brighton's role as the city's vibrant, thriving regional centre for shopping, leisure, tourism, cultural, office and commercial uses:

Within Central Brighton existing office accommodation will be protected and their refurbishment and upgrade encouraged. Proposals that result in the loss of B1a office floorspace will be permitted where owners/developers are able to demonstrate:

- a) The site has been marketed for B1a office use at a reasonable price and for a reasonable time period and no viable occupiers have expressed an interest in taking up the accommodation either as single/multiple occupier so it has been concluded that the site is inherently unsuitable for continued B1a office use; and
- b) That the redevelopment or reuse would make a positive contribution to the vitality and vibrancy of Central Brighton and create employment opportunities; or
- c) That change of use was the only practicable means of preserving a listed building.

Partial loss of office floorspace will be permitted where the change of use enables the refurbishment and upgrade of the remaining office floorspace.

Mixed use developments will be promoted which retain active ground floor uses and accord with a range of appropriate city centre uses, including residential. Where other key policy issues are addressed, the Council will welcome proposals to create flats over shops and commercial premises.

Brighton & Hove City Plan Part Two

Policy DM1 relates to Housing Quality, Choice and Mix and states that proposals for new residential development will be required to:

- a) incorporate a range of dwelling types, tenures and sizes that reflect and respond to the city's identified housing needs
- b) make provision for a range and mix of housing /accommodation formats subject to the character, location and context of the site for example, self and custom build housing, build for rent, community led housing, starter homes and other types of provision supported by national and local policy.

In addition, planning applications for new residential development (including residential extensions and residential accommodation falling outside Use Class C3) will be expected to comply with the following requirements:

- a) all residential units should meet the nationally described space standards;
- b) all residential units should as a minimum be accessible and adaptable in accordance with Building Regulation M4(2);
- c) for proposals providing 10 or more dwellings, 10% of the affordable residential units and 5% of all the residential units should be suitable for occupation by a wheelchair user in accordance with Building Regulation M4(3)6. Where the Council is responsible for allocating or nominating the occupier, these homes should be 'wheelchair accessible' at the point of completion, whilst in other cases they may be 'wheelchair adaptable'. Where this is not practicable on-site an equivalent financial contribution should be provided; and
- d) all new residential development will be required to provide useable private outdoor amenity space appropriate to the scale and character of the development.

Exceptions to criteria a) – c) will only be permitted where the applicant has provided a robust justification and the council is satisfied that particular circumstances apply.

Policy DM20 relates to the protection of amenity and states that planning permission for development including change of use will be granted where it would not cause unacceptable loss of amenity to the proposed, existing, adjacent or nearby users, residents, occupiers or where it is not liable to be detrimental to human health.

Policy DM21 relates to extensions and alterations and states that planning permission for extensions or alterations to existing buildings, including roof extensions, will be granted if the proposed development:

- a) is well designed and scaled, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
- b) takes account the existing character of the area; and
- c) uses materials that complement the parent building.

Policy DM26 relates to Conservation Areas and states that development proposals within conservation areas, including alterations, change of use, demolition and new buildings, will be permitted where they preserve or enhance the distinctive character and appearance of that conservation area, taking full account of the appraisal set out in the relevant character statement. Particular regard will be had to:

- a) The urban grain and/or historic development pattern of the area, including plot sizes, topography, open space and landscape.
- b) The typical building forms and building lines of the area, including scale, rhythm and proportion.
- c) The cohesiveness or diversity of an area.
- d) The retention of buildings, structures and architectural features that contribute positively to the identified character and appearance of the area.
- e) The preservation or enhancement of key views.
- f) The primary importance of street elevations (or other publicly visible elevations) and the roofscape. The importance of hard boundary treatments and the distinction between public and private realm.
- g) The retention of trees and gardens where these are integral to the significance of the area.
- h) The use of building materials and finishes that respect the area.

Policy DM33 relates to safe, sustainable and active travel and states that the council will promote and provide for the use of sustainable transport and active travel by prioritising walking, cycling and public transport in the city. This will support the objectives, projects and programmes set out in the Local Transport Plan and other strategy and policy documents. New developments should be designed in a way that is safe and accessible for all users, and encourages the greatest possible use of sustainable and active forms of travel.

Policy DM37 relates to green infrastructure and nature conservation and states that development proposals will be required to demonstrate that they safeguard and/or contribute positively to the existing multifunctional network of Green Infrastructure that covers all forms of green and open spaces; the interrelationship between these spaces and; ensure that the natural capital of the area is retained, enhanced and complements UNESCO Biosphere objectives.

Brighton & Hove Local Plan

Policy QD27 relates to the protection of amenity. It states 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.

Policy HE1 states that proposals involving the alteration, extension, or change of use of a listed building will only be permitted where: the proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and b. the proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.

Policy HE6 states that proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of the area and should show

- a. a consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms;
- b. the use of building materials and finishes which are sympathetic to the area;
- c. no harmful impact on the townscape and roofscape of the conservation area;
- d. the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
- e. where appropriate, the removal of unsightly and inappropriate features or details; and
- f. the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area

Policy HO5 relates to the provision of private amenity space in residential development. It states that the planning authority will require the provision of private useable amenity space in new residential development where appropriate to the scale and character of the development.

Planning Statement

Heritage

Heritage

The site is located within the West Hill Conservation Area, but it is important to note that the proposals do not seek any external alterations.

It is therefore considered that the proposals maintain and preserve the Conservation Area.



EXISTING FRONT ELEVATION



PROPOSED FRONT ELEVATION

Applying Paragraph 49 – the first stage

The Supreme Court (Suffolk Coastal District Council v Hopkins Homes Ltd & Anor [2017] UKSC 37) found that there were two distinct issues in paragraph 49.

Firstly, the judges adopted a narrow interpretation of what is meant by 'policies for the supply of housing'. Namely, it is only housing supply policies that are to be considered 'out of date' in paragraph 49. The judges disagreed with the Court of Appeal that such term should be extended to other policies that 'affected' housing supply.

The second issue was more simply a question of fact as to whether or not there was a five year deliverable land supply. If there was no such five year supply then paragraph 14 was engaged.

Applying Paragraph 14 – the second stage

If there is no five year land supply then paragraph 14 is engaged. Paragraph 14 provides for what is commonly caused the 'tilted balance' in favour of granting planning permission. Namely, planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

Two issues are important to understand in relation to paragraph 14.

Firstly, the development plan (including the housing supply policies) retains its statutory force under section 38(6) but the focus shifts to 'other material considerations'. The 'other material considerations' will then be determined in accordance with the national guidance in paragraph 14.

Secondly, whilst the housing supply policies are to be considered out of date for the 'other material consideration' assessment (the narrow interpretation) planning weight may still be given to other policies in the development plan. However, such weight must be considered on the 'significantly and demonstrably outweigh the benefits' test founded on the golden thread of sustainable development. This 'tilted balance' test is a matter of planning

judgement and the weight to be given to remaining local development plan policies is a matter for the decision maker.

The Council's most recent land supply position is as follows:

"Policy CP1 in City Plan Part One sets a minimum housing provision target of 13,200 new homes for the city up to 2030. 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. The local housing need figure for Brighton & Hove using the standard method is 2,328 homes per year. This includes a 35% uplift applied as one of the top 20 urban centres nationally.

The council's most recent housing land supply position is published in the SHLAA Update 2022 which shows a five-year housing supply shortfall of 7,711 (equivalent to 1.8 years of housing supply)."

Effectively, this means Brighton & Hove City Council are REQUIRED to give greater weight to the government's National Planning Policy Framework (NPPF) relative to their Core Strategy and Local Plan policies when determining planning applications, with the presumption in favour of sustainable development taking precedent.

Planning Statement

Marketing

Policy CP3 states that the loss of unallocated sites or premises in, or whose last use was, employment use (Use Classes B1-B8) will only be permitted where the site or premises can be demonstrated to be redundant and incapable of meeting the needs of alternative employment uses (Use Classes B1-B8).

To support this application, a Statement has been provided by Graves Jenkins, dated 4th August 2023.

“The practice has been established since 1992 and has now formed itself as one of the leading property advisory firms in the South-East with established offices in Brighton and Crawley covering Sussex, Surrey and the wider area.

Situated in the heart of Brighton city centre, on the raised level on the west side of Queens Road, providing a direct link to the main shopping area of North Street Quadrant and Churchill Square from Brighton mainline railway station.

Queens Road experiences a heavy footfall both day and night offering a range of multiple retailers, significant office occupiers and surrounded by a densely populated and established residential area.

The station is only 300m north and nearby amenities include the Ibis Hotel, Tesco's Express, Pure Gym, the Sussex Masonic Centre and Regus co-working offices.

Approached from a raised street entrance fronting Queens Road into a shared lobby with the ground floor office/retail tenant (currently vacant) and offering first and second floor offices within multiple rooms and totalling approximately 673 sq ft (62.5 sq m).

Our agency instructions were confirmed in November 2022, at which time the previous tenants were in the process of relocating from using the entire property on all floors.

An immediate marketing campaign took place which included.

- Full detailed particulars circulated to our extensive database of office applicants seeking suitable space in the location.*
- Circulation of details through specialist mailing houses including the Estate Agents Clearing House system whereby details are sent to all active commercial agents in the south-east region.*
- A prominent 'to let' board was erected at first floor level.*
- An entry onto the Estate Gazette property link system offering the availability to all London and south-east agents and office occupiers seeking accommodation.*

- Advertising within regional commercial property and business publications where appropriate.*
- An entry onto our award winning Graves Jenkins website which generates daily enquiries for commercial property.*
- Utilising all relevant commercial property portals including CoStar, LoopNet and others.*
- Social media exposure including Twitter, Instagram and LinkedIn.*
- Openly offering flexible leasing terms and short term leasing arrangements.*

Our full marketing campaign obtained numerous enquiries and some potential tenant inspections but no positive offers to consider. Some of the reasons for not taking the accommodation can be outlined as follows.

- Poor entrance with restricted access.*
- Multi floor offices and small room sizes not preferred.*
- Other higher quality accommodation available in the city.*
- Non purpose built offices truly lacking modern amenities.*

The premises have been on the open market at the time of writing for approximately 9 months and both the internal and external appearance has declined, specifically since the departure of the former tenants who have left the building in a poor state of repair. It is difficult to justify and convince any landlord to reinvest in the property when we have no assurances over future commercial office occupation due to the transitional period for the office market.

It could be stated that the existing accommodation is beyond commercial repair for its former use as offices purely on viability alone.

We have also reduced our asking terms to attempt to source some tenant interest but the reduction has not stimulated any further response.”

The premises continue to be marketed by Graves Jenkins as confirmed by their website.

Planning Statement

Marketing

In terms of the overall office market in Brighton, the Statement from Graves Jenkins confirms:

“The past decade has seen the demand for Brighton offices increase and subsequent rental levels rise as the profile of the city has been elevated and therefore maintained its place as a leading employment centre for the south-east regional economy.

Rental levels were in the low £20/sq ft during the early 2000’s and quickly rose to about £25/sq ft around 2010 and have continued to rise to a current full market level of £35/sq ft and continued during the post pandemic recovery period. Any fears of the ‘end of the office’ due to work from home has been overexaggerated and soon dispelled, particularly in the city centre region. Rental values have risen in most locations due to the general ‘ripple theory’.

It is also fair to state that the 2023 Brighton office market has stalled, possibly through the weakened economy, but also reflective of the changes with hybrid working. Occupiers are still seeking to work more efficiently and productively incorporating flexible working. Tenant demand has weakened in the short term.

Significantly, planning policy for Permitted Development Rights (PDR) for Change of Use from commercial offices to residential during these years has assisted growth as much of the older stock became redundant and were better used as residential accommodation. This reduced the amount of office accommodation available to the market and with a combination of tenant demand and rent increases, speculative development has taken place. The newly built offices cater for modern day occupational requirements being mainly open plan and with modern facilities.

This strategy continues with certain areas being restricted through the Article 4 direction (to include Queens Road) which in principle is a supported Policy but should not be adopted for office accommodation which is dated and no longer suitable for modern day use.”



Planning Statement

Material Considerations

Principle

The Council's Employment Land Study (December 2012) sets a requirement for 112,240m² of new office floorspace up to 2030 and also outlines significant demand for new office floorspace in Brighton and Hove. City Plan Part One Policy CP3 (as well as Draft City Plan Part Two Policy DM11, indicating a future direction of travel) encourage opportunities for new office and commercial uses, support proposals for the upgrade and refurbishment of existing office accommodation to meet modern standards, the improvement in resource efficiencies and of the environment and townscape of the site.

The office space is largely non-used and redundant.

The site is within the Central Brighton area (defined by City Plan Part One Policy SA2), which is a designated prime office area. However, the policy, like Policy CP3, allows for the loss of office accommodation subject to a demonstration of redundancy and incapability to meet the needs of alternative employment uses where unallocated sites or premises in employment use are proposed to be lost.

As already set out, a report has been provided by the marketing agent for the site confirming that it has been marketed in excess of 9 months, which is now 18 months.

The site has therefore been marketed in excess of 18 months with little interest.

The Planning Policy Team within the Council normally only require 12 months of unsuccessful marketing. Therefore, 18 months is significant and should not be ignored.

In addition, this must be balanced against the provision of additional housing.

Policy CP1 in City Plan Part One sets a minimum housing provision target of 13,200 new homes for the city up to 2030. 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. The local housing need figure for Brighton & Hove using the standard method is 2,328 homes per year. This includes a 35% uplift applied as one of the top 20 urban centres nationally.

The council's most recent housing land supply position is published in the SHLAA Update 2022 which shows a five-year housing supply shortfall of 7,711 (equivalent to 1.8 years of housing supply).

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).

The proposed development would result in a gain of one family sized dwelling, which would therefore make a contribution towards the Council's housing target.

It is therefore considered that the principle of development is acceptable.

Neighbour Amenity

Paragraph 135 of the NPPF outlines that planning decisions should ensure that developments create places that promote health and well-being, with a high standard of amenity for existing and future users.

The proposals do not seek the introduction of any new openings, utilising what is already in existence.

In terms of the change of use, the introduction of a residential use to the first and second floors of this property is not considered to give rise to a significant increase in noise and general disturbance in this mixed use area.

In summary, the proposals would not be contrary to NPPF paragraph 135 and Policy DM20.

Planning Statement

Material Considerations

Proposed Standard of Accommodation

Policy DM1 aims to secure a good standard of living accommodation for current and future occupiers in all new developments. Accommodation should therefore provide suitable circulation space within the communal spaces and bedrooms once the standard furniture has been installed, as well as good access to natural light and air in each habitable room.

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.

The proposed flats would achieve the NDSS with regards to Gross Internal Areas (GIA), bedroom sizes and storage. In terms of floor to ceiling heights, the first and second floors would be in excess of 2.5m.

The dwelling would have dual-aspect to the front (east) and rear (west), thereby benefitting from good levels of natural light, ventilation and outlook.

Policy DM1 requires the provision of private useable amenity space in new residential development where it is appropriate to the scale and character of the development.

It should be noted that the proposed dwelling would not have any external amenity space.

With the layout as currently proposed, as well as the location of the site, it is considered that the provision of front balconies would be virtually unusable and would disrupt the appearance of the building.

As such, it is considered that external amenity space cannot be provided.

It is, however, important to note that the site is closely related to numerous areas of green space and is within easy walking distance of the seafront.

As such, it is considered that an acceptable standard of accommodation is provided.

Highways

The site is considered to be in a sustainable location close to bus stops on Queens Road (immediately outside the site) with its multiple services and facilities. In addition, the site is within easy walking distance of the main Brighton Train Station. Therefore development is encouraged at this site.

There is no existing or proposed car parking.

The addition of one residential unit would be expected to increase demand for on-street parking. However, Queens Road is located in a CPZ, and there are double yellow lines immediately adjacent to the site which prevents on-street parking, so any overspill parking can be controlled.

Due to the constraints of the site and the difficulties in moving the bicycles up and down stairs and through the building, no cycle parking spaces are to be provided.

It should be noted that there is secure cycle parking and Bike Share facilities available to the general public on-street in the vicinity of the site. In terms of refuse and recycling, it would be emptied into the on-street communal bins on an adhoc basis as is the case for all other residential dwellings on the street.

As such, it is not considered that there any highways issues that would warrant a refusal of this application.

Planning Statement

Material Considerations & Summary

Design

The design of the scheme focusses on the internal layout.

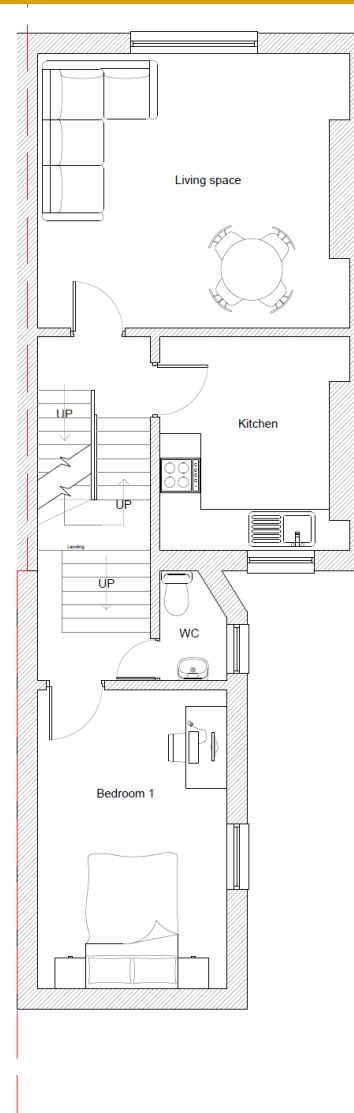
Externally, the development makes use of existing openings.

Summary

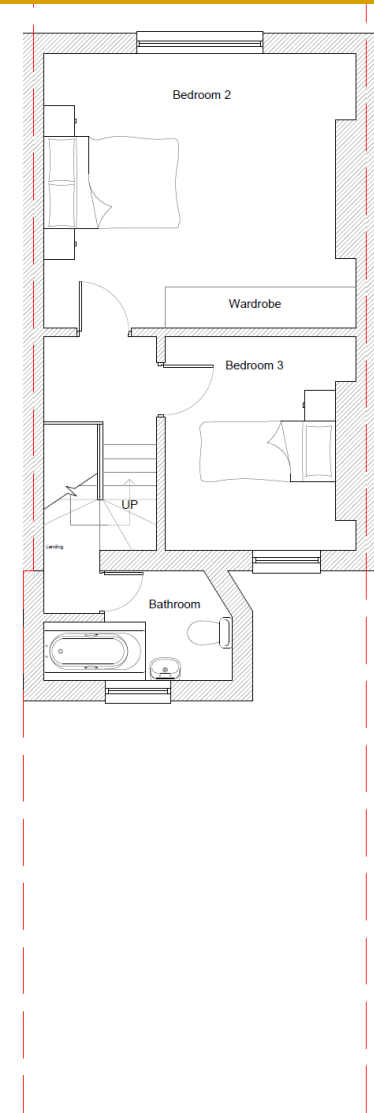
This Planning Statement is in support of a Full Planning for the Change of use of first and second floors from commercial (E) to residential to form 1no three bedroom flats (C3) at 22 Queens Road, Brighton, East Sussex BN1 3YE.

A letter has been provided by the marketing agent, confirming no solid interest in over 18 months, and the building has been properly measured to provide for one three-bedroom flats achieving the required space standards.

The development is therefore considered to achieve all necessary National and Local Plan Policy.



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN