

**DEVELOPMENT CONTROL**

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

Application for Planning Permission

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Refer to location and block plans.

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

Yes

No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

Huw

Surname

James

Company Name

ECE Planning Limited

Address

Address line 1

64-68 Brighton Road

Address line 2

Address line 3

Town/City

Worthing

County

Country

Postcode

BN11 2EN

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Site Area

What is the measurement of the site area? (numeric characters only).

0.06

Unit

Hectares

Description of the Proposal

Please note in regard to:

- **Fire Statements** - From 1 August 2021, planning applications for buildings of over 18 metres (or 7 stories) tall containing more than one dwelling will require a 'Fire Statement' for the application to be considered valid. There are some exemptions. [View government planning guidance on fire statements](#) or [access the fire statement template and guidance](#).
- **Permission In Principle** - If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.
- **Public Service Infrastructure** - From 1 August 2021, applications for certain public service infrastructure developments will be eligible for faster determination timeframes. See help for further details or [view government planning guidance on determination periods](#).

Description

Please describe details of the proposed development or works including any change of use

Resubmission of application reference BH2021/01554 (Conversion of undercroft garages and part courtyard into 2no self-contained one-bedroom flats (C3) with private amenity space and cycle parking. Erection of single storey rear extension and associated alterations) at Derwent Court, 16 Dyke Road, Brighton, BN1 3JA.

Has the work or change of use already started?

Yes

No

Existing Use

Please describe the current use of the site

Residential

Is the site currently vacant?

- Yes
 No

Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated

- Yes
 No

Land where contamination is suspected for all or part of the site

- Yes
 No

A proposed use that would be particularly vulnerable to the presence of contamination

- Yes
 No

Materials

Does the proposed development require any materials to be used externally?

- Yes
 No

Please provide a description of existing and proposed materials and finishes to be used externally (including type, colour and name for each material)

Type:

Roof

Existing materials and finishes:

N/A

Proposed materials and finishes:

Please refer to drawings and Planning, Heritage and Design Statement.

Type:

Windows

Existing materials and finishes:

N/A

Proposed materials and finishes:

Please refer to drawings and Planning, Heritage and Design Statement.

Type:

Walls

Existing materials and finishes:

N/A

Proposed materials and finishes:

Please refer to drawings and Planning, Heritage and Design Statement.

Type:

Doors

Existing materials and finishes:

N/A

Proposed materials and finishes:

Please refer to drawings and Planning, Heritage and Design Statement.

Are you supplying additional information on submitted plans, drawings or a design and access statement?

Yes

No

If Yes, please state references for the plans, drawings and/or design and access statement

Please refer to drawings and Planning, Heritage and Design Statement.

Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicular access proposed to or from the public highway?

Yes

No

Is a new or altered pedestrian access proposed to or from the public highway?

Yes

No

Are there any new public roads to be provided within the site?

- Yes
 No

Are there any new public rights of way to be provided within or adjacent to the site?

- Yes
 No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

- Yes
 No

Vehicle Parking

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

- Yes
 No

Please provide information on the existing and proposed number of on-site parking spaces

Vehicle Type:

Cycle spaces

Existing number of spaces:

0

Total proposed (including spaces retained):

2

Difference in spaces:

2

Trees and Hedges

Are there trees or hedges on the proposed development site?

- Yes
 No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

- Yes
 No

If Yes to either or both of the above, you may need to provide a full tree survey, at the discretion of the local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside the application. The local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's [Flood map for planning](#). You should also refer to national [standing advice](#) and your local planning authority requirements for information as necessary.)

- Yes
 No

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

- Yes
 No

Will the proposal increase the flood risk elsewhere?

- Yes
 No

How will surface water be disposed of?

- Sustainable drainage system
 Existing water course
 Soakaway
 Main sewer
 Pond/lake

Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

b) Designated sites, important habitats or other biodiversity features

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

c) Features of geological conservation importance

- Yes, on the development site
 Yes, on land adjacent to or near the proposed development
 No

Supporting information requirements

Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessments to allow the local planning authority to determine the proposal.

Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the local planning authority has been submitted.

Your local planning authority will be able to advise on the content of any assessments that may be required.

Biodiversity net gain

Biodiversity net gain is a legal requirement for planning permission introduced on 12 February 2024. All applications are required to either provide detailed information proving there will be a biodiversity increase; or explain why they are exempt from doing so.

[Find out more about biodiversity net gain, and access digital tools from our partners that can help determine if you are exempt, or produce the biodiversity metric information required.](#)

Do you believe that, if the development is granted permission, the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)) would apply?

- Yes
 No

Please add all the exemptions or transitional arrangements that apply and provide a reason why

Exemption:

Temporary exemption for non-major developments (small sites exemption)

Reason for selecting exemption:

Erection of 2no. self contained flats

Note: Please read the help text for further information on the exemptions available and when they apply

Foul Sewage

Please state how foul sewage is to be disposed of:

- Mains sewer
 Septic tank
 Package treatment plant
 Cess pit
 Other
 Unknown

Are you proposing to connect to the existing drainage system?

- Yes
 No
 Unknown

If Yes, please include the details of the existing system on the application drawings and state the plan(s)/drawing(s) references

Please refer to drawings.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

- Yes
 No

If Yes, please provide details:

Please refer to drawings and Planning, Heritage and Design Statement.

Have arrangements been made for the separate storage and collection of recyclable waste?

- Yes
 No

If Yes, please provide details:

Please refer to drawings and Planning, Heritage and Design Statement.

Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

- Yes
 No

Residential/Dwelling Units

Does your proposal include the gain, loss or change of use of residential units?

- Yes
 No

Please note: This question is based on the current housing categories and types specified by government.

If your application was started before 23 May 2020, the categories and types shown in this question will now have changed. We recommend that you review any information provided to ensure it is correct before the application is submitted.

Proposed

Please select the housing categories that are relevant to the proposed units

- Market Housing
 Social, Affordable or Intermediate Rent
 Affordable Home Ownership
 Starter Homes
 Self-build and Custom Build

Market Housing

Please specify each type of housing and number of units proposed

Housing Type:

Flats / Maisonettes

1 Bedroom:

2

2 Bedroom:

0

3 Bedroom:

0

4+ Bedroom:

0

Unknown Bedroom:

0

Total:

2

Proposed Market Housing Category Totals	1 Bedroom Total	2 Bedroom Total	3 Bedroom Total	4+ Bedroom Total	Unknown Bedroom Total	Total
	<input type="text" value="2"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="2"/>

Existing

Please select the housing categories for any existing units on the site

- Market Housing
 Social, Affordable or Intermediate Rent
 Affordable Home Ownership
 Starter Homes
 Self-build and Custom Build

Totals

Total proposed residential units	<input type="text" value="2"/>
Total existing residential units	<input type="text" value="0"/>
Total net gain or loss of residential units	<input type="text" value="2"/>

All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?
Note that 'non-residential' in this context covers all uses except Use Class C3 Dwellinghouses.

- Yes
 No

Please add details of the Use Classes and floorspace.

Use Class: Other (Please specify)
Other (Please specify): Undercroft garages
Existing gross internal floorspace (square metres) (a): 90
Gross internal floorspace to be lost by change of use or demolition (square metres) (b): 90
Total gross new internal floorspace proposed (including changes of use) (square metres) (c): 90
Net additional gross internal floorspace following development (square metres) (d = c - a): 0

Totals	Existing gross internal floorspace (square metres) (a)	Gross internal floorspace to be lost by change of use or demolition (square metres) (b)	Total gross new internal floorspace proposed (including changes of use) (square metres) (c)	Net additional gross internal floorspace following development (square metres) (d = c - a)
	<input type="text" value="90"/>	<input type="text" value="90"/>	<input type="text" value="90"/>	<input type="text" value="0"/>

Tradable floor area

Does the proposal include use as a shop (e.g. For the display/sale of goods under Use Class E(a), the sale of essential goods under Use Class F2, or as part of any other use)

- Yes
 No

Loss or gain of rooms

Does the proposal include loss or gain of rooms for hotels, residential institutions, or hostels?

- Yes
- No

Employment

Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?

- Yes
- No

Hours of Opening

Are Hours of Opening relevant to this proposal?

- Yes
- No

Industrial or Commercial Processes and Machinery

Does this proposal involve the carrying out of industrial or commercial activities and processes?

- Yes
- No

Is the proposal for a waste management development?

- Yes
- No

Hazardous Substances

Does the proposal involve the use or storage of Hazardous Substances?

- Yes
- No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes
- No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent
- The applicant
- Other person

Pre-application Advice

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes
 No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes
 No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- Yes
 No

Can you give appropriate notice to all the other owners/agricultural tenants? (Select 'Yes' if there are no other owners/agricultural tenants)

- Yes
 No

Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

- I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or
 The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Number:

123

Suffix:

Address line 1:

Cuckmere Way

Address Line 2:

Town/City:

Brighton

Postcode:

BN1 8GH

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Flat 11

Number:

Suffix:

Address line 1:

Derwent Court

Address Line 2:

16 Dyke Road

Town/City:

Brighton

Postcode:

BN1 3JA

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Flat 9

Number:

Suffix:

Address line 1:

Derwent Court

Address Line 2:

16 Dyke Road

Town/City:

Brighton

Postcode:

BN1 3JA

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Malthouse Cottage

Number:

Suffix:

Address line 1:

Chanctonbury Ring

Address Line 2:

Town/City:

Wiston

Postcode:

BN44 3DP

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Number:

93

Suffix:

Address line 1:

Holmes Avenue

Address Line 2:

Town/City:

Hove

Postcode:

BN3 7LE

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Number:

5

Suffix:

Address line 1:

Stanley Road

Address Line 2:

Town/City:

Brighton

Postcode:

BN1 4NJ

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Flat 14 Derwent Court

Number:

Suffix:

Address line 1:

C/o Town & Country Property Service

Address Line 2:

81 Church Road

Town/City:

Hove

Postcode:

BN3 2BB

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Flat 6 Derwent Court

Number:

Suffix:

Address line 1:

C/o Town & Country Property Service

Address Line 2:

81 Church Road

Town/City:

Hove

Postcode:

BN3 2BB

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Flat 5 Derwent Court

Number:

Suffix:

Address line 1:

16 Dyke Road

Address Line 2:

Town/City:

Brighton

Postcode:

BN1 3JA

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Flat 2 Derwent Court

Number:

Suffix:

Address line 1:

16 Dyke Road

Address Line 2:

Town/City:

Brighton

Postcode:

BN1 3JA

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Number:

386

Suffix:

Address line 1:

Hatfield Road

Address Line 2:

Town/City:

St Albans

Postcode:

AL4 0DU

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Number:

21

Suffix:

Address line 1:

Castle Street

Address Line 2:

Town/City:

Brighton

Postcode:

BN1 2HD

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Flat 17 Derwent Court

Number:

Suffix:

Address line 1:

16 Dyke Road

Address Line 2:

Town/City:

Brighton

Postcode:

BN1 3JA

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Name of Owner/Agricultural Tenant:

***** REDACTED *****

House name:

Flat 19 Derwent Court

Number:

Suffix:

Address line 1:

16 Dyke Road

Address Line 2:

Town/City:

Brighton

Postcode:

BN1 3JA

Date notice served (DD/MM/YYYY):

27/03/2024

Person Family Name:

Person Role

The Applicant

The Agent

Title

Mr

First Name

Huw

Surname

James

Declaration Date

27/03/2024

Declaration made

Declaration

I/We hereby apply for Full planning permission as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Chris Barker

Date

27/03/2024