

<b><u>No:</u></b>	<b>BH2017/03751</b>	<b><u>Ward:</u></b>	<b>Preston Park Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>83 Beaconsfield Villas Brighton BN1 6HF</b>		
<b><u>Proposal:</u></b>	<b>Installation of a single storey outbuilding to the rear garden (C2). Installation of guarding and roof canopy to south elevation external staircase. Installation of additional fence panels and gates to front garden.</b>		
<b><u>Officer:</u></b>	Ayscha Woods, 292322	tel:	<b><u>Valid Date:</u></b> 13.11.2017
<b><u>Con Area:</u></b>	Preston Park	<b><u>Expiry Date:</u></b>	08.01.2018
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	14.02.2018
<b><u>Agent:</u></b>			
<b><u>Applicant:</u></b>	Brighton And Hove City Council First Floor, room 116 Hove Town Hall Norton Road Hove BN3 4AH		

## 1. RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

### Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

**Reason:** For the avoidance of doubt and in the interests of proper planning.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	001	A	13 November 2017
Site Layout Plan	301	B	22 January 2018
Elevations Proposed	302	B	22 January 2018
Elevations Proposed	303	B	22 January 2018
Floor plans and elevations proposed	304 (OUTBUILDING)	A	13 November 2017
Elevations Proposed	306	A	22 January 2018

- 2 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

### Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of

sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

## **2. SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1 The application relates to a detached property located on the western side of Beaconsfield Villas, within the Preston Park Conservation Area. The property currently provides care in the community accommodation for up to four adults.
- 2.2 The proposed application relates to a council development for external works including external guarding, an outbuilding to the rear and fencing, to enable a building user who has recently become an adult to relocate from a children's Social Care facility to 83 Beaconsfield Villas.

## **3. RELEVANT HISTORY**

**PRE2017/00243** - Installation of new Covered walkway guarding to new external stairs & new fencing. Erection of outbuilding to provide office space - Pre-application advice provided - 06/11/17

**BH2017/02992** - Installation of external fencing and gate, guarding structure to front staircase, covered enclosure to side fire escape and erection of outbuilding to rear – Withdrawn – 19/10/17

**BH2009/03042** - Construction of side entrance porch to provide private access to basement flat - Approved - 17/03/10

**BH2003/03466/CD/FP** - Change of use from day-care centre (class D1) to residential care home (class C2) and provision of external stairs – Approved - 24/12/03

**BH2003/00200/CD/FP** - Change of use from special needs day-care centre (Use Class D1) to special needs sheltered accommodation (Use Class C2) (formation of five bedsit units) - Approved - 10/04/03

## **4. REPRESENTATIONS**

- 4.1 Twelve (12) letters have been received objecting to the proposed development for the following reasons:

- Loss of outlook and light from new fencing 3m from window
- Impact on light and air to flats with north facing windows
- Impact on character and appearance of the property and Preston Park
- Prison-like appearance
- Impact on character and appearance of conservation Area
- Loss of views
- Noise disturbance from increased garden usage
- Noise disturbance from the construction works
- Noise and light pollution

- Distribution of noxious substances and smell
- Lack of details regarding the nature of disabilities of the resident
- Increased comings and goings of staff and vehicle movements

## **5. CONSULTATIONS**

5.1 **Environmental Health:** No comment

5.2 **Social Care & Health:** No comment

5.3 **Public Health:** No comment

5.4 **Sustainable Transport:** No Comment

5.5 **Heritage:** No objection - Comment received 29/11/17

The proposal will have minimal harm to the conservation area. The proposed works represent a negotiation between the Planning and Conservation Officers and the Adult Social Housing team. This application is an acceptable middle ground which will have limited impact on the conservation area.

## **6. MATERIAL CONSIDERATIONS**

6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

6.2 The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016);
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);

6.3 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

## **7. POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP12 Urban design

CP13 Public streets and spaces

CP15 Heritage

Brighton & Hove Local Plan (retained policies March 2016):

SU9 Pollution and nuisance control

SU10 Noise Nuisance

QD14 Extensions and alterations

QD27 Protection of amenity

HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD09 Architectural Features

SPD12 Design Guide for Extensions and Alterations

## **8. CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the impact of the proposed development on the character and appearance of the building, surrounding streetscene and wider Preston Park Conservation Area, and the amenities of the neighbouring properties.
- 8.2 In addition to the above, it is acknowledged that a potential occupant has special needs. Therefore equality impacts form a material consideration in the determination of this application.
- 8.3 **Design and Appearance:**  
This application follows the withdrawal of application BH2017/02992 and subsequent pre-application advice which proposed several changes to the street elevation which would cause significant harm to the conservation area.
- 8.4 Amendments were made to the scheme under this current application which are considered to have acceptable impacts on the conservation area. These are detailed below.
- 8.5 The proposed works are required to ensure the safety of a new resident to the facility and consist of external works. They represent a compromise between the requirements of the facility to provide a safe environment for the occupants and minimisation of the negative impacts to the surrounding conservation area. The proposed works consist of:
1. Extending the handrail around the existing stairs on the street elevation.  
There are no heritage concerns with this.
  2. Extend the height of the trellis to the fire escape on the southern elevation.  
Whilst this will increase the visibility of this rather unsympathetic stair, the impact on the conservation area will be minimal.
  3. Install a lead roof to the fire escape on the southern elevation. The proposed roof over the south elevation fire escape was initially proposed to be mineral felt in the pre-application submission. It was recommended that this cladding

should be changed to lead or a suitable metal finish. As per the above, the roof will increase the visibility but will have minimal impact on the conservation area.

4. Numerous new fences with anti-climb rollers in the rear yard. Initially the anti-climb rollers were proposed on the existing boundary fences and walls (the southern boundary is a bungaroosh wall). However, it was agreed that new fencing should be installed within the rear yard with a setback off the existing fencing. This will eliminate any damage to the existing bungaroosh wall and lessen the impact on neighbours.
  5. Increase in the height of the fencing and installation of gate in the front setback facing the driveway. This change will have a minimal impact on the conservation area and will have limited visibility from the public realm.
  6. Erection of a single storey outbuilding to the rear garden. The office will be ancillary to the main building (C2) and is therefore acceptable. The modest outbuilding would have an acceptable appearance.
- 8.6 It is considered that the proposal will have an acceptable impact on the character and appearance of the building, wider streetscene and conservation area. The proposed works represent a negotiation between the Planning and Conservation Officers and the Adult Social Housing team. This application is an acceptable balance which will have limited impact on the conservation area.
- 8.7 **Impact on Amenity:**  
Policy QD27 of the Brighton & Hove Local Plan 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.
- 8.8 The proposed works would not result in an increased occupancy of the building. As such considered that there would not be a significant increase in noise disturbance, light pollution, comings and goings or vehicle movements.
- 8.9 The original scheme included the erection of new fencing with security roll barriers to the rear garden. A number of objections were received which raised concerns in terms of loss of light and outlook regarding the new fencing proposed. These concerns were taken into consideration and amendments were sought throughout the course of the application. Following the amendments, all the proposed fencing with anti-climb rollers will measure 2m in height and therefore constitutes permitted development. This should be taken into account in the determination of this application.

## 9. EQUALITIES

- 9.1 This development will have positive equality implications for a person with special needs. Whilst it is acknowledged that the proposed development would have an impact on the Preston Park Conservation Area, in this instance there is

an overriding equality benefit. The application is a compromise between planning requirements, conservation concerns and a strong emphasis on equality impacts.