

<b><u>No:</u></b>	<b>BH2023/02679</b>	<b><u>Ward:</u></b>	<b>Hanover &amp; Elm Grove Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>St Josephs Church Hall 6 Milton Road Brighton BN2 9TQ</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing two storey Church Hall and replacement with a three storey, Milton Road Community Centre, providing Chaplaincy and Parish Services (Use Class F1/F2) with supporting infrastructure.</b>		
<b><u>Officer:</u></b>	Rebecca Smith, tel: 291075	<b><u>Valid Date:</u></b>	06.10.2023
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	01.12.2023
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	13.03.2024
<b><u>Agent:</u></b>	Lee Evans Partnership LLP St John's Lane Canterbury CT1 2QQ		
<b><u>Applicant:</u></b>	Mr Ben Gray St Joseph's Church Hall Brighton BN2 9TQ		

## 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	09092-LEP-01-00-DR-A-00100	P03	6 October 2023
Block Plan	09092-LEP-01-00-DR-A-00101	P04	6 October 2023
Proposed Drawing	09092-LEP-01-00-DR-A-00301	P08	26 January 2024
Proposed Drawing	09092-LEP-01-01-DR-A-00302	P08	26 January 2024
Proposed Drawing	09092-LEP-01-02-DR-A-00303	P08	26 January 2024
Proposed Drawing	09092-LEP-01-03-DR-A-00304	P04	6 October 2023
Proposed Drawing	09092-LEP-01-XX-DR-A-00305	P09	26 January 2024
Proposed Drawing	09092-LEP-01-XX-DR-A-00405	P04	6 October 2023
Report/Statement		Planning Statement	3 October 2023
Report/Statement	Daylight and Sunlight Assessment		8 November 2023

Report/Statement	Pre-Demolition Audit	D15/01/E NS V1	30 October 2023
Report/Statement	Whole Life Carbon Assessment	5083 Rev D	30 October 2023
Report/Statement	Design, Access and Heritage Statement		31 October 2023
Report/Statement	Transport Assessment	14042	29 November 2023

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.

3. Notwithstanding any details shown on the approved plans, no development above ground floor slab level of any part of the development hereby permitted shall take place until details of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) Samples / detailing of all stone, render and tiling (including details of the colour of render/paintwork to be used) and specifically the detailing of the textured surface to the top of the Elm Grove elevation (referred to as 'Render Deco' on drawings).
- b) samples / detailing of all cladding to be used, including details of their treatment to protect against weathering
- c) details of all hard surfacing materials
- d) details of the proposed window, door and balcony treatments
- e) details of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory appearance to the development and to comply with policies DM18 of Brighton & Hove City Plan Part Two and CP12 and CP13 of the Brighton & Hove City Plan Part One.

4. The second floor windows in the east elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

**Reason:** To safeguard the privacy of the occupiers of the adjoining property and to comply with Policies DM20 and DM21 of Brighton & Hove City Plan Part Two.

5. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

**Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with Policies DM18 and DM21 of Brighton & Hove City Plan Part 2, policy CP8 of the Brighton & Hove City Plan Part One and

Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

6. Prior to occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:
  - a. details of all hard and soft surfacing to include the type, position, design, dimensions and materials and any sustainable drainage system used;
  - b. a schedule detailing sizes and numbers/densities of all proposed trees/plants including food-bearing plants, and details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
  - c. details of all boundary treatments to include type, position, design, dimensions and materials;
  - d. details of measures incorporated into the landscaping plan to improve the biodiversity of the site.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to provide ecological and sustainability benefits, to comply with policies DM22 and DM37 of Brighton & Hove City Plan Part Two, and CP8, CP10, CP12 and CP13 of the Brighton & Hove City Plan Part One.
7. Notwithstanding the approved plans, and prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.  
**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy DM33 of the Brighton & Hove City Plan Part Two.
8. No development, including demolition, shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
  - (i) The phases of the Proposed Development including the forecasted completion date(s)
  - (ii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
  - (iii) A scheme of how the contractors will minimise disturbance to neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site

- (iv) Details of hours of construction/demolition including all associated vehicular movements
- (v) Details of the construction compound
- (vi) A plan showing construction traffic routes.

The construction shall be carried out in accordance with the approved CEMP.

**Reason:** As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works and to comply with policies DM20, DM33 and DM40 of Brighton & Hove City Plan Part 2, policy CP8 of the Brighton & Hove City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

9. The site shall not be occupied until a scheme of Travel Plan measures to promote sustainable transport to and from the site has been submitted to and been approved in writing by the Local Planning Authority. The Scheme should include but not be limited to, the following measures:
  1. The provision of up to date public transport information within the building and to users of the building:
  2. Promotion of sustainable travel for staff trips including personal travel planning:
  3. Sustainable transport promotional material being readily available to staff, centre users and visitors including cycle and bus routes and a schedule of sustainable travel activities and events.

The information should be easily accessible prior to visiting and within the building. Information about local sustainable transport options should be reviewed annually to ensure it is kept up-to date and useful for users and staff. The Travel Plan measures should thereafter be implemented during occupation of the building with the information easily accessible prior to visiting and within the building. Information about local sustainable transport options should be reviewed annually to ensure it is kept up-to date and useful for users and staff.

**Reason:** To ensure the development maintains a sustainable transport strategy and to comply with policies SA6, CP7, CP9, CP12 and CP13 of the City Plan Part One and DM35, DM33 of the Brighton & Hove City Plan Part Two.

10. The development hereby approved should achieve a minimum Energy Performance Certificate (EPC) rating 'B' for new build non-residential development use.

**Reason:** To improve the energy cost efficiency of existing and new development and help reduce energy costs to comply with policy DM44 of the Brighton & Hove City Plan Part Two.

11. Within 6 months of first occupation of the non-residential development hereby permitted a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Very Good' shall be submitted to, and approved in writing by, the Local Planning Authority.

**Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the Brighton & Hove City Plan Part One.

12. Prior to first occupation of the development hereby approved, details of the photovoltaic array referred to on the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic array shall then be installed in accordance with the approved details.

**Reason:** To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance and to comply with policies CP8 and CP12 of the Brighton & Hove City Plan Part One.

13. No customers shall remain on the premises outside the hours of 08:00 to 22:00 Monday to Saturday and 09:00 to 17:00 on Sundays, Bank and Public Holidays. No activity within the site shall take place between the hours of 23:00 and 07:00 daily.

**Reason:** To safeguard the amenities of the locality and to comply with policies DM20 and DM40 of Brighton & Hove City Plan Part Two.

14. The development hereby permitted shall incorporate at least three (3) swift bricks/boxes within the external walls which shall be retained thereafter.

**Reason:** To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

15. At least one bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.

**Reason:** To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

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. To be in line with Policy DM33 of the City Plan cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Local Highway Authority's preference is for a purpose-built secure cycle store (e.g., Tri-metal). All must be spaced in line with the guidance contained within the Manual for Streets section 8.2.22.
3. The applicant is advised that Part L - Conservation of Fuel and Power of the Building Regulations 2022 now requires non-residential development to have achieved a 27% improvement on the carbon emissions against Part L 2013.

4. The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites ([www.breeam.org](http://www.breeam.org)). It is highly recommended that a BREEAM Assessor is appointed at an early stage, in order not to miss any credits which cannot be gained retrospectively. A rating below 'Very Good' will not be acceptable, so it is advisable to target credits in excess of the 'Very Good' threshold, to avoid slippage during construction
5. Where asbestos is found/suspected on site, it will fall under the Control of Asbestos Regulations 2012, overseen by the Health and Safety Executive. Further information can be found here: HSE: Asbestos - health and safety in the workplace
6. The applicant should be aware that the site may be in a radon affected area. If the probability of exceeding the Action level is 3% or more in England and Wales, basic preventative measures are required in new houses, extensions, conversions and refurbishments (BRE2011). Radon protection requirements should be agreed with Building Control. More information on radon levels is available at <https://www.ukradon.org/information/ukmaps>
7. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height of approximately 5 metres above ground level, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place where appropriate.
8. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level and preferably adjacent to pollinator friendly plants.
9. The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting wild birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March - 30th September so trees and scrub on the site should be assumed to contain nesting birds between these dates, unless a recent survey has been undertaken by a competent ecologist to show that it is absolutely certain that nesting birds are not present. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest. Planning permission for a development does not provide a defence against prosecution under this Act.

## **2. SITE LOCATION**

- 2.1. The existing St Joseph's Church Hall is a two-storey building on the corner of Milton Road (to the west, containing the site access) and Elm Grove (to the north, a blank facade). It is diagonally opposite the Grade II\* Listed St Joseph's

Church which is located some 40m to the west on the corner of Elm Grove and Wellington Road. As existing the Church Hall has a blank façade to Elm Grove and has a simple appearance of rendered walls, with brick and hanging tile detailing to the upper part of the main hall and first floor. The main entrance is on Milton Road with a secondary access to the building on Elm Grove, adjacent to no. 36.

- 2.2. There are no relevant Article 4 Directions covering the site and the site is not listed or within a conservation area. However Valley Gardens Conservation area is within approximately 55m of the southern edge of the site. The site is also located just outside of the DA3 Lewes Road and SA3 Valley Gardens development areas established through City Plan Part One.

### **3. APPLICATION DESCRIPTION**

- 3.1. The application is seeking planning permission for the demolition of the existing two-storey building and replacement with a three-storey building to provide chaplaincy and Parish services (planning use classes F1/F2) with supporting infrastructure.
- 3.2. The building would have the same footprint but would be modern in design with an asymmetric facade and large windows onto Elm Grove and a more sensitive, traditional design fronting Milton Road. It would be three storeys along the Milton Road elevation, decreasing to two storeys towards the east where it would abut the rear gardens of residential properties on Elm Grove, It would have a large coffee/lounge area at ground floor level, along with offices and an oratory, with a games/common room and meeting rooms at first floor, and a large hall at second floor. There would be WCs and stores on each floor, with access by both stairs and a lift. The main entrance would remain on Milton Road and the secondary entrance would be retained adjacent to the boundary with 36 Elm Grove. A new entrance, facing Elm Grove, would be added to the corner of the building.
- 3.3. It would have a small garden to the rear (east).
- 3.4. The scheme has been amended during consideration of the application to include the following alterations:
- Change of render on rear (east) elevation, render is now lighter in colour.
  - Extended use of stone cladding to both street-facing elevations
  - Altered design of juncture with 36 Elm Grove
  - Corner window at second floor which gives views towards St Joseph's Church widened.
  - Cycle parking provision changed.

### **4. RELEVANT HISTORY**

- 4.1. **PRE2022/00186** - Demolition of the existing 2 storey Church Hall with a 3 storey 'Mission Hub' providing Chaplaincy and Parish Services (Use Class F1/F2), with supporting infrastructure. Response:
- *Principle of redevelopment supported*
  - *Concerns about the extent of 3 storey element; varied heights across the development should be considered.*
  - *Design guidance and suggestions provided in details comments from the Design Officer.*

## 5. REPRESENTATIONS

- 5.1. Representations have been received from **16 (sixteen)** people, **supporting** the proposed development for the following reasons:
- Place where people can come together, church can provide better services to community;
  - Existing building tired, graffitied, does not maximise potential of site, shabby, poor facilities;
  - Good design – practical, high quality, enhances area including listed building;
  - Disagree would compromise privacy;
  - Will be more flexible for use, including dance classes;
  - Improved accessibility, sustainability, ecology.
- 5.2. Representations have been received from **8 (eight)** people, **objecting** to the proposed development for the following reasons:
- Loss of premises for dance lessons, birthday parties, socialising etc.
  - Increased noise/amenity impacts from F1/F2 use, use of garden from 8am – 10pm, and relocation of main entrance to Elm Grove;
  - Noise/dust/damage during construction/demolition;
  - Additional traffic and parking demand;
  - Impacts on connectivity if BT box is moved/disrupted.
  - Impacts on security, particularly during demolition and construction.
  - Restriction of view
  - Inappropriate design: too tall, too close to boundary, out of character with area;
  - Overshadowing and loss of light and privacy to neighbouring properties.
  - Detrimental impact on property value
  - Contravenes policy DM9 in terms of increased community facilities;
  - Nesting on the existing building will be disturbed.

## 6. CONSULTATIONS

### Internal:

- 6.1. **Sustainability:** No objection subject to condition  
There is no objection to this development, provided that conditions are added to secure a reduction of carbon emissions by 19% below Building Regulations, a



minimum EPC rating of B and a minimum rating of 'Very Good' under the BREEAM standard.

- 6.2. **Sustainable Transport:** No objection subject to conditions  
The proposal is considered acceptable subject to the inclusion of conditions securing an acceptable cycle parking scheme (there are concerns with what is shown), a Demolition & Construction Environmental Management Plan and Travel Plan measures. It is considered that the existing Controlled Parking Zone (CPZ V) will restrict any overspill parking and that disabled parking opportunities could be accommodated within the vicinity if required.
- 6.3. **Urban Design:** No objection  
The proposal, following some amendments to the materiality, and relationship between the proposed new building and Elm Grove of the design, it is considered that the amended design can be supported subject to conditions to ensure the specific material samples/details are submitted.

## 7. MATERIAL CONSIDERATIONS

- 7.1. 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.
- 7.2. The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016);
  - Brighton & Hove City Plan Part Two (adopted October 2022);
  - 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);
  - Shoreham Harbour JAAP (adopted October 2019).

## 8. RELEVANT POLICIES & GUIDANCE

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP2	Sustainable economic development
CP5	Culture and tourism
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP12	Urban design
CP13	Public streets and spaces
SA6	Sustainable Neighbourhoods

Brighton & Hove City Plan Part Two:

DM9	Community Facilities
DM18	High quality design and places
DM20	Protection of Amenity
DM22	Landscape Design and Trees
DM33	Safe, sustainable and active travel
DM35	Travel Plans and Transport Assessments
DM37	Green Infrastructure and Nature Conservation
DM40	Protection of the Environment and Health - Pollution and Nuisance
DM44	Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD11	Biodiversity and Nature Conservation
SPD14	Parking Standards
SPD17	Urban Design Framework

East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan (WMP)

WMP3e	Implementing the Waste Hierarchy
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## 9. CONSIDERATIONS & ASSESSMENT

9.1. The main considerations in the determination of this application relate to the acceptability of the demolition of the existing building and in terms of the new building; the design and appearance, impact on neighbouring amenity, impacts on highway capacity and travel and the sustainability/biodiversity of the proposals.

9.2. A site visit was carried out as part of the pre-application advice provided prior to the submission of this application. This included access to the building and garden and the immediate public realm.

**Principle of the Development:**

9.3. The proposal takes an existing church hall and seeks to demolish this to replace it with a taller building, from two-storeys to three-storeys and greatly expand the range of internal spaces and services provided at this location. It would also refurbish the existing outside space. As a result of the proposed changes the community space would be larger and more flexible with better natural light to internal space and have the potential to meet a wider range of needs.

9.4. Currently the hall has one full-time person employed and the proposed development would create a net increase of three-full-time employees. This is considered a small, but positive contribution to the local employment opportunities and indicative of the ambitions for a more extensive use of the site.

9.5. It is considered that the proposals would accord with the aims of policy DM9, which seeks to protect and enhance community facilities. It is noted that the policy seeks that new facilities are co-located with other facilities in residential

area. However, this is not considered to apply here as this is not a 'new' location for a community facility. It utilises the site of an existing community facility but seeks to provide a modern and expanded facility for the local community. It is therefore considered to accord with policy DM9 of the City Plan Part Two.

**Design and Appearance:**

- 9.6. The existing building is two-storeys in height and has a simple design of white rendered/brick walls, with a tiled roof. The existing building has a functional design and fails to make a positive contribution to the appearance and character of the local area. The blank ground floor facades lack any form of active frontage and have been a target for graffiti in the past. The building is sandwiched in between two storey terraced properties on Elm Grove and Milton Road. Opposite the site, on the western corner of Elm Grove/Milton Road is a modern flatted building of Milton Court which is three storeys in height.
- 9.7. The proposals would create a three-storey building, utilising the same footprint as the existing hall, but of a greater height. The corner location is considered appropriate for a building of more prominence and height that would provide a 'visual marker' at the termination of the two roads.
- 9.8. The proposal is considered to provide a successful link between no. 36 Elm Grove and 6 Milton Road. The Urban Design Officer supports the proposals as an improvement on the existing situation and highlights how the design and materiality of the proposal provides increased visual interest to the area. The inclusion of an active frontage to this corner plot on the Elm Grove (north) side is also of benefit and is considered to relate well to other corner properties on Elm Grove.
- 9.9. The proposal has a three-storey appearance when viewed from within the public realm. To the rear, there is an increase in height from the existing one storey to two storeys where the site adjoins the rear garden of 36 Elm Grove, with a slight set back and then at second floor the floor area is set away from the boundary with no. 36 Elm Grove.
- 9.10. Some minor amendments were made to the design, to change the render on the rear (east) elevation, to a lighter tone, which softens the overall appearance, extending the use of stone cladding throughout the ground floor elevations and re-designing the juncture of the new building where it joins 36 Elm Grove.
- 9.11. A change was also made to the corner of the building where a window is proposed to allow visual connection from the second floor to the Church. This window opening was made wider as part of the amended design. Collectively the alterations further enhance the building which would be of high architectural quality within the area.
- 9.12. On Milton Road the proposed building would adjoin no. 6 Milton Road, a two storey dwelling. While it would be taller than the dwelling in this location, it would match the eaves height of the street, and would be hipped away to lessen the profile within the streetscene. On Milton Road the proposals follow the existing

scale and massing so are considered a successful design, with a large bay window adding some visual interest.

- 9.13. In terms of materials, a condition is attached seeking samples and details of the proposed materials to ensure that the quality of the finish is maintained and that aspects of the design such as the linear deco detail design at the top of the Elm Grove elevation is readable within the finished design.
- 9.14. Overall, the proposal would represent an acceptable design approach on this prominent corner location and would make a positive contribution to the appearance and character of the site and the wider surrounding area. The proposals are considered to accord with policies DM18, DM21 of the City Plan Part Two, policy CP12 of the City Plan Part One and SP17, the Urban Design Framework.

**Impact on Amenity:**

- 9.15. The proposal to create a second floor involves an increase in overall height which does create impacts for the neighbours, most notably to the adjoining properties at no. 36 Elm Grove and No. 6 Milton Road. The applicant has submitted a daylight and sunlight assessment (DSA) which has considered the adjoining properties and 7 Milton Road as well as Milton Court. The DSA has acknowledged a minor adverse impact on two rooms at 36 Elm Grove in terms of the ability to meet the Vertical Sky Component (VSC). It is noted that these two rooms are still reasonably well lit and overall, the report has concluded that the impact on daylight is negligible. The DSA also looked at Annual Probable Sunlight Hours (APSH), the results indicate that with the exception of one room within no. 36 Elm Grove, the proposal would meet the guidelines.
- 9.16. The DSA concludes that with proposed development in place the neighbouring gardens would all still meet the BRE guidance in respect of sunlight to gardens.
- 9.17. Overall, it has been demonstrated that the proposal would have a relatively limited impact in respect of sunlight and daylight provision to neighbouring properties and the proposal is acceptable in this regard.
- 9.18. The proposals result in a taller building which will result in some increased enclosure of the adjoining properties, but the first floor extension would be set back from the boundary with 36 Elm Grove, with the second floor area set even further back from the shared boundary. On the other side the increasing height of the outrigger would be off-set by a change in design as the roof will be sloping rather than flat which lessens the impact of the additional height on the neighbour when compared to the existing arrangement.
- 9.19. In terms of noise and disturbance, the site is already a community hall of a significant size with an outdoor area so if used to its full potential could have significant comings and goings and associated disturbance.
- 9.20. The proposals are for a new build hall, which would be of better acoustic quality. Nevertheless, it is noted that neighbouring residents are concerned that noise from doors, use of staircases and general activity may disturb them. Therefore,

a condition is recommended to ensure that the adjoining walls to neighbours (36 Elm Grove and 6 Milton Road) are built to ensure that acoustically, they can achieve a sound insulation of 5dB above that secured through building regulations.

- 9.21. In terms of the garden, it is a garden surrounded by other gardens and as noted above greater use and upgrading of this outside space is possible without planning permission. It is not considered that it is reasonable to control usage hours of the garden as this is not a 'new' aspect of the proposals.
- 9.22. There are concerns that a loss of privacy will occur, the only upper floor windows to the building are narrow slit like windows. The proposals indicate that it would be acceptable for these to be required to be obscure glazed. Securing obscured glazing would minimise any perceived overlooking from these windows at second floor. The first floor is only served by rooflights which would not allow for any overlooking to neighbours.
- 9.23. The application form states that the proposed opening hours are 08.30 to 22:00 Monday to Saturday and 08.30 to 17:00 on Sundays and Bank Holidays. These are considered appropriate for the use of the building and it is noted that no opening/operating hours has been found to apply to the premises currently. The opening hours would be secured by condition and also ensure that persons are not on site overnight (between 23:00 and 07:00). It is also recommended that servicing be limited to avoid excessive disturbance to neighbours.
- 9.24. Overall, the proposal would have some impact on the immediate neighbours in terms of loss of light and shadowing, however these are not considered so significant to warrant refusal. Whilst there would be some increase in height and bulk overall, the proposal is not considered to result in an overbearing or enclosing impact on neighbouring properties. Other matters of concern can be controlled through conditions and in the case of the construction/demolition impacts, this would be temporary when compared to the expected lifetime of the community facility.

**Sustainable Transport:**

- 9.25. As noted throughout this assessment, the proposals would create a larger church hall/community space. The refurbishment would likely lead to an uplift in activity at the site. The Transport Officer has reviewed the proposals and given the location of the site they have recommended that a Construction and Demolition Environmental Management Plan (CEMP) is submitted prior to commencement to ensure that disruption and impacts on the highway are minimised as far as possible.
- 9.26. There are no concerns about the impacts of increased parking demand as the site is within a Controlled Parking Zone (CPZ), whereby parking is only possible with a permit or in limited paid bays. The transport team have stated that there are acceptable parking opportunities for disabled persons using the site and additional disabled parking on the street could be added in the future if it were deemed to be necessary.

- 9.27. The proposal includes demolition and the location of the site on a corner plot facing Elm Grove, a busy throughfare and Milton Road, which is a small street itself, means that it is considered reasonable to secure a CEMP, by condition, for the site to ensure that movements to and from the site are managed to minimise the impacts on neighbours and the immediate local highway network during the demolition and construction phases.
- 9.28. It is recognised that there will be an uplift in trips and that being situated in a CPZ with no off-street parking has the potential to create additional demands. As noted above the existence of a CPZ should adequately manage and deter overspill parking. In order to encourage the use of sustainable transport methods to travel to and from the site a condition has been attached seeking that travel plan measures are introduced prior to first use of the building and kept up-to date so that visitors are proactively informed of how they can travel to the site sustainably.
- 9.29. The proposals include cycle parking to the Elm Grove frontage and internal space for cycle parking, while provision is welcomed the Transport Officer has concerns about the proposal to include upright stand in the internal provision. This is not considered genuinely accessible. Therefore, a condition is recommended to seek details of a new cycle parking design.
- 9.30. Overall, subject to the conditions discussed above, the proposals would accord with policies CP9 of the City Plan Part One and policies DM33 and DM35 of the City Plan Part Two.

**Sustainability:**

- 9.31. The application proposes demolition of the existing building. The views of our Sustainability Officer were sought, they have reviewed the proposals and noted that while the Whole Life Embodied Carbon Assessment has not compared the proposals to a retrofit design, it is noted that the assessment does make suggestions which would help to reduce the embodied carbon in the new building by reusing brick, concrete and slate materials and the use of lower carbon materials. Such details will be required to be submitted as part of the samples/details of materials condition referred to above. The Sustainability Officer has also recommended that the building achieve a minimum BREEAM rating of 'Very Good' and that the EPC rating is a minimum of B. Both of these aspects will be secured by condition. The proposed design includes solar panels and air source heat pumps (ASHPs) which will help the building meet the necessary sustainability targets.

**Other Considerations:**

- 9.32. It is noted that the proposal is close to the listed Church which the new facilities would in part serve and that the Valley Gardens Conservation Area boundary to the south of the site. It is not considered that the proposal impacts on the setting of the Conservation Area or the setting or significance of the Grade II\* listed St Joseph's Church, as they are both sited some distance from the site.
- 9.33. Currently the site benefits from a private rear garden which is largely hard landscaped with a few raised beds. The garden is being upgraded as part of the

works and will include the Air Source Heat Pumps alongside space for the Church and community to use for a variety of activities. The plans only include limited details of the landscaping intentions; therefore, a condition is recommended to ensure that the proposal can make a positive contribution to the biodiversity of the site. Conditions requiring bee bricks and swift bricks/boxes to be incorporated in the build are also proposed.

- 9.34. One of the neighbour responses raises a concern that birds may be disturbed by the works, an informative is added to the decision notice to remind the applicant that nesting birds are protected under the Wildlife and Countryside Act 1981.

## **10. EQUALITIES**

- 10.1. During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of the implications for those with protected characteristics namely age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication that those with any of these protected characteristics would be disadvantaged by this development.
- 10.2. The new building has been designed with accessibility in mind, it includes a lift for access to the upper floors and an accessible toilet (ground floor). The ground floor is not completely accessible due to the topography of the site as there are stairs within the layout and stairs to the rear garden, however accessibility to these aspects could be provided through temporary adaptations. The proposal is more accessible to those with disabilities than the existing building.

