

<u>No:</u>	BH2024/00734	<u>Ward:</u>	Brunswick & Adelaide Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Flat 2 21 First Avenue Hove BN3 2FH		
<u>Proposal:</u>	Installation of an external stairlift to front access steps.		
<u>Officer:</u>	Helen Hobbs, tel: 290585	<u>Valid Date:</u>	08.04.2024
<u>Con Area:</u>	The Avenues	<u>Expiry Date:</u>	03.06.2024
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Brighton & Hove City Council Disabled Facilities Grant Team Hove Town Hall Norton Road BN3 3BQ		
<u>Applicant:</u>	Mr Michael Sutherland Flat 2 21 First Avenue Hove BN3 2FH		

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.

Plan Type	Reference	Version	Date Received
Location Plan	212/FAH/001		20 March 2024
Proposed Drawing	212/FAH/004		20 March 2024
Proposed Drawing	212/FAH/005		20 March 2024
Proposed Drawing	212/FAH/006		8 April 2024
Proposed Drawing	212/FAH/007		8 April 2024

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. The stairlift hereby permitted shall be removed and any tiles affected by its installation restored or replaced within three months of no longer being needed, or within three years of the date of this permission, whichever is soonest.

Reason: The stairlift hereby approved is not considered suitable as a permanent form of development to safeguard the Conservation Area and to comply with policies DM26 of Brighton & Hove City Plan Part 2 and CP15 of the Brighton & Hove City Plan Part One.

Informatives:

4. 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

- 2.1. The application relates to a ground floor flat within a four-storey building with basement. The site lies within The Avenues Conservation Area but is not listed.

3. RELEVANT HISTORY

- 3.1. BH2024/00891 Installation of an external stairlift to rear elevation. Approved 31.05.2024.

4. APPLICATION DESCRIPTION

- 4.1. The application seeks planning permission for the installation of stair lift to the front of the building to provide access into the raised ground floor entrance.

5. REPRESENTATIONS

- 5.1. In response to publicity, responses were received from six (6) individuals, objecting to the application and raising the following issues:
- The stairlift would be out of keeping and would have a harmful impact on the conservation area.
 - Impact/damage to the steps and tiles
 - It would cause an obstruction to the entrance
 - Where would the electrical supply come from and would the cables cause further obstruction

6. CONSULTATIONS

- 6.1. **Heritage:** No objection. The information provided is satisfactory to determine that the development is acceptable in relation to impacts on heritage.

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
CP12	Urban Design
CP15	Heritage

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM26	Conservation Areas

Supplementary Planning Document:

SPD12	Design Guide for Extensions and Alterations
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9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the design and appearance of the proposed stairlift and whether it would have a detrimental impact on neighbouring amenity.

Design and Appearance

- 9.2. When considering whether to grant planning permission for development in a conservation area the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 9.3. Case law has held that the desirability of preserving the character or appearance of a conservation area must be given "considerable importance and weight".
- 9.4. Whilst the site lies within The Avenues Conservation Area, it is not a listed building. However, it still forms part of an attractive terrace, which retains a number of original features and contributes to the character and appearance of the area.
- 9.5. The stairlift would not be a conventional feature on the building but would be a relatively small element which would enable the applicant and those with mobility issues to access their home, and would be reversible when no longer needed.

As noted in Heritage Officer comments, the heritage harm would be minimal. The public benefit of the stairlift must be given some weight as it would allow those with mobility issues to enter the building.

9.6. To minimise heritage harm, given it is an incongruous, albeit small addition, a condition would be attached requiring the removal of the structure within three years or sooner if no longer needed.

9.7. On balance, subject to condition, the works are not considered to cause unacceptable harm to the character and appearance of the site, streetscene or the surrounding conservation area, and the public benefit of improved access must be given some weight.

Impact on Amenity

9.8. Given the modest nature and siting of the proposed development on an existing set of steps, which would not be altered, the stairlift is unlikely to impact on neighbouring amenity.

9.9. Concerns have been raised that the entrance way would be obscured. The chair would reduce the width of the steps, however it is a fairly modest addition and would still allow sufficient width for other occupiers and visitors to access the front entrance.

9.10. Neighbours have also raised concerns over where the electrical supply will be provided from. Whilst this is not a planning matter, the documents submitted with the application confirm that the electrical supply will come from the applicant's residence.

10. EQUALITIES

10.1. Section 149(1) of the Equality Act 2010 provides:

- 1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.2. Officers considered the information provided by the applicant, and the need of the applicant has been considered and given significant weight. The proposal would provide level access to and from the raised ground floor entrance, benefiting those with mobility issues.