

LIST OF MINOR APPLICATIONS

<u>No:</u>	BH2011/00095	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land to rear of 183 Ditchling Road, Brighton		
<u>Proposal:</u>	Demolition of existing storage building and erection of 2no storey, 2no bedroom dwelling.		
<u>Officer:</u>	Kate Brocklebank, 292175	tel: <u>Valid Date:</u>	09/02/2011
<u>Con Area:</u>	Preston Park	<u>Expiry Date:</u>	06 April 2011
<u>Agent:</u>	Agora Chartered Architects, Hanover House, 118 Queens Road, Brighton		
<u>Applicant:</u>	Mr Alan Coe, Vine Cottage, 33A Ashley Road, Epsom, Surrey		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

Conditions:

1. BH01.01 Full Planning Permission.
2. The development hereby permitted shall be carried out in accordance with the approved drawings no. 1600 PL 000 B, 16000 PL 001 A received on 1st February 2011 and drawings no. 1600 PL 002 A and 1600 PL003B received on 27th April 2011.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. BH12.07 No permitted development (extensions) – Cons Area (character and amenity).
4. BH12.01 Samples of Materials – Cons Area.
5. The rooflights hereby approved in the roof of unit 4 shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
6. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the 'Site Work Methodology' submitted on 7th March 2011.
Reason: To safeguard the amenity of the occupiers of adjoining properties and to comply with policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan.
7. No development shall commence until elevations and sections of the new

first floor door and Juliette balcony in the north elevation of the building hereby approved, at a scale no less than 1:20, has been submitted to and approved in writing by the Local Planning Authority. The joinery shall be painted softwood. The development shall be carried out in strict accordance with the approved details and retained as such thereafter.

Reason: In the interests of the character and appearance of the building and to ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

8. Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:
 - (a) evidence that the development is registered with the Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the development will achieve Code level 3 for all three of the new build residential units (units 1 – 3) have been submitted to the Local Planning Authority; and
 - (b) a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all new build residential units (units 1 – 3) has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

9. Unless otherwise agreed in writing by the Local Planning Authority, none of the new build residential units (units 1 – 3) hereby approved shall be occupied until a Building Research Establishment issued Final Code Certificate confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 3 has been 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 SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards

SU2	Efficiency of development in the use of energy, water and materials
SU5	Surface water and foul sewage disposal infrastructure
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – full and effective use of sites
QD4	Design – strategic impact
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD27	Protection of amenity
QD28	Planning obligations
HO3	Dwelling types and densities
HO4	Dwelling densities
HO5	Provision of private amenity space
HO7	Car free housing
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes
HE6	Development within or affecting the setting of conservation areas
HE8	Demolition in conservation areas

Supplementary Planning Guidance Documents: (SPD's/SPG's)

SPGBH1:	Roof alterations and extensions
SPGBH4:	Parking Standards
SPD03:	Construction and Demolition Waste
SPD06:	Trees and Development Sites
SPD08:	Sustainable Building Design

Planning Advice Notes (PAN)

PAN03:	Lifetime Homes; and
--------	---------------------

(ii) for the following reasons:-

The proposed development would make provision of a family sized dwelling with private and shared amenity space without detriment to the neighbouring amenity and will preserve the character of the conservation area. There would be no material adverse impacts on highways conditions in the locality and with the imposition of conditions to control the scheme in detail, it accords with Development Plan policies.

2 THE SITE

The site is situated to the west of Ditchling Road and is accessed via a narrow

opening between 183 and 185 Ditchling Road. The site is a backland site surrounded by residential development of predominantly two storey Edwardian terraced properties.

The whole site was previously occupied by a number of flat roofed domestic garages which have recently been demolished. In the south east corner of the site there is a pitched roof historic stable building.

There are a number of trees which abut the north boundary of the site, the site area slopes down to the west and is tarmac covered. The site boundaries are a mixture of more modern brick walling, timber fencing and areas of flint and brick walling.

3 RELEVANT HISTORY

BH2011/00096: Demolition of existing storage building. A report on this is after this item on the agenda.

BH2011/00076: Application for removal of conditions 6, 8 and 11 of application BH2009/02071 (Demolition of existing 20 single storey garages. Construction of 3no. two storey, two bedroom dwellings. Conversion of existing storage building to form a further two storey, two bedroom dwelling. To include altered pedestrian/bicycle access and associated landscaping) which state the rooflights hereby approved in the roof of unit 4 shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof, no works shall take place until elevations and sections of the new windows and doors to unit 4, at a scale no less than 1:20, shall be submitted to and approved in writing by the Local Planning Authority and the development hereby permitted shall not be commenced until details of sustainability measures for the converted stable block have been submitted and approved in writing by the Local Planning Authority. Under consideration.

BH2010/03877: Application for Approval of Details Reserved by Conditions 2 of application BH2009/02391. Approved 17/02/2011.

BH2009/02391: Demolition of 20 single storey garages – concurrent Conservation Area Consent application. Approved 7/6/2010.

BH2009/02071: Demolition of existing 20 single storey garages. Construction of 3No. two storey, two bedroom dwellings. Conversion of existing storage building to form a further two storey, two bedroom dwelling. To include altered pedestrian/bicycle access and associated landscaping. Approved 7/6/2010.

BH2009/00053: Conservation Area Consent. Demolition of existing 20 single storey garages and 1 no. two storey storage building. Refused 6/3/09.

BH2009/00052: Demolition of existing 20 single storey garages and 1 no. two storey storage building. Construction of 5 no. new two storey, two bedroom dwellings, and 1 no. two storey commercial office unit (B1). To include altered pedestrian/bicycle access and associated landscaping. Refused 9/3/2009.

4 THE APPLICATION

Planning permission is sought for the demolition of the existing historic storage building which has been found to be incapable of being converted

and erection of a replica building to provide a two bedroom dwelling as previously approved under BH2009/02071.

5 CONSULTATIONS

External

Neighbours: Five letters of objection have been received from the occupants of **15 and 25 Edburton Avenue, 185, 187 and 189 Ditchling Road**. Their comments are summarised as follows:

- The building was built as a coach house when the surrounding houses were first built.
- The integrity of the conservation area should be maintained by retaining the building.
- The demolition will cause noise and disturbance and will not be environmentally sensitive.
- Loss of light and privacy.
- Less parking and increased parking leading to increased danger from traffic and parking problems.
- The listed building should be left as it is.

CAG: The group regret the loss of the building, but having regard to its position, agreed to make no comment.

Internal:

Sustainable Transport: No objection. Ditchling Road and the surrounding road network do not have an existing issue with regards to available on-street parking. It is therefore not believed that the development would have a material impact on parking availability that would cause highway safety or capacity concerns that could justify a refusal of this planning application.

Condition requiring the provision of on site cycle parking, an informative regarding the construction of the crossover at the access and a financial contribution towards improving sustainable infrastructure in the vicinity of the site is recommended.

Environmental Health: No comment.

Conservation and Design: The application is accompanied by a structural engineer's report which highlights the poor condition of the existing single-skin brickwork walls, the poor condition of some roof timbers and the inadequacy of the existing foundations to take the new loadings imposed by the conversion works without underpinning works. The building has been inspected on site and it is noted that a number of past structural interventions have already compromised the interior. It would be possible to erect an independent structural framework within the existing shell of the building but this would significantly reduce the floor area and would still require substantial intervention into the existing walls in order to tie them to the new structure. It is therefore considered that a satisfactory case has been made to justify demolition and rebuilding.

The application seeks to rebuild the building to its existing appearance as modified by the approved conversion scheme and the proposals are largely acceptable in this respect. However there are two issues of concern:

- The existing building has two original horizontal window openings at high level on the rear (south) elevation and the easterly one retains its original window. These windows are not shown on the proposed drawings as being retained/replicated. If overlooking is a potential problem the windows could be obscure glazed. A 1:20 scale detail of the windows should be provided.
- The approved plans include for one single rooflight on each roof slope to the central, taller element of the building but these plans show one double and one single rooflight on each roof slope. These would be clearly visible from within the site and are considered excessive for the area of roof and the scale of the building.

Mitigations and Conditions

Subject to receipt of satisfactory amended plans to address the above points approval is recommended subject to standard conditions 12.01 (sample materials) and 12.05 (rooflights) together with a condition requiring submission of a 1:20 scale drawing of the proposed balustrade to the Juliette balcony.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU5	Surface water and foul sewage disposal infrastructure
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – full and effective use of sites
QD4	Design – strategic impact
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD27	Protection of amenity

QD28	Planning obligations
HO3	Dwelling types and densities
HO4	Dwelling densities
HO5	Provision of private amenity space
HO7	Car free housing
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes
HE6	Development within or affecting the setting of conservation areas
HE8	Demolition in conservation areas

Supplementary Planning Guidance Documents: (SPD's/SPG's)

SPGBH1:	Roof alterations and extensions
SPGBH4:	Parking Standards
SPD03:	Construction and Demolition Waste
SPD06:	Trees and Development Sites
SPD08:	Sustainable Building Design

Planning Advice Notes (PAN)

PAN03:	Lifetime Homes
--------	----------------

7 **CONSIDERATIONS**

The main considerations relating to the determination of this application are the principle of the proposed development and loss of the commercial/workshop unit, the impact on the character and appearance of the Preston Park Conservation Area, impact on neighbouring residential amenity and the standard of accommodation, traffic implications, ecology and sustainability.

The application relates to the stable block building only which previously formed part of an application for the whole site (BH2009/02071) which proposed conversion of the existing building and erection of three two storey terraced properties. The site was subsequently sold and the current owner claims that the existing building is not of sound construction and therefore cannot be converted. The current application therefore proposes to demolish the existing structure and re-build the development to reflect the as approved scheme with supporting structural information to support the case for demolition.

The principle of new dwellings on the site and loss of the commercial unit

PPS3 on Housing states that urban land can often be significantly underused and advocates the better use of previously-developed land for housing. The backland site is located within a residential area, the site is not subject to any specific designation in the Brighton & Hove Local Plan.

A key objective of PPS3 is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed. PPS3 defines previously developed land (brownfield) as land which is or was occupied by a permanent structure, including the curtilage of

the developed land and any associated fixed surface infrastructure.

The proposal site constitutes a brownfield site, it is located within a central fringe location of the city and as such has the benefit of good public transport links and there is the provision of some local services such as a convenience store within walking distance concentrated around Fiveways.

The existing stable block was previously used as a commercial unit however the principle of its loss was agreed under BH2009/02071 which was supported by marketing information which justified the loss of the unit in accordance with policy EM6.

The principle of residential development is therefore considered acceptable.

Impact on the character and appearance of the area and Preston Park Conservation Area

Although PPS3 seeks to ensure the more effective and efficient use of land, the guidance also seeks to ensure that developments are not viewed in isolation and do not compromise the quality of the environment. PPS3 states that considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality.

Policy QD3 of the Local Plan seeks the more efficient and effective use of sites, however, policies QD1 and QD2 require new developments to take account of their local characteristics with regard to their proposed design.

In particular, policy QD2 requires new developments to be designed in such a way that they emphasise and enhance the positive qualities of the local neighbourhood, by taking into account local characteristics such as height, scale, bulk and design of existing buildings, impact on skyline, natural and built landmarks and layout of streets and spaces.

Policy HE6 of the Local Plan requires development within or affecting the setting of conservation areas to preserve and enhance the character and appearance of the area and should show, amongst other things:

- a high standard of design and detailing reflecting the scale, character and appearance of the area, including the layout of the streets, development patterns, building lines and building forms;
- the use of building materials and finishes which are sympathetic to the area;
- no harmful impact on the townscape and roofspace of the conservation area; and
- the retention and protection of trees, gardens, spaces between buildings and any other open areas which contribute to the character and appearance of the area.

Conservation and Design have been consulted on the application and have assessed the case for demolition. The application is accompanied by a

structural engineer's report which includes highlighting the poor condition of the existing single-skin brickwork walls, foundations and roof timbers. The building has also had a number of structural interventions which have compromised the interior. Erecting an independent structural framework within the existing shell should significantly reduce the floor area and still require substantial intervention into the existing walls in order to tie them to the new structure. Although it is disappointing that the existing building cannot be retained, a satisfactory case has been made to justify demolition and rebuilding has been made, the applicant has also stated that wherever possible the original materials will be reused.

The application seeks to rebuild the building to its existing appearance as modified by the approved conversion scheme. During the course of the application alterations to the number of rooflights have been negotiated as well as to include an indication in the brick work to the rear of the building to replicate two historic window openings. With the imposition of the above recommended conditions the scheme is considered acceptable.

Impact on amenity for existing and future occupiers

Policy HO13 requires residential units to be lifetime homes compliant, new residential dwellings should full comply with the standards and conversions should demonstrate wherever it is practicable the criteria has been incorporated into the design. The application seeks to rebuild the stable block and therefore constitutes a new build scheme. The development is however being built to replicate the approved conversion scheme and to reflect the buildings historic proportions as such the development has where practicable been designed to achieve Lifetime Homes Standards as per the previously approved conversion scheme. In this instance, it is therefore considered acceptable.

Policy HO5 requires all new residential units to have private useable amenity space appropriate to the scale and character of the development. The proposal site is within a central fringe location where it is characteristic for the majority of properties to have the benefit of private rear amenity space. With regular plot sizes, the majority of properties have the benefit of in excess of 40sqm of private rear amenity space of between 7.5 and 10m in depth from the main rear elevation. The proposed development makes provision of a two bedroom property capable of family occupation as such the amenity space provision should reflect this and what is characteristic for the area.

The re-built stable block will retain the smallest private provision of the development as a whole totalling approximately 22.5sqm patio area to the east side of the property. In addition the stable block will also have the benefit of shared use of the use of the central courtyard area to supplement the private provision. The combined provision is equivalent to the provision the larger properties which surround the site currently enjoy (excluding those which have been subdivided to flats some of which have less than proposed) and is considered acceptable for the scale and character of this development

and therefore acceptably accords to policy HO5.

Policies TR14 and SU2 require all new residential developments to have secure, covered cycle storage and refuse and recycling storage. Provision for the stable block has been made as part of the overall scheme for the site approved under BH2009/02071 with communal stores within the courtyard.

Policy QD27 requires the protection of amenity for proposed, existing and/or adjacent residents. The Building Research Establishment Report, 'Site layout planning for daylight and sunlight: A guide to good practice' states "*privacy of houses and gardens is a major issue in domestic site layout. Overlooking from public roads and paths and from other dwellings needs to be considered. The way in which privacy is received will have a major impact on the natural lighting of a layout. One way is by remoteness; by arranging for enough distance between buildings, especially where two sets of windows face each other. Recommended privacy distances in this situation vary widely, typically from 18m to 35m*".

Whilst the Brighton & Hove Local Plan does not set out a minimum distances between new buildings, the distances recommended by BRE are considered to be appropriate when balanced within what is characteristic for surrounding development. The properties which surround the site currently enjoy good separation distances when measured back to back due to the existence of this currently undeveloped plot, it is therefore important that the proposed development respects this and does not give rise to an unacceptable level of overlooking.

The windows proposed match those approved under the conversion scheme, the development will not give rise to an adverse increase in overlooking to any neighbouring dwelling. It is however considered prudent to condition that the Permitted Development Rights are restricted in order to prevent the insertion of any additional windows without the submission of a planning application in order to continue to protect neighbouring amenity. Further it is considered that an acceptable level of privacy will be maintained for the proposed dwelling as the minimum distance between windows is over 20m to the north and no other windows face directly only the glazing in the north elevation of the unit. It is acknowledged that overlooking will occur from within the public courtyard area to the unit however in a development of this nature it is considered acceptable.

It is not considered that the development will cause demonstrable harm by overshadowing or having an overbearing affect due to the fact the building is the same size as the existing building and since the previous application was approved the attached garage on the eastern side has since been removed reducing the bulk adjacent to the closest neighbour 179 Ditchling Road.

The site is surrounded by residential properties; as such concern is raised regarding the potential impact of the construction phase on neighbours during

the consideration of the previous application for the whole site (BH2009/02071). Environmental Health were consulted recommended that a number of conditions are imposed on a permission in order to limit the impact on the adjoining neighbours. One required the developer to submit details such as the hours of operation on site, the storage of materials and delivery times prior to the commencement of development to be agreed by the LPA and requiring the development to be carried out in accordance with the approved details. The applicant has since submitted acceptable details in relation to a current Approval of Details Reserved by Condition application BH2011/00661. It is therefore recommended that this development is carried out in accordance with those details.

Transport issues

Brighton & Hove Local Plan policy TR1 requires that new development addresses the travel demand arising from the proposal. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires the provision of cycle parking within new development, in accordance with the Council's minimum standard, as set out in BHSPG note 4. Policy TR19 requires development to accord with the Council's maximum car parking standards, as set out in BHSPG note 4.

Policy HO7 of the Local Plan will grant permission for car free housing in accessible locations where there are complementary on street parking controls and where it can be demonstrated that the development would remain genuinely car-free over the long term.

The site is within reasonable access to public transport with regular bus services along Ditchling Road. It is not within a Controlled Parking Zone (CPZ) however there are restrictions along parts of Ditchling Road. The proposal contains shared cycle parking for each unit but no off-street car parking.

The main site (considered under BH2009/02071), as previously stated, was previously occupied by 20 garages as well as the application stable building. Sustainable Transport were previously consulted on the development and during the course of the current submission. Part of their assessment was in relation to the potential impact of displaced parking on the surrounding road network. The Transport Officer has raised no objection to the scheme for the whole site, including the converted stable building providing the access was not used for motor vehicles and was retained for pedestrian use only. Any parking displacement which may occur as a result from the demolition of the garages was not considered likely to have an unacceptable impact as adequate parking provision can be found within a reasonable distance of the site, including for the proposed dwellings.

The current application relates to the stable block/hayloft only, the access arrangements were considered under the previous application BH2009/02071

as part of the wider site redevelopment. It is therefore not considered reasonable to condition access alterations as part of this application. There have been no material changes since the previous approval to warrant refusal on highway grounds and the scheme is therefore considered acceptable in this respect.

Sustainability

Policy SU2 which seeks to ensure that development proposals are efficient in the use of energy, water and materials. The units provide an acceptable level of natural and ventilation and make provision for features such as cycle and refuse stores. SPD08 – Sustainable Building Design requires the development as a new build to meet Code Level 3 of the Code for Sustainable Homes (CSH).

The Sustainability Checklist and Design and Access Statement submitted with the application state that the development will achieve Code 3 in accordance with the recommendations of SPD08 which will be secured via condition.

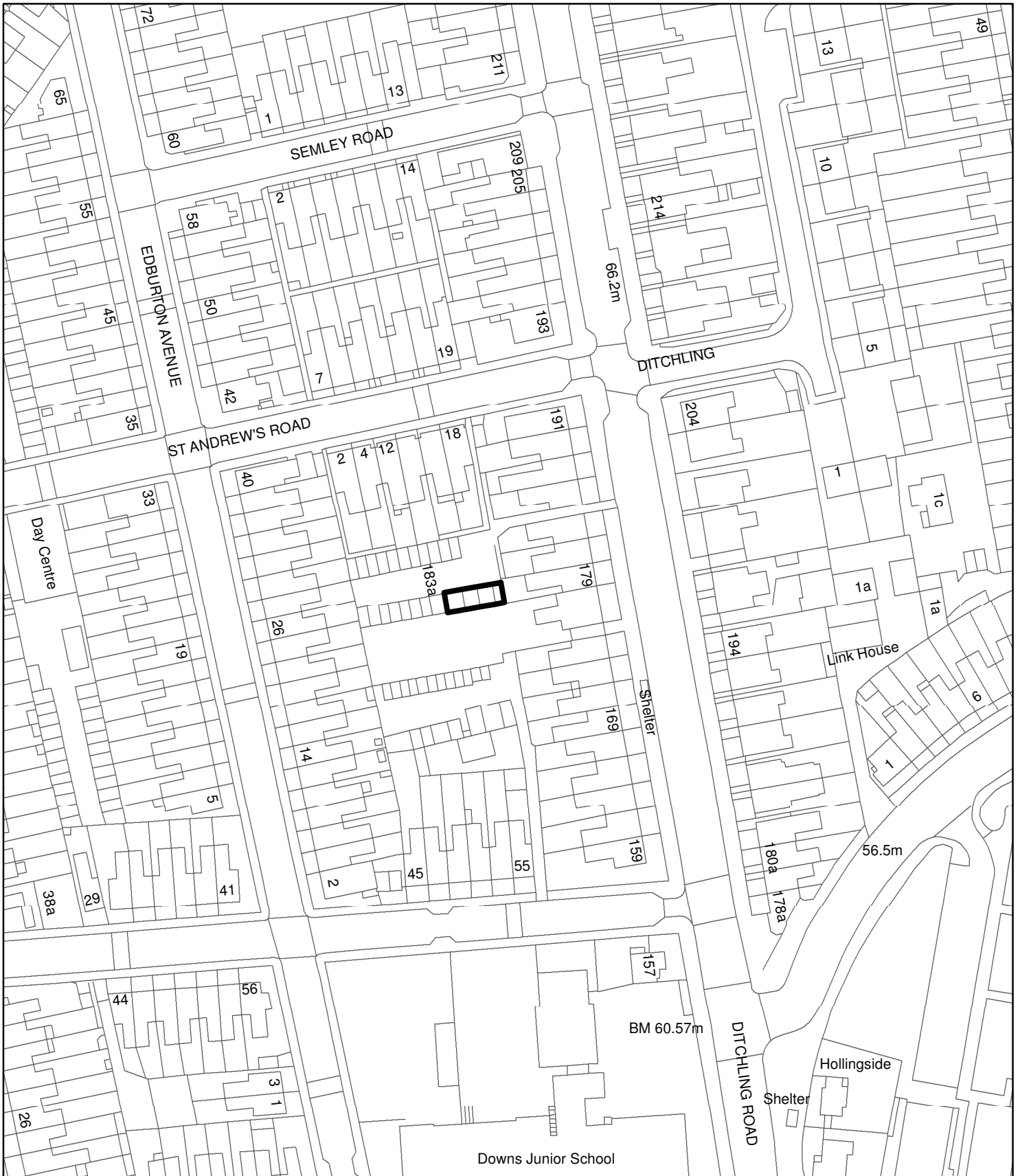
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed development would make provision of a family sized dwelling with private and shared amenity space without detriment to the neighbouring amenity and will preserve the character of the conservation area. There would be no material adverse impacts on highways conditions in the locality and with the imposition of conditions to control the scheme in detail, it accords with Development Plan policies.

9 EQUALITIES IMPLICATIONS

The scheme accords with Lifetime Homes Standards where practicable within the dimensions of the original historic structure.

BH20011/0095 Land to the rear of 183, Ditchling Road



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2011/00096	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Conservation Area Consent		
<u>Address:</u>	Land rear of 183 Ditchling Road, Brighton		
<u>Proposal:</u>	Demolition of existing storage building.		
<u>Officer:</u>	Kate Brocklebank, tel: 292175	<u>Valid Date:</u>	28/01/2011
<u>Con Area:</u>	Preston Park	<u>Expiry Date:</u>	25 March 2011
<u>Agent:</u>	Agora Chartered Architects, Hanover House, 118 Queens Road, Brighton		
<u>Applicant:</u>	Lumsden Coe Developments Ltd, Mr Alan Coe, Vine Cottage, 33A Ashley Road, Epsom, Surrey		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** Conservation Area Consent subject to the following Conditions and Informatives.

Conditions:

1. BH01.04 Conservation Area Consent.
2. BH12.08 No demolition until contract signed.

Informatives:

1. This decision is based on drawing nos. 1600 PL 000 B, 16000 PL 001 A received on 28th January 2011 and drawings no. 1600 PL 002 A and 1600 PL003B received on 27th April 2011.
2. This decision to grant Conservation Area Consent has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance:

Brighton & Hove Local Plan:
HE8 Demolition in conservation areas

Planning Policy Guidance (PPG)
PPS5 Planning for the Historic Environment; and

- (ii) for the following reasons:-

A satisfactory case for demolition and rebuilding of the stable/hayloft supported by a structural engineer's report, has been made on the basis that the building could not be converted without further compromising the integrity of the structure and the internal accommodation.

2 THE SITE

The site is situated to the west of Ditchling Road and is accessed via a narrow opening between 183 and 185 Ditchling Road. The site is a backland site

surrounded by residential development of predominantly two storey Edwardian terraced properties.

The whole site was previously occupied by a number of flat roofed domestic garages which have recently been demolished. In the south east corner of the site there is a pitched roof historic stable building.

There are a number of trees which abut the north boundary of the site, the site area slopes down to the west and is tarmac covered. The site boundaries are a mixture of more modern brick walling, timber fencing and areas of flint and brick walling.

3 RELEVANT HISTORY

BH2011/00095: Demolition of existing storage building and erection of 2no storey, 2no bedroom dwelling. Under consideration.

BH2011/00076: Application for removal of conditions 6, 8 and 11 of application BH2009/02071 (Demolition of existing 20 single storey garages. Construction of 3no. two storey, two bedroom dwellings. Conversion of existing storage building to form a further two storey, two bedroom dwelling. To include altered pedestrian/bicycle access and associated landscaping) which state the rooflights hereby approved in the roof of unit 4 shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof, no works shall take place until elevations and sections of the new windows and doors to unit 4, at a scale no less than 1:20, shall be submitted to and approved in writing by the Local Planning Authority and the development hereby permitted shall not be commenced until details of sustainability measures for the converted stable block have been submitted and approved in writing by the Local Planning Authority. Under consideration.

BH2010/03877: Application for Approval of Details Reserved by Conditions 2 of application BH2009/02391. Approved 17/02/2011.

BH2009/02391: Demolition of 20 single storey garages – concurrent Conservation Area Consent application. Approved 7/6/2010.

BH2009/02071: Demolition of existing 20 single storey garages. Construction of 3No. two storey, two bedroom dwellings. Conversion of existing storage building to form a further two storey, two bedroom dwelling. To include altered pedestrian/bicycle access and associated landscaping. Approved 7/6/2010.

BH2009/00053: Conservation Area Consent. Demolition of existing 20 single storey garages and 1 no. two storey storage building. Refused 6/3/09.

BH2009/00052: Demolition of existing 20 single storey garages and 1 no. two storey storage building. Construction of 5 no. new two storey, two bedroom dwellings, and 1 no. two storey commercial office unit (B1). To include altered pedestrian/bicycle access and associated landscaping. Refused 9/3/2009.

4 THE APPLICATION

Conservation Area Consent is sought for demolition of the existing stable block building which is a part single and part two storey structure situated in the south east corner of a larger development site to the rear of 183 Ditchling

Road.

5 CONSULTATIONS

External:

Neighbours: One letter of objection has been received from the occupant of **183 Ditchling Road**. Their comments are summarised as follows:

- Car parking should be provided as the area suffers greatly from lack of parking.
- The garages should be retained however it is understood that planning permission has already been granted against local residents objections.

CAG: The group regret the loss of the building, but having regard to its position, agreed to make no comment.

Internal:

Conservation and Design: This application is linked to a tandem application to rebuild the hayloft building. The application is accompanied by a structural engineer's report which highlights the poor condition of the existing single-skin brickwork walls, the poor condition of some roof timbers and the inadequacy of the existing foundations to take the new loadings imposed by the conversion works without underpinning works. The building has been inspected on site and it is noted that a number of past structural interventions have already compromised the interior. It would be possible to erect an independent structural framework within the existing shell of the building but this would significantly reduce the floor area and would still require substantial intervention into the existing walls in order to tie them to the new structure. It is therefore considered that a satisfactory case has been made to justify demolition and rebuilding.

6 PLANNING POLICIES

Brighton & Hove Local Plan

HE8 Demolition in Conservation Areas

Planning Policy Guidance (PPG)

PPS5 Planning for the Historic Environment

7 CONSIDERATIONS

The main issue for consideration is whether the loss of the existing building on the site would adversely affect the character and appearance of the Preston Park Conservation Area.

Policy HE8 of the Brighton & Hove Local Plan states proposals should retain building, structures and features that make a positive contribution to the character or appearance of a conservation area. The demolition of a building and its surroundings, which make such a contribution, will only be permitted where all of the following apply:

- a) supporting evidence is submitted with the application which demonstrates that the building is beyond economic repair (through no fault of the

- owner/applicant);
- b) viable alternative uses cannot be found; and
- c) the redevelopment both preserves the area's character and would produce substantial benefits that would outweigh the building's loss.

Demolition will not be considered without acceptable detailed plans for the site's development. Conditions will be imposed in order to ensure a contract exists for the construction of the replacement building(s) and/or the landscaping of the site prior to the commencement of demolition.

As noted by Conservation and Design the site lies within the Preston Park conservation area and the significance of the area lies in its architectural and historic interest as a largely intact Victorian residential suburb. The houses in Ditchling Road are medium scale on modest sized plots. The land to the rear would appear to have originally been in some form of mews use and the existing hayloft building is a surviving remnant of this use. Although somewhat altered its overall form and appearance remains clearly readable as a late 19th century mews building and it contributes very positively to the special character and appearance of the conservation area.

The current application has been submitted with a concurrent application on the site to rebuild the stable/hayloft building. The application is accompanied by a structural engineer's report which highlights the poor condition of the existing single-skin brickwork walls, the poor condition of some roof timbers and the inadequacy of the existing foundations to take the new loadings imposed by the conversion works without underpinning works. The building has been inspected on site and it is noted that a number of past structural interventions have already compromised the interior. It would be possible to erect an independent structural framework within the existing shell of the building but this would significantly reduce the floor area and would still require substantial intervention into the existing walls in order to tie them to the new structure.

It is therefore considered that a satisfactory case has been made to justify demolition and rebuilding. The concurrent planning application BH2011/00095 seeks to replicate the building and where possible re-use the original materials.

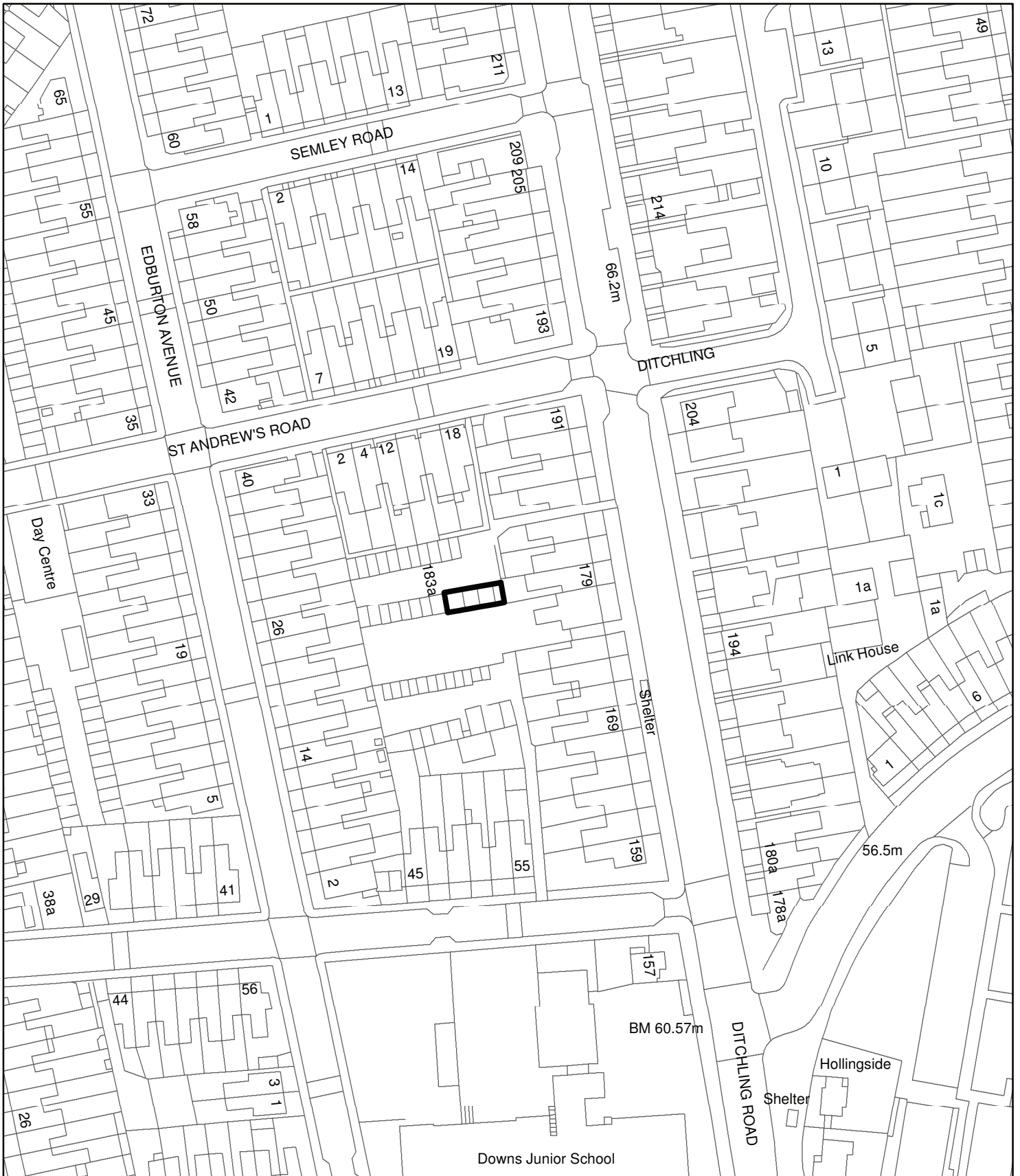
8 REASONS FOR RECOMMENDATION TO GRANT CONSERVATION AREA CONSENT

A satisfactory case for demolition and rebuilding of the stable/hayloft supported by a structural engineer's report, has been made on the basis that the building could not be converted without further compromising the integrity of the structure and the internal accommodation.

9 EQUALITIES IMPLICATIONS

The scheme accords with Lifetime Homes Standards where practicable within the dimensions of the original historic structure.

BH20011/00096 Land to the rear of 183, Ditchling Road



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2011/00726	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	Field End 4, Founthill Road, Brighton		
<u>Proposal:</u>	Replacement of existing fence to West elevation and brickwork wall, piers and vehicular access to South elevation with new brickwork wall and entrance gates. Construction of new brickwork wall parallel to Eastern elevation (Part retrospective).		
<u>Officer:</u>	Sonia Kanwar, tel: 292359	<u>Valid Date:</u>	17/03/2011
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	12 May 2011
<u>Agent:</u>	DMH Stallard, 100 Queens Road, Brighton		
<u>Applicant:</u>	JKC Management Ltd, Mr Jeff Blundell, The Relocation Centre, Blenheim Road, Lancing		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in this report and resolves to **REFUSE** planning permission for the following reason(s):

1. The proposed development, by virtue of its size, height, siting and design would form an incongruous and unsympathetic feature which would be highly prominent and would appear out of keeping with the prevailing character and appearance of the street scene. It would detrimentally impact on the character and appearance of the property, and the visual amenities enjoyed by neighbouring properties. The approval of the proposal could set an undesirable precedent for development of similar structures in the Founthill Road street scene. The development is therefore contrary to policy QD14 of the Brighton and Hove Local Plan.

Informatives:

1. This decision is based on drawings nos.0902/013, 0902/111, 0902/112, 0902/114, 0902/Loc and the letter from the agent DMH Stallard received on the 11th March 2011.

2 THE SITE

The application relates to a detached property located on the northern side of Founthill Road. The property looks onto the South Downs National Park to the rear. Apart from the application site, the Founthill Road streetscene is characterised by properties with open gardens and low/ moderate front boundary walls.

3 RELEVANT HISTORY

BH2010/00683: Replacement of existing fence to West elevation and brickwork wall, piers and vehicular access to South elevation with new brickwork wall and entrance gates. Construction of new brickwork wall parallel to Eastern elevation (retrospective). Refused 21/05/2010.

BH1999/00808/FP: Erection of single storey extension in front of garage. Approved 19/05/1999.

BH1998/02575/FP: Excavation of rear garden and construction of new garden/boundary walls (Part retrospective). Approved 25/01/1999.

BH1998/01787/FP: Construction of new sunken enclosed swimming pool in rear garden. Refused 23/09/1998.

BH1997/00990/FP: 2-Storey additions to rear of property. Approved 19/11/1997.

96/0403/FP: Erection of a two storey extension to form enclosed swimming pool on ground floor and master bedroom and sun terrace on first floor. Refused 27/06/1996.

4 THE APPLICATION

Planning permission is sought for the replacement of existing fence to the west elevation and the brickwork wall, piers and vehicular access to the south elevation with new brickwork wall and entrance gates. Also the construction of a new brickwork wall parallel to the eastern elevation.

The current alterations to the boundary treatment are unauthorised. The application is part-retrospective and has come about after investigations by the Council's planning enforcement team. The LPA has refused a retrospective application for the existing works (BH2010/00683). This application proposes a reduction in the height of the wall, gates and piers to the front elevation.

5 CONSULTATIONS

External:

Neighbours: Two emails from **The Headland, Founthill Road** who supports the application. Emails from **The Rosary & no. 2 Founthill Road, nos. 3 and 5 (x2) Westminston (presumed to be Westmeston) Avenue** who have no objection to the existing or proposed wall.

Natural England: No comments.

South Down National Park Planning Team: No comments received.

South Downs Society: No comments received.

Internal

Sustainable Transport: No objections.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD14 Extensions and alterations

QD27 Protection of amenity

TR7 Highway safety

7 CONSIDERATIONS

The main issues of consideration relate to the impact of the development upon the character and appearance of the property and the surrounding area, and the impact upon highway safety.

Planning permission is sought for the replacement of the existing fence to the west elevation and the brickwork wall, piers and vehicular access to the south elevation with new brickwork wall and entrance gates. Also the construction of a new brickwork wall parallel to the eastern elevation.

The current alterations to the boundary treatment are unauthorised. The application is part-retrospective and has come about after investigations by the Council's planning enforcement team. The LPA has refused a retrospective application for the existing works (BH2010/00683) for the following reason:

The development, by virtue of its size, height, siting and design forms an incongruous and unsympathetic feature which is a highly prominent within the streetscene and detrimentally affects the character and appearance of the property and the visual amenities enjoyed by neighbouring properties. The approval of the wall would set an undesirable precedent for development of similar structures within the Founthill Road streetscene.

The current application proposes a reduction in the height of the wall, gates and piers to the front elevation as currently built. The side walls are to remain at their current height.

The heights of the structure to the front elevation as proposed would be as follows:

Front wall 1.6 metres to 1.8 metres
Westernmost pier 2.4 metres, and
Middle pier 2.05 metres
Easternmost pier 2.1 metres
Pedestrian entrance gate 2.1 metres
Vehicular entrance gates 2 metres

The measurements of the existing front wall, pillars and gates, as measured on site, ranged from 2 metres to 2.27 metres. The wall exceeds 2 metres in places to the east and west elevations.

Appearance

The Saltdean Urban Characterisation Study describes Saltdean development as "suburban in type with broad roads, grass verges and pavements bordered by low walls creating streets of an intimate human scale". Although it could be argued that not all properties in Saltdean retain these low walls, Founthill Road is characterised by properties which are visible within the streetscene and which have open front gardens and low front boundary walls that provide

views into the front garden areas, providing visual relief.

It is considered that the applicant has not fully addressed the reasons for the refusal in the previous application. The current application proposes a reduction in the height of the wall, gates and piers to the front elevation. The side walls are proposed to remain at their current height. However it is considered that the alterations do not address the harm caused by the existing structure.

The section of the structure fronting Founthill Road, by virtue of its height and size would form a harsh visual barrier abutting the highway. There would be no visual relief with a wall, piers and solid timber doors at this height. Sections of the side elevations of the structure are also highly visible within the streetscene, cumulatively adding to the imposing effect. A lower wall, particularly to the front elevation, with openings would provide views of the garden and would give a less fortress-like appearance.

It is noted that there are no other walls of this height within this stretch of Founthill Road streetscene. It is considered that approval of this application should be resisted as it would set a precedent and the cumulative effect of further similar developments would be of detriment to the appearance of the streetscene and would adversely alter the character of the immediate surrounding area.

Previous Structure

The supporting information submitted as part of this application argues that that the boundary wall would be similar to a previous structure to the front elevation which was in situ prior to the erection of the existing unauthorised structure. The applicant has supplied images from 2009. It can be seen that the previous wall was originally at a higher level than other walls in this section of Founthill Road, however it did not appear as incongruous within the streetscene as the current proposal. It is shown on the plans that the previous structure measured between approximately 1 metre and 2 metres in height. However the proposed wall is not similar in height to this, as can be seen from the measurements above; at between 1.6 metres and 2.4 metres it would appear much taller.

The images of the previous structure as supplied by the applicant also shows that it had two openings with wrought iron gates from which it was possible to view the front garden area providing the visual relief that is missing from the proposed arrangement of high front wall and solid timber gates. It is also noted that there were previously no walls to the side elevations; there was a standard fence to the western boundary which measured 1.8 metres, and a fence to the eastern boundary which measured 1.2 metres – both lower and less intrusive than the current side boundary walls.

The works as existing on site and as currently proposed represent a significant departure in character when considered against the boundary

treatment previously in place. The argument that this scheme is visually similar to the previous boundary treatment on site is not therefore accepted.

Highway Safety

The Sustainable Transport team have no objections to the proposal.

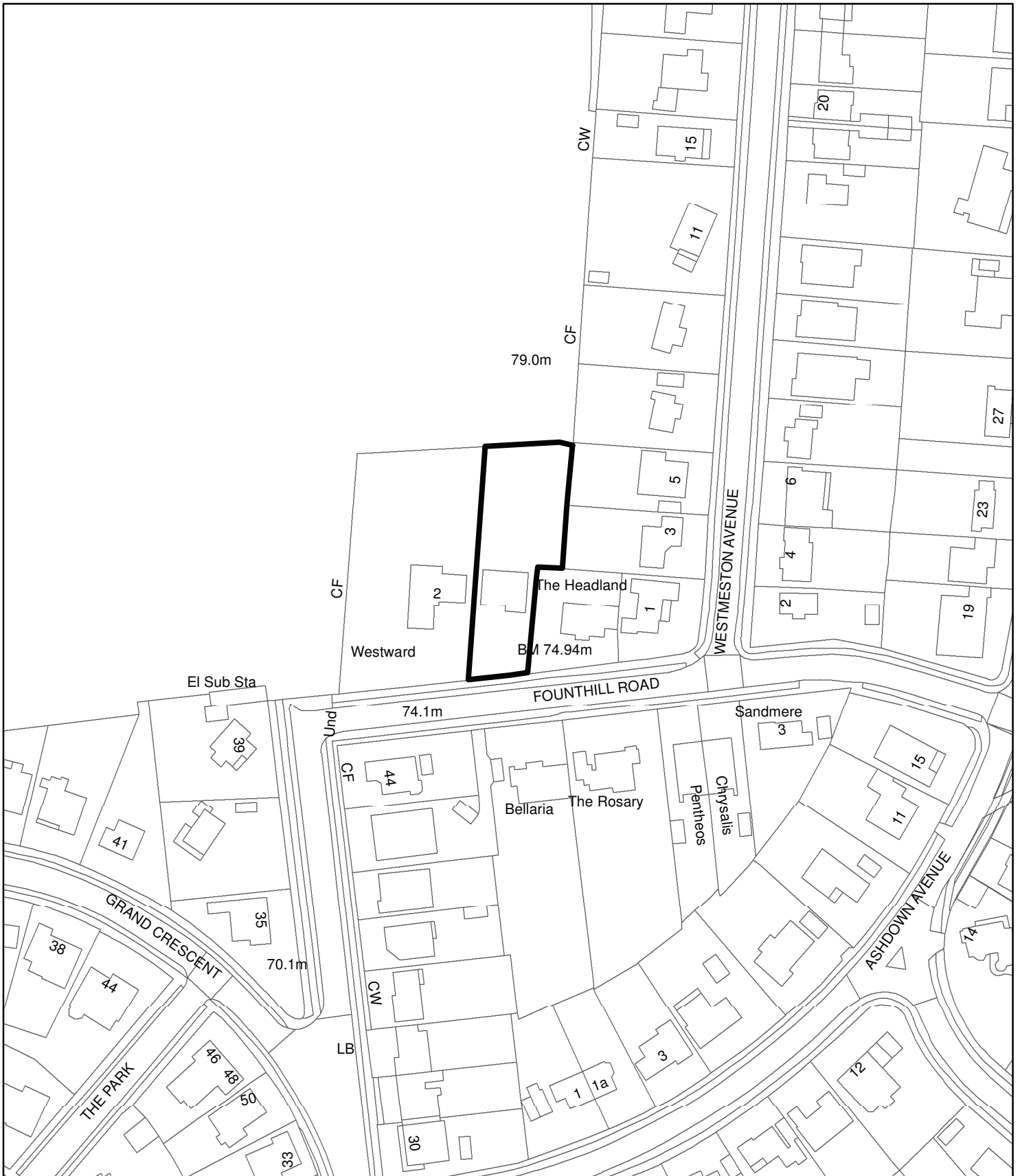
Other issues

The applicant has supplied photographs (without the corresponding addresses of properties) with walls/ gates in support of the application. However none of the properties listed appear to be in Founthill Road and therefore do not impact on the Founthill Road streetscene.

8 EQUALITIES IMPLICATIONS

None identified.

BH20011/00726 Field End, 4, Founthill Road



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2011/00606	<u>Ward:</u>	WOODINGDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	44 Crescent Drive South, Brighton		
<u>Proposal:</u>	Installation of glass panelled safety rail to rear at first floor. (Retrospective)		
<u>Officer:</u>	Aidan Thatcher, tel: 292265	<u>Valid Date:</u>	28/02/2011
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	25 April 2011
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Mr Lee Phillips, 44 Crescent Drive South, Brighton		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in this report and resolves to **REFUSE** planning permission for the following reasons:

1. The development is out of character with the wider area by virtue of the resultant appearance of the balustrade combined with the flat roof area having a balcony/terrace appearance which is not found within the vicinity of the application site. The proposal is therefore considered to be contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.
2. The development results in a perception of overlooking and offers the opportunity for potential overlooking and as such results in harm to the amenity of the neighbouring occupiers. The proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on drawings titled site location plan (unreferenced), block plan, proposed rear/south elevation, proposed 1st floor plan, existing/proposed ground floor plan, existing 1st floor plan, existing rear/south elevation, existing side/east elevation, proposed side/east elevation, proposed side/west elevation, proposed side/west elevation, existing roof plan, proposed roof plan and proposed/existing front elevation received on 28.02.11.

2 THE SITE

The site is an existing bungalow on the south side of Crescent Drive South. The host dwelling has a large single storey extension to the rear, with also incorporates a roof extension, by virtue of a rear facing dormer. This dormer cuts away the roofslope to allow doors the full height of the dormer and thus results in a flat roofed area in front of these doors.

The site slopes extensively from north (front) to south (rear), and also from east (side) to west (side), which means that the bungalow appears more bulky from the rear.

The wider area is characterised by other similar bungalows, with various alterations, including many with attic conversions incorporating front, side and rear facing dormers.

3 RELEVANT HISTORY

BH2008/01643: Build a raised deck area to rear/south and rear side/west areas as shown. Fit a timber screening fence, to top of a pre-existing wall, to a max height approximately 2.7m (part retrospective) – approved 15/10/2008.

BH2006/00853: Certificate of lawfulness for proposed extension, roof extension, two dormer windows and six rooflights – refused 08.05.06.

BH2006/00238: Certificate of Lawfulness for existing development of garage for domestic dwelling – approved 22.02.06.

BH2005/06204: Dormer windows to front (north) and side (east and west) elevations and 2-storey rear extension. (Resubmission of BH2005/02406/FP which was refused 06/10/05) – approved 21.03.06.

BH2005/02406/FP: Extension of roof to form rooms plus ground floor extensions – refused 06.10.05.

4 THE APPLICATION

This application seeks retrospective consent for the erection of a 1.0m high glazed balustrade along the external boundaries of an existing piece of flat roof adjoining an existing dormer window with doors.

5 CONSULTATIONS

External:

Neighbours: 4 letters confirming no objection from the occupiers of nos. **48 and 50 Crescent Drive South** and nos. **41 and 45 Brownleaf Road** on the following grounds:

- It is understood the balcony will not be used;
- A rail is required for safety reasons;
- No additional loss of privacy; and
- The balcony is limited in size.

2 letters of objection from the occupiers of nos. **42 and 46 Crescent Drive South** on the following grounds:

- It railing is to a balcony which is restricted from being used by condition 5 of BH2005/06204;
- Increased overlooking and loss of privacy;
- The application is for a full balcony, not just a safety rail;
- A balcony in this location has previously been refused by application BH2005/02406/FP; and
- A safety rail could be constructed as a Juliette balcony as per the approved application (BH2005/06204).

A letter of objection has been received from **Cllr Simson**. It is attached to this report.

Internal:

None received.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD14 Extensions and alterations
- QD27 Protection of Amenity

7 CONSIDERATIONS

The main considerations in the determination of this application relate to the planning history, impact on host dwelling and wider area and amenity issues.

Planning History

Planning permission was granted for a number of alterations to the property under application BH2005/06204. This gave consent for the following:

“Dormer windows to front (north) and side (east and west) elevations and 2-storey rear extension.”

As part of this consent, the rear dormer was to include a Juliette railing across the doors of the rear dormer to restrict access onto the area of flat roof beyond this (which has now been enclosed and is the subject of this application). In addition, a condition was imposed which read:

“Access to the flat roof adjoining the Juliet balcony at first floor level to the south elevation shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.”

This therefore confirms that the area of flat roof which has now been enclosed with a balustrade can not be used as a balcony or terrace.

Impact on host dwelling and wider area

Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:

- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
- b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
- c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and

d) uses materials sympathetic to the parent building.

In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.

As stated above, this application seeks consent for the erection of a glazed balustrade to the external boundaries of the existing flat roof, adjacent to the existing rear dormer.

However, the development is read in conjunction with the area of flat roof which it encloses. As such, the development has the appearance of a balcony/terrace, regardless of whether it is used for this purpose or not.

It is considered that the proposal is uncharacteristic of the neighbourhood, where such balconies/terraces are not found, particularly within the vicinity of the application site. As such, it is considered that the development causes harm to the character of the area.

Amenity issues

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.

As stated above, the resultant development (already in situ) has the appearance of a balcony/terrace. This in itself, regardless of whether it is used as such gives a significant feeling of perceived overlooking to the neighbouring properties.

As such the proposal results in an unacceptable harm to their amenity.

In addition, whilst the condition restricting the use of the flat roof area as a balcony/terrace is noted, without the Juliette railing erected, this increases the possibility of the flat roof area being utilised as a terrace in the longer term.

Were the flat roof area to be used as a balcony, it would result in direct and significant overlooking to the rear gardens of both nos. 42 and 46 Crescent Drive South.

As such, there are concerns over potential overlooking also.

8 EQUALITIES IMPLICATIONS

None.

BH20011/00606 44, Crescent Drive South



**Brighton & Hove
City Council**



Scale: 1:1,250



**Brighton & Hove
City Council**

PLANS LIST – 18 MAY 2011

COUNCILLOR REPRESENTATION

From: Dee Simson
Sent: 20 April 2011 14:56
To: Aidan Thatcher
Subject: RE: BH2011/00606

Dear Aidan

My reasons for requesting this is that I believe this application should be granted on health and safety grounds. The council has given permission for a flat roof area outside an opening French window which can be used in the event of evacuation. If such a space were to be used for this purpose, especially if young children were involved, then it would be unsafe unless a barrier was constructed around it. There is a condition on the current planning permission that this area is not to be used as a roof terrace for general use so as long as this stays then permission for the barrier should be granted.

Hope this is sufficient.

Regards

Dee

Dee Simson

Conservative Councillor Woodingdean Ward

Cabinet Member for Community Affairs, Inclusion and Community Safety

Deputy Leader Brighton & Hove City Council

01273 291178

<u>No:</u>	BH2011/00620	<u>Ward:</u>	BRUNSWICK AND ADELAIDE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	55-57 Church Road, Hove		
<u>Proposal:</u>	Enclosure of front terrace with canopy, supporting structure and glazed screening. (Retrospective).		
<u>Officer:</u>	Christopher Wright, tel: 292097	<u>Valid Date:</u>	03/03/2011
<u>Con Area:</u>	The Avenues	<u>Expiry Date:</u>	28 April 2011
<u>Agent:</u>	Lewis & Co Planning SE Ltd, Paxton Business Centre, Portland Road, Hove		
<u>Applicant:</u>	Leonardo Restaurant, Mr Cleto Capetta, 55-57 Church Road, Hove		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in this report and resolves to **REFUSE** planning permission for the following reason:

The fixed enclosure of the front terrace is, by reason of the siting, scale, materials, design and detailing, discordant with the historic character and appearance of the building and wider terrace and intrusive and unduly dominant in the street scene, to the detriment of visual amenity. The development neither enhances nor sympathises with the traditional style and character of The Avenues Conservation Area. As such the development is contrary to the requirements of policies QD2, QD5, QD14 and HE6 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on the design and access statement, site waste minimisation statement and biodiversity first impressions checklist received on 3 March 2011; and the location plan, site plan and drawing nos. 03 Revision X, 04 Revision X, 06 Revision X and 07 Revision X received on 3 March 2011.

2 THE SITE

The application relates to a restaurant occupying 55-57 Church Road which benefits from a double frontage with a main entrance between. There is a raised terrace bounded by a wall in front of the premises which provides additional seating. The terrace is presently fully enclosed with canopies and glass walled enclosure.

3 RELEVANT HISTORY

BH2010/03698: On 31 January 2011 permission was granted for the replacement of the existing enclosure with the installation of two retractable awnings over each side of the front terrace.

BH2007/00942: Approval was granted on 15 July 2008 for part change of use

of no. 57 from retail (A1) to restaurant (A3) in conjunction with no. 55 single storey rear extension, alterations to basement and ground floor and installation of extract ducting to rear elevation and formation of front boundary wall and replacement shopfronts to nos. 55 and 57.

BH2006/03657: Planning permission for change of use of no. 57 from A1 retail to A3 restaurant to be used in association with no. 55, rear extension and alterations to basement and ground floor, was refused on 21 December 2006.

BH2000/00611/AD: An application for the retention of a high level banner was refused on 5 June 2000.

BH1998/02401/FP: An application for the retention of air conditioning units to roof of rear extension was refused on 12 January 1999.

BH1998/01863/FP: An application for the erection of single storey rear extension was authorised on 30 October 1998.

BH1998/00205/FP: The erection of a single storey rear extension and installation of a glazed roof over the existing light well was approved on 23 March 1998.

4 THE APPLICATION

The application seeks retrospective planning permission for the enclosure of the front terrace by means of a framed glass wall structure connected to a canopy over and enclosing the whole terrace with a single structure. The structure is left in situ on a permanent basis.

5 CONSULTATIONS

External:

Neighbours: Two letters of representation have been received from **3rd Floor Flat 51 Church Road and 51 Church Road (freeholder of 51 and 53 Church Road)**, objecting to the application for the reasons summarised below:-

- One rule for Leonardo's, another for the rest of us.
- Work should not have continued without planning permission.
- Extension and canopy is unsuitable for a building in a Conservation Area.
- Proximity of the terrace to the bus stop narrows pavement making pedestrian passage difficult and dangerous.
- Pedestrians have to walk in the road sometimes to pass.
- Front boundary is further forward than expected.

Eight individual letters of representation have been received from **45 (Hothedz) Church Road; no address given; 12 Newtown Road; 2 Orchard Lane (Ditchling); The Stables Wilbury Grove; 7 Coleman Avenue; 284 (Graffiti Design International Ltd.) and 418 (Aesthetica) Portland Road**, in support of the application for the reasons summarised below:-

- The structure provides a Mediterranean ambience which fits in well with the surrounding area;
- The structure is attractive and well designed;
- The structure attracts tourism and enhances the vitality of the area;
- Other perceived benefits of the facilities offered by the establishment are

not material planning considerations.

A **circular** letter in support of the application has been submitted with 480 signatories. Details of the origins of the representations are in Appendix A. The circular letter reads as follows:-

I support the application to retain the existing awning at Leonardo Restaurant – which provides an excellent facility for both local residents and business users alike.

A **variation on this circular** letter has been submitted 132 times (see Appendix B) and reads as follows:-

We strongly support the above application to retain the existing awning/structure at Leonardo Restaurant, 55-57 Church Road, Hove. The structure/awning provides an excellent facility for both residents and businesses alike. The structure/awning fits in with its surroundings and adds to the vitality of the area.

A **third variant of the circular** letter has been signed by 18 signatories (Appendix C) and reads as follows:-

We strongly support the above application to retain the existing awning/structure at Leonardo Restaurant, 55-57 Church Road, Hove. The structure/awning provides an excellent facility for both residents and businesses alike. The structure/awning fits in with its surroundings and adds to the vitality of the area. We feel it is important for the area as a whole especially in this difficult economic time.

Crime Prevention Design Adviser (Sussex Police): No objection.

Internal:

Design and Conservation Team: Objection.

This property is in The Avenues Conservation Area. It is within an attractive Victorian Terrace which is part of the main commercial street running through Hove, with a mix of shopfronts at ground floor level. Strong shopfront design guidance has been in place in this area for many years with the aim of protecting traditional shopfronts which are so important to the quality of this conservation area.

This retrospective proposal is to enclose the frontage of two ground floor properties with a structure which although claimed to be largely demountable is effectively permanent and dramatically changes the appearance of the building, detrimentally affecting the character of the Conservation Area.

The specific concerns are:

- The building line is pushed forward at ground level in contrast to the established frontage of the rest of the terrace, building out bulk at ground floor level that dominates the street frontage.
- The appearance of the shopfronts is affected by splitting the elevations allowing only the top of the windows to be visible.
- A dominant horizontal feature is created, spanning the two properties and disrupting the verticality of the terrace and rhythm of the architecture in the wider street scene.
- Inappropriate materials have been used: aluminium framed glass panels and powder-coated metal canopy framework are unsuitable for use generally in the conservation area.

This structure has a far more substantial appearance and a permanence not so apparent in canvas awnings elsewhere in the locality (albeit that they can also be considered visually harmful in similar ways to the structures under consideration).

The development has no regard to the longstanding Local Plan policies or SPD aimed at protecting the special character of the conservation area.

Sustainable Transport: No objection.

This retrospective application for an enclosure does not make the situation that has arisen for pedestrians as a result of previous approvals any worse, and therefore the highways authority cannot raise any objection.

If the Local Planning Authority is minded to grant planning permission it is recommended in the strongest possible terms that the decision includes a negatively worded condition along the lines of:

Prior to the hereby approved coming into use the area of land affected by this proposal should be stopped up as publicly maintainable highway in the interests of public safety to protect the rights of the public and to comply with Local Plan policies TR7, TR8 and TR13.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

SU2	Efficiency of development in the use of energy, water and materials
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD5	Design – street frontages
QD10	Shopfronts
QD27	Protection of Amenity
HE6	Development within or affecting the setting of a conservation area
TR8	Pedestrian routes
TR13	Pedestrian network

Supplementary Planning Documents:

SPD02 Shopfronts

SPD08 Sustainable Building Design

7 CONSIDERATIONS

The main considerations in the determination of this application relate firstly to the design and appearance of the enclosure and its effect on the historic character of The Avenues Conservation Area; and secondly whether the enclosure has a detrimental impact on neighbouring amenity.

Application BH2007/00942 granted permission for the front seating area and boundary wall. The application is to consider the enclosure of the terrace alone.

Planning Policy:

Policy HE6 of the Local Plan relates specifically to development within Conservation Areas or affecting their setting. Design should be of a high standard and seek to reflect the scale and character or appearance of the area, including building lines. Materials and finishes should be sympathetic to the area and development which would have a harmful impact on the townscape or incorporate inappropriate features or details should be resisted.

Policies QD2 and QD14 of the Local Plan relate more generally to emphasising and enhancing the positive qualities of the local neighbourhood and ensuring design is well related to the property being extended. Policy QD5 states all new development should present an interesting and attractive frontage, particularly at street level for pedestrians.

Design:

The main building comprises part of a terrace on three floors with accommodation in the roof, and some with basements. Key design features include a continuous building line punctuated occasionally by low boundary walls and piers in front; bay windows with moulded cornices; and sash windows. Materials are predominantly buff brick with timber sash windows and painted or decorated architraves. These buildings contribute greatly to the character and ambience of The Avenues Conservation Area, and this style of building represents the origins of this part of Church Road, having evolved over time with shopfronts at ground level. Some of these shopfronts have awnings hanging over their frontages.

The awning enclosure to which this application relates is a structure positioned in front of the established building line. The glazed supporting walls of the enclosure are of a design which does not integrate well with the traditional façade in visual terms. This is due to the scale, materials and detailing. The awning has a solid appearance and is attached to the framework of the supporting enclosure. The Design and Conservation Team points out that the enclosure spans the width of two frontages which detracts from the verticality and rhythm of the terrace façade. The awning together

with the supporting enclosure takes on a different character to the more traditional fabric awnings with open sides which are more appropriate to the site context. This incongruity with the traditional façade of the terrace combined with the position of the enclosure in front of the building line and spanning two frontages gives the development an intrusive and discordant presence which detracts from the character of The Avenues Conservation Area and which is detrimental to visual amenity.

At 65-67 Church Road (Topolino Duo) there is a canvas tent-like enclosure in front of the building, together with heavy planters situated on the pavement. There is no history of planning permission for this and there is Planning Investigation in progress. However, this particular enclosure has a less permanent appearance than the enclosure subject of this application.

Permission has previously been granted for two retractable awnings over each side of the front terrace (BH2010/03698) which would provide shelter over the seated terrace and would have open sides. This is a more traditional approach and has worked successfully to other premises in the vicinity of the site.

The applicant has made reference to other awnings near to the application site.

The first is Topolino Duo (65-67 Church Road). On 18 May 1999 permission was granted for the installation of new shop front to no. 65 Church Road, in association with linking the premises to the restaurant at no. 67 Church Road (BH1999/00701/FP). There is no planning history for the canvas enclosure and heavy planters set out on the pavement and as such this enclosure does not have planning approval.

The second example referred to is Pascal's (6 Queen's Place). There is no planning approval for the retractable awning. The terrace is open at the front and the awning sides are of a loose material that can be rolled up. The awning itself can be readily retracted. This arrangement is less permanent than the enclosure at the application site and the terrace does not have fixed glazed sides.

The third example given is Tin Drum (10 Victoria Grove). Planning permission and listed building consent were granted retrospectively for the decked front seating area (BH2008/03764 and BH2008/03703), but these decisions did not include a retractable awning over. The front seating area is covered only by a retractable awning. There are no fixed sides to fully enclose the front terrace as has been done at the application site. The style of awning is more traditional and in keeping with the historic character of the conservation area.

Finally the applicant has referred to Café 3000 (69 Church Road). There is no planning approval for the orange colour awning although the awning may

benefit from deemed consent. However, the front seating area is not permanent and the awning does not have fixed sides or walls to provide a full enclosure. Again this is a more traditional style of sheltering an outdoor seating area and is materially different to the development carried out in front of the application site.

The applicant also cites a recent refusal of permission and subsequent dismissal of an appeal for proposed timber and glass fixed enclosures in front of 75-77 Church Road (Blind Busker). The applicant considers the application site to be materially different owing to there being other enclosures nearby, whether authorised or otherwise. However, the appeal Inspector took this into consideration and still arrived at the opinion the fixed screens would be out of character with other boundary treatments in the vicinity in terms of height, design and materials used. Typical features of similar premises in the Conservation Area are described as bays, balconies and canopies with boundaries marked by low walls, many with railings above. The Inspector concluded the proposal would be detrimental to the character and appearance of The Avenues Conservation Area. The Inspector also considered the fallback position whereby permission had been granted for two retractable canopies and that these are a feature of the commercial area along the road.

As such there is a direct parallel with the application site because permission has already been granted for two retractable awnings, which would serve the same purpose sheltering the front terrace and having an appearance more in keeping with the character of the Conservation Area. The Inspector's decision is relevant to the application and supports the position on incongruous and discordant means of enclosure in front of buildings within the conservation area along this length of Church Road.

These supporting comments are not considered to outweigh the conflict with both national and local planning policy which is to preserve or enhance the character and appearance of conservation areas. This is an historic part of Hove with a unique character and inappropriate development that does not reinforce this local identity should be resisted.

In view of the above the development is considered to be contrary to policies QD2, QD5, QD14 and HE6 of the Local Plan.

Impact on amenity

Policy QD27 seeks to protect neighbouring amenity. Given the commercial status of the neighbouring properties, the enclosure at ground floor level is unlikely to have an adverse impact in respect of loss of light or overshadowing.

Additional considerations

Many of the representations received in support of the development refer to the enclosure providing a facility for residents and businesses and suggest

that if the enclosure was removed it would have a negative effect on the local economy. In this respect the refusal of this application would not result in any reduced trading area.

Conclusion

The fixed enclosure of the front terrace is, by reason of the siting, scale, materials, design and detailing, discordant with the historic character and appearance of the building and wider terrace and intrusive and unduly dominant in the street scene, to the detriment of visual amenity. The development neither enhances nor sympathises with the traditional style and character of The Avenues Conservation Area. Accordingly it is recommended that retrospective planning permission is refused. The matter will then continue to be pursued by the Planning Investigations Team.

8 EQUALITIES IMPLICATIONS

There are no equalities implications arising from the permanent enclosure of the front terrace.

Appendix A

I support the application to retain the existing awning at Leonardo Restaurant - which provides an excellent facility for both local residents and business users alike.

Count (480)	Local Address		
1	3, 26	Adelaide Crescent	Hove
2	3, 26	Adelaide Crescent	Hove
3	6a, 28	Adelaide Crescent	Hove
4	13, 4	Adelaide Mansions	Hove
5	13, 4	Adelaide Mansions	Hove
6	3, 33	Albany Villas	Hove
7	3, 33	Albany Villas	Hove
8	5, 6	Alfred Road	Brighton
9	22	Anvil Close	Portslade
10	1	Applesham Avenue	Hove
11	26	Barn Rise	Brighton
12	1	Barrowfield Drive	Hove
13	50	Bates Road	Brighton
14	50	Bates Road	Brighton
15	33	Bellingham Crescent	Hove
16	9	Benfield Way	Portslade
17	18	Blatchington Road	Hove
18	71	Blatchington Road	Hove
19	81A	Blatchington Road	Hove
20	91A	Blatchington Road	Hove
21	36	Bramber Avenue	Hove
22	30	Brangwyn Crescent	Brighton
23	10 Rugby Court	Bristol Gardens	Brighton
24	Basement 48	Brunswick Road	Hove
25	14	Brunswick Square	Hove
26	4, 44	Brunswick Square	Hove
27	6, 20	Brunswick Square	Hove
28	1, 28	Brunswick Terrace	Hove
29	3 Harenah House, 12/13	Brunswick Terrace	Hove
30	16	Buller Road	Brighton
31	3	Burlington Gardens	Portslade
32	24	Byron Street	Hove
33	3 Tennyson Court	Byron Street	Hove
34	8	Caister's Close	Hove
35	63	Carlisle Road	Hove
36	63	Carlisle Road	Hove

PLANS LIST – 18 MAY 2011

37	9 Parham House	Chatsworth Square	Hove
38	9 Parham House	Chatsworth Square	Hove
39	1	Cheltenham Place	Brighton
40	4	Chichester Close	Not Given
41	2	Church Road	Hove
42	2	Church Road	Hove
43	2	Church Road	Hove
44	10	Church Road	Hove
45	12	Church Road	Hove
46	14	Church Road	Hove
47	18	Church Road	Hove
48	18	Church Road	Hove
49	18	Church Road	Hove
50	20	Church Road	Hove
51	20	Church Road	Hove
52	20	Church Road	Hove
53	26	Church Road	Hove
54	32	Church Road	Hove
55	38	Church Road	Hove
56	38	Church Road	Hove
57	40	Church Road	Hove
58	43	Church Road	Hove
59	43	Church Road	Hove
60	43	Church Road	Hove
61	43	Church Road	Hove
62	43	Church Road	Hove
63	43	Church Road	Hove
64	44	Church Road	Hove
65	45	Church Road	Hove
66	45	Church Road	Hove
67	50	Church Road	Hove
68	52	Church Road	Hove
69	54	Church Road	Brighton
70	57	Church Road	Hove
71	59	Church Road	Hove
72	61	Church Road	Hove
73	62	Church Road	Hove
74	62	Church Road	Hove
75	62	Church Road	Hove
76	64	Church Road	Hove
77	75	Church Road	Hove
78	79	Church Road	Hove
79	83	Church Road	Hove
80	89	Church Road	Hove
81	89	Church Road	Hove
82	104	Church Road	Hove

PLANS LIST – 18 MAY 2011

83	66-68	Church Road	Hove
84	66-68	Church Road	Hove
85	Glaisyer and Kemp	Church Road	Hove
86	8	Clarendon Road	Hove
87	4, 22	Clarendon Villas	Hove
88	5	Coleman Avenue	Hove
89	13	Coniston Court	Hove
90	4	Connaught Road	Hove
91	19	Coombe Rise	Saltdean
92	19	Court Close	Brighton
93	19	Court Close	Brighton
94	105	Cowper Street	Hove
95	17	Crescent Road	Brighton
96	7	Crestway Parade	Brighton
97	2, 2	Cromwell Road	Hove
98	99-100	Cromwell Road	Hove
99	99-100	Cromwell Road	Hove
100	Basement 32	Cromwell Road	Hove
101	Basement 32	Cromwell Road	Hove
102	74	Davigdor Road	Hove
103	4	Delfryn	Portslade
104	4, 72	Denmark Villas	Hove
105	360	Ditchling Road	Brighton
106	20	Downsway	Brighton
107	31	Drive Lodge	Hove
108	47	Dyke Road	Brighton
109	7	Dyke Road Avenue	Hove
110	7	Dyke Road Avenue	Hove
111	248	Eastern Road	Brighton
112	4	Eastern Terrace	Brighton
113	49 Chaldonan	Eaton Road	Hove
114	5 Ashdown	Eaton Road	Hove
115	20	Fairfield Gardens	Portslade
116	53	Fairfield Gardens	Portslade
117	48	First Avenue	Hove
118	48	First Avenue	Hove
119	4, 22	First Avenue	Hove
120	50A	First Avenue	Hove
121	50A	First Avenue	Hove
122	20	Foredown Road	Brighton
123	12	Fourth Avenue	Hove
124	12	Fourth Avenue	Hove
125	4, 29	Fourth Avenue	Hove
126	4, 29	Fourth Avenue	Hove
127	53 Furze Croft	Furze Hill	Hove
128	88 Furze Croft	Furze Hill	Hove

PLANS LIST – 18 MAY 2011

129	13	Gardner Street	Portslade
130	64	George Street	Hove
131	Dorothy Perkins	George Street	Hove
132	126	Goldstone Crescent	Hove
133	2, 31	Goldstone Road	Hove
134	90A	Goldstone Road	Hove
135	19	Gordon Road	Portslade
136	7	Grand Avenue	Hove
137	7	Grand Avenue	Hove
138	10 Ashley Court	Grand Avenue	Hove
139	15 Warnham Court	Grand Avenue	Hove
140	7 Victoria Court, 16	Grand Avenue	Hove
141	71 Coombe Lea	Grand Avenue	Hove
142	44	Hamilton Close	Portslade
143	Miller Place	Hamilton Close	Portslade
144	145	Hangleton Road	Hove
145	145	Hangleton Road	Hove
146	322A	Hangleton Road	Hove
147	169	Hangleton Valley Drive	Hove
148	88	Harewood Court	Hove
149	37	High Street	Portslade
150	24	Holland Road	Hove
151	24	Holland Road	Hove
152	24	Holland Road	Hove
153	24	Holland Road	Hove
154	113	Holland Road	Hove
155	17/53	Holland Road	Hove
156	17/53	Holland Road	Hove
157	17/53	Holland Road	Hove
158	17/53	Holland Road	Hove
159	4 Alveston Court	Holland Road	Hove
160	4 Alveston Court	Holland Road	Hove
161	4 Alveston Court	Holland Road	Hove
162	22	Hova Villas	Hove
163	45	Hova Villas	Hove
164	5B	Hova Villas	Hove
165	5B	Hova Villas	Hove
166	72a	Hova Villas	Hove
167	31	Hove Park Villas	Hove
168	48	Hove Park Villas	Hove
169	15	Hove Street	Hove
170	47	Jevington Drive	Brighton
171	22	Kendal Road	Hove
172	Brackley	Keymer Road	Not Given
173	3 Kings Court	King Street	Brighton
174	14 Bath Court	King's Esplanade	Hove

PLANS LIST – 18 MAY 2011

175	4	King's Gardens	Hove
176	4	King's Gardens	Hove
177	1C, 1	King's Gardens	Hove
178	43 Cavendish House	King's Road	Brighton
179	3 Blackmore Court, 2	Kingscote Way	Brighton
180	3 Blackmore Court, 2	Kingscote Way	Brighton
181	3, 181	Kingsway	Hove
182	42 Lancaster Court	Kingsway	Hove
183	168	Ladies Mile Road	Brighton
184	38	Langdale Gardens	Hove
185	15A	Langdale Road	Hove
186	108	Langley Crescent	Brighton
187	4	Lansdowne Place	Hove
188	58A	Lansdowne Place	Hove
189	Arscott's 54	Lansdowne Place	Hove
190	3	Lansdowne Street	Hove
191	51	Larkfield Way	Brighton
192	5	Leopold Road	Brighton
193	29 Mandalay Court	London Road	Brighton
194	6, 93	Lorna Road	Hove
195	17	Medina Villas	Hove
196	22	Mile Oak Road	Portslade
197	2, 85	Montpelier Road	Brighton
198	81	Moyne Close	Hove
199	King Alfred Leisure Centre	Not Given	Hove
200	King Alfred Leisure Centre	Not Given	Hove
201	85	New Church Road	Hove
202	85	New Church Road	Hove
203	85	New Church Road	Hove
204	42	Newton Road	Hove
205	16	Newtown Road	Hove
206	16	Newtown Road	Hove
207	Not Given	Norfolk Terrace	Hove
208	84	North Lane	Portslade
209	3	North Road	Brighton
210	1	Onslow Road	Hove
211	1	Onslow Road	Hove
212	43	Otley Drive	Not Given
213	7	Overdown Rise	Mile Oak
214	3	Palmeira Avenue	Hove
215	2, 56	Palmeira Avenue	Hove
216	4, 28	Palmeira Avenue	Hove
217	5 Visage, 54	Palmeira Avenue	Hove
218	5, 54	Palmeira Avenue	Hove
219	85D Lewes Court	Park Village Road,	Brighton

PLANS LIST – 18 MAY 2011

		University of Sussex	
220	16, 6	Paston Place	Brighton
221	16C	Paston Place	Brighton
222	83	Payne Avenue	Hove
223	85	Payne Avenue	Hove
224	5C	Pembroke Crescent	Hove
225	56	Porker Court	Not Given
226	163	Portland Road	Hove
227	17A	Portland Road	Hove
228	6 Noble Court, 290	Portland Road	Hove
229	Unit A1 Portland Business Park	Portland Road	Hove
230	55	Portland Villas	Hove
231	55	Portland Villas	Hove
232	81A	Poynings Drive	Hove
233	1, 86	Preston Road	Brighton
234	8	Princes Terrace	Brighton
235	101	Queen Victoria Avenue	Hove
236	101	Queen Victoria Avenue	Hove
237	215	Queen's Park Road	Brighton
238	215	Queen's Park Road	Brighton
239	5	Rotherfield Crescent	Brighton
240	5	Rotherfield Crescent	Brighton
241	5	Rotherfield Crescent	Brighton
242	2 Lions Gate, 95	Rowan Avenue	Hove
243	24	Rugby Road	Brighton
244	24	Rugby Road	Brighon
245	16	Rutland Road	Hove
246	Capital HaB Sackville Trading Est	Sackville Road	Hove
247	Unit 9 Sackville Ind Est	Sackville Road	Hove
248	3	Salisbury Road	Hove
249	AS Hatfield Court, 35	Salisbury Road	Hove
250	11	Sandown Road	Brighton
251	21A	Seaview Road	Brighton
252	5	Second Avenue	Hove
253	19	Second Avenue	Hove
254	1 Victoria Grove	Second Avenue	Hove
255	2, 15	Second Avenue	Hove
256	4 Malvern House, 8	Second Avenue	Hove
257	6, 24	Second Avenue	Hove
258	6, 24	Second Avenue	Hove
259	7, 5	Second Avenue	Hove
260	Basement 19	Second Avenue	Hove
261	2	Selborne Road	Hove
262	2	Selborne Road	Hove

PLANS LIST – 18 MAY 2011

263	2	Selborne Road	Hove
264	2	Selborne Road	Hove
265	3	Selborne Road	Hove
266	3	Selborne Road	Hove
267	4	Selborne Road	Hove
268	5	Selborne Road	Hove
269	14	Selborne Road	Hove
270	28	Selborne Road	Hove
271	33	Selborne Road	Hove
272	1, 2	Selborne Road	Hove
273	1, 4	Selborne Road	Hove
274	3, 2	Selborne Road	Hove
275	30A	Selborne Road	Hove
276	5a	Selborne Road	Hove
277	5a	Selborne Road	Hove
278	36	Shelley Road	Hove
279	2	Sherbourne Road	Hove
280	60	Shirley Street	Hove
281	21	Somerhill Road	Hove
282	66	St Aubyn's	Hove
283	36-38	St Aubyn's	Hove
284	3, 75	St Aubyn's	Hove
285	42	St Aubyn's Road	Portslade
286	70a	St Aubyn's Road	Hove
287	10	St Helen's Crescent	Hove
288	10	St Helen's Crescent	Hove
289	10	St Helen's Crescent	Hove
290	56	St Leonard's Gardens	Hove
291	103	St Leonard's Road	Brighton
292	103	St Leonard's Road	Hove
293	103	St Leonard's Road	Hove
294	4, 4	St Michael's Place	Brighton
295	82	St. Leonard's Road	Hove
296	3C	Stanford Terrace	Hove
297	88	Stanmer Villas	Brighton
298	3	Suffolk Street	Hove
299	3	Suffolk Street	Hove
300	69 York House	Sussex University	Falmer
301	49	The Drive	Hove
302	58	The Drive	Hove
303	59	The Drive	Hove
304	59	The Drive	Hove
305	1 West View	The Drive	Hove
306	16 Homedrive House, 95-97	The Drive	Hove
307	24 Eaton Manor	The Drive	Hove

PLANS LIST – 18 MAY 2011

308	31 Normandy House, 18	The Drive	Hove
309	31 Normandy House, 18	The Drive	Hove
310	36 Philip Court	The Drive	Hove
311	5 West View	The Drive	Hove
312	64B	The Drive	Hove
313	6	The Park	Rottingdean
314	20	The Priory	Brighton
315	20 Wellington Court	The Strand (Marina)	Brighton
316	4, 4	Third Avenue	Hove
317	4, 4	Third Avenue	Hove
318	The White House	Third Avenue	Hove
319	5, 40	Tisbury Road	Hove
320	109	Tivoli Crescent North	Brighton
321	72	Tongdean Lane	Brighton
322	4	Tongdean Rise	Brighton
323	61	Trafalgar Road	Portslade
324	61	Trafalgar Road	Portslade
325	14	Upper Lewes Road	Brighton
326	TFF, 11	Vallance Road	Hove
327	243	Valley Road	Portslade
328	23	Ventnor Villas	Hove
329	7	Victoria Court	Hove
330	102	Waldegrave Road	Brighton
331	102	Waldegrave Road	Brighton
332	63	Waterloo Street	Hove
333	3, 63	Waterloo Street	Hove
334	67	Wayland Avenue	Brighton
335	5	Weald Avenue	Hove
336	77-78	Western Road	Hove
337	6	Westway Close	Portslade
338	34	Wilbury Crescent	Hove
339	35	Wilbury Crescent	Hove
340	37	Wilbury Crescent	Hove
341	59	Wilbury Crescent	Hove
342	59	Wilbury Crescent	Hove
343	44	Wilbury Road	Hove
344	10 <i>illegible</i>	Wilbury Road	Hove
345	10 Saffron Gate	Wilbury Road	Hove
346	10 Saffron Gate	Wilbury Road	Hove
347	102 Janeston Court	Wilbury Road	Hove
348	15 Saffron Gate	Wilbury Road	Hove
349	15 Saffron Gate	Wilbury Road	Hove
350	2, 59	Wilbury Road	Hove
351	1, 22	Wilbury Villas	Hove
352	15	Wilderness Road	Not Given

PLANS LIST – 18 MAY 2011

353	3 Windlesham Hall, 7-9	Windlesham Avenue	Brighton
354	1	Windlesham Gardens	Brighton
355	1	Windlesham Gardens	Brighton
356	72A	Woodbourne Avenue	Brighton
357	72a	Woodbourne Avenue	Brighton
358	Downlands 61	Woodland Avenue	Hove
359	43	York Road	Hove
360	Basement north, 12- 14	York Road	Hove
361	Hampshire Court		Brighton
362	Stag's Head		Portslade
Non Local Address			
363	43	Adur Drive	Shoreham
364	10	Albert Road	Southwick
365	Unicorn Lea, 10	Albert Road	Southwick
366	Melrose	Ashfield Road	Midhurst
367	9	Ashurst Drive	Worth
368	Sutton Farm	Beal's Lane	Sutton on Derwent, York
369	3, 10	Beaufort East	Bath
370	25	Beech View	Angmering
371	25	Beech View	Angmering
372	52	Belmont Road	Liverpool
373	33	Boscozer Road North	St Leonard's on Sea
374	33	Boscozer Road North	St Leonard's on Sea
375	1	Broad Reach	Shoreham
376	26	Brookmead Avenue	Bromley
377	26	Brookmead Avenue	Bromley
378	26	Bruce Road	Haywards Heath
379	34	Caburn Crescent	Lewes
380	11B	Cadogan Road	Surbiton
381	11B	Cadogan Road	Surbiton
382	11B	Cadogan Road	Surbiton
383	130	Chanctonbury Road	Burgess Hill
384	80	Chandirt Way	Chippenham
385	The Forge	Church Hill	Pyecombe
386	The Forge	Church Hill	Pyecombe
387	6, 22	Colinette Road	Putney
388	18	Colverhay	Ashtead
389	54	Cranleigh Road	Worthing
390	54	Cranleigh Road	Worthing
391	54	Cranleigh Road	Worthing
392	6 Plume House	Creek Road	London
393	20	Deneside	East Dean
394	20	Deneside	East Dean

PLANS LIST – 18 MAY 2011

395	50	Dinsmore Road	London
396	9	Durham Close	Bristol
397	15	Ethelred Road	Worthing
398	Not Given	Foxhills Road	Ottershaw
399	30	Goldsmith Road	Worthing
400	3	Gorringe Close	Shoreham
401	25	Grange Road	Eastbourne
402	25	Grange Road	Eastbourne
403	Hollybank Court	Green Lane	Crowborough
404	3	Guernsey Close	Crawley
405	36	Hammy Close	Shoreham
406	36	Hammy Close	Shoreham
407	9	Hanthorn Road	Godalming
408	66	Harbour Way	Shoreham
409	26	Harbour Way	Shoreham
410	3	Harcourt Close	Henley-on-Thames
411	64	Harestone Hill	Caterham
412	64	Harestone Hill	Caterham
413	58	Hartland Way	Croydon
414	Not Given	Hawkin's Crescent	Shoreham
415	82	Heath Drive	Chelmsford
416	The Warren	High Street	Angmering
417	5	Highdown Close	Angmering
418	5	Hoewood	Small Dole
419	37	Holsterhauser Str.	Essen, Germany
420	2-3	Horsebridge Cottage	Ashurst
421	2-3	Horsebridge Cottage	Steyning
422	53	Hueblistrasse	Oberweningen, Switzerland
423	4	Ilys y Banty	Llangollen, Wales
424	40	Keymer Avenue	Peacehaven
425	10, 38	Keymer Road	Hassocks
426	14	Kingsford Street	London
427	11	Kirdgasse	Wettswil, Switzerland
428	25	Leargreen Lane	East Dean
429	20	Lloyd Road	Birmingham
430	20	Lloyd Road	Birmingham
431	Wayfields	London Road	Pyecombe
432	45	Lynchmere Avenue	Lancing
433	5	Magnus Drive	Colchester
434	5	Magnus Drive	Colchester
435	9	Manor Crescent	Haslemere
436	20	Mansfield Hill	Chingford
437	7	Mayhouse Road	Burgess Hill
438	7	Mayhouse Road	Burgess Hill
439	Great Cauldham	Not Given	Capel-le-Ferne,

PLANS LIST – 18 MAY 2011

	Farm		Kent
440	Ashley House	Not Given	Kingsbridge, Devon
441	Ashley House	Not Given	Kingsbridge, Devon
442	Timbers Cottage	Not Given	Tanworth in Arden
443	Timbers Court	Not Given	Tanworth in Arden
444	10	New Road	Shoreham
445	205,119	Newington Causeway	London
446	205, 119	Newington Causeway	London
447	39	Nightingale Lane	Burgess Hill
448	3	Nutfield Way	Orpington
449	3	Nutfield Way	Orpington
450	32	Oak Tree Drive	Hassocks
451	80	Ottways Lane	Ashtead
452	Not Given	PO Box 4070	Worthing
453	Not Given	PO Box 4070	Worthing
454	Not Given	Pond Lane	Upper Beeding
455	Not Given	Pound Lane	Upper Beeding
456	27	Prince Harry Road	Henley-in-Arden, Solihull
457	113	Prince of Wales Drive	London
458	24	Ring Road	Lancing
459	40	Roman Road	Steyning
460	24	Rugby Road	Bristol
461	24	Rugby Road	Bristol
462	23	Sandringham Road	Hunstanton
463	23	Sandringham Road	Hunstanton
464	23	Saville Street	Camden
465	47	Sibelius Close	Basingstoke
466	7	Skelton Avenue	Barnet
467	40	Sonnenbergstr.	Dubendorf, Switzerland
468	130	St. John Street	London
469	46	Stafford Road	Seaford
470	30B	Stillness Road	London
471	7	Strahleggweg	Winterthur, Switzerland
472	60	Surley Row	Reading
473	446	Sutton Way	Cheshire
474	446	Sutton Way	Chester
475	38	The Sands	Ashington
476	118	Van Eeghenstraat	Amsterdam
477	308	Vetlibergstr.	Zurich, Switzerland
478	12	West Road	Bourne
479	12	West Road	Bourne
480	6 Fairline Court	Not given	Eastbourne

Appendix B

We strongly support the above application to retain the existing awning/structure at Leonardo Restaurant, 55-57 Church Road, Hove. The structure/awning provides an excellent facility for both residents and businesses alike. The structure/awning fits in with its surroundings and adds to the vitality of the area.

Count	Local Address		
(132)			
1	11, 26	Adelaide Crescent	Hove
2	21	Albany Villas	Hove
3	43	Albany Villas	Hove
4	62	Albany Villas	Hove
5	15 Ebenezer Apartments	Ashton Rise	Brighton
6	68	Balfour Road	Brighton
7	2	Belgrave	Street
8	26, 27 And 28	Belvedere Terrace	Brighton
9	10	Bigwood Avenue	Hove
10	The Cricketer's, 15	Black Lion Street	Brighton
11	76-82	Blatchington Road	Hove
12	29	Bolsover Road	Hove
13	27	Brambletyne Avenue	Saltdean
14	18b	Brunswick Terrace	Hove
15	18b	Brunswick Terrace	Hove
16	6	Carisbrook Road	Hove
17	14	Church Road	Hove
18	71	Church Road	Hove
19	83	Church Road	Hove
20	83	Church Road	Hove
21	89	Church Road	Hove
22	87 Mg	Church Road	Hove
23	87 Sk	Church Road	Hove
24	87 Sk	Church Road	Hove
25	Flat 8	Clarendon Villas	Hove
26	8	Connaught Road	Hove
27	130	Coombe Road	Brighton
28	27 King George VI Mansions	Court Farm Road	Hove
29	105	Cowper Street	Hove

PLANS LIST – 18 MAY 2011

30	Sussex House	Crowhurst Road	Brighton
31	Not Given	Davigdor Road	Hove
32	4, 53	Denmark Villas	Hove
33	Not Given	Denmark Villas	Hove
34	17	Devonshire Place	Brighton
35	14	Dyke Road	Brighton
36	3	Eaton Road	Hove
37	53 Sussex Court	Eaton Road	Hove
38	54	Ellen Street	Hove
39	26	Embassy Court	Hove
40	9	First Avenue	Hove
41	16	Foredown Road	Portslade
42	4	Forest Road	Brighton
43	1, 37	Fourth Avenue	Hove
44	Furze Hill Cottage	Furze Hill	Hove
45	48	George Street	Brighton
46	48	George Street	Brighton
47	Gff, 77	Goldstone Villas	Hove
48	6 Coombe Lea	Grand Avenue	Hove
49	9 Warnham Court	Grand Avenue	Hove
50	44 Hereford Court,	Hereford Street	Brighton
51	31	Holland Road	Hove
52	3, 36	Holland Road	Hove
53	Not Given	<i>Hove Town Hall?</i>	Hove
54	29	<i>Illegible (Monmean?)</i>	Saltdean
55	Not Given	Kings Road	Brighton
56	3, 1a	Lorna Road	Hove
57	55 Sovereign Court	Marina Village	Brighton
58	12a	Marlborough Place	Brighton
59	11	Modena Road	Hove
60	Not Given	Not Given	Hove
61	30	New Road	Brighton
62	14-19	Norfolk Terrace	Brighton
63	111	Oaklands Avenue	Saltdean
64	14	Old Mill Close	Brighton
65	11 Sussex View, 51-55	Palmeira Avenue	Hove
66	11	Palmeira Square	Hove
67	11	Palmeira Square	Hove
68	3, 120	Pankhurst Avenue	Brighton
69	124	Portland Road	Hove
70	18	Preston Street	Brighton
71	1/5b	Sackville Road	Hove
72	10	Salisbury Road	Hove

PLANS LIST – 18 MAY 2011

73	3, 5	Salisbury Road	Hove
74	33	Seafield Road	Hove
75	19	Second Avenue	Hove
76	1, 17	Second Avenue	Hove
77	34	Selborne Road	Hove
78	39	Selborne Road	Hove
79	Fgff, 33	Selborne Road	Hove
80	10	Shirley Road	Hove
81	35	Station Road	Portslade
82	9	Tamworth Road	
83	7	The Drive	Hove
84	7	The Drive	Hove
85	67	The Drive	Hove
86	1 Planet House	The Drive	Hove
87	7	The Spinney	Hove
88	Unit 8 Victoria Rd Ind Est	Victoria Road	Portslade
89	21a	Victoria Terrace	Hove
90	2, 11	Waterloo Street	Hove
91	62	Westbourne Gardens	Hove
92	20	Western Road	Hove
93	4	Wickhurst Road	Portslade
94	64	Wilbury Grange	Hove
95	32	Wilbury Road	Hove
96	2, 56	Wilbury Road	Hove
97	3, 8	Wilbury Road	Hove
98	50 Harewood Court	Wilbury Road	Hove
99	11	Wolstonbury Road	Hove
100	7	York Road	Hove
Non Local Address			
101	69	Adur Avenue	Shoreham
102	17	Beach Green	Shoreham
103	63	Brighton Road	Shoreham
104	Not Given	Brooklands Avenue	Sidcup
105	5613	Brookside Drive	Argygle, Texas
106	Manor House	Cakeham Manor Lane	Portsmouth
107	F2	Chesham Mansion	?
108	Not Given	Furze Croft	Not Given
109	33	<i>Highview Way</i>	?
110	8	Hodder Avenue	Peacehaven

PLANS LIST – 18 MAY 2011

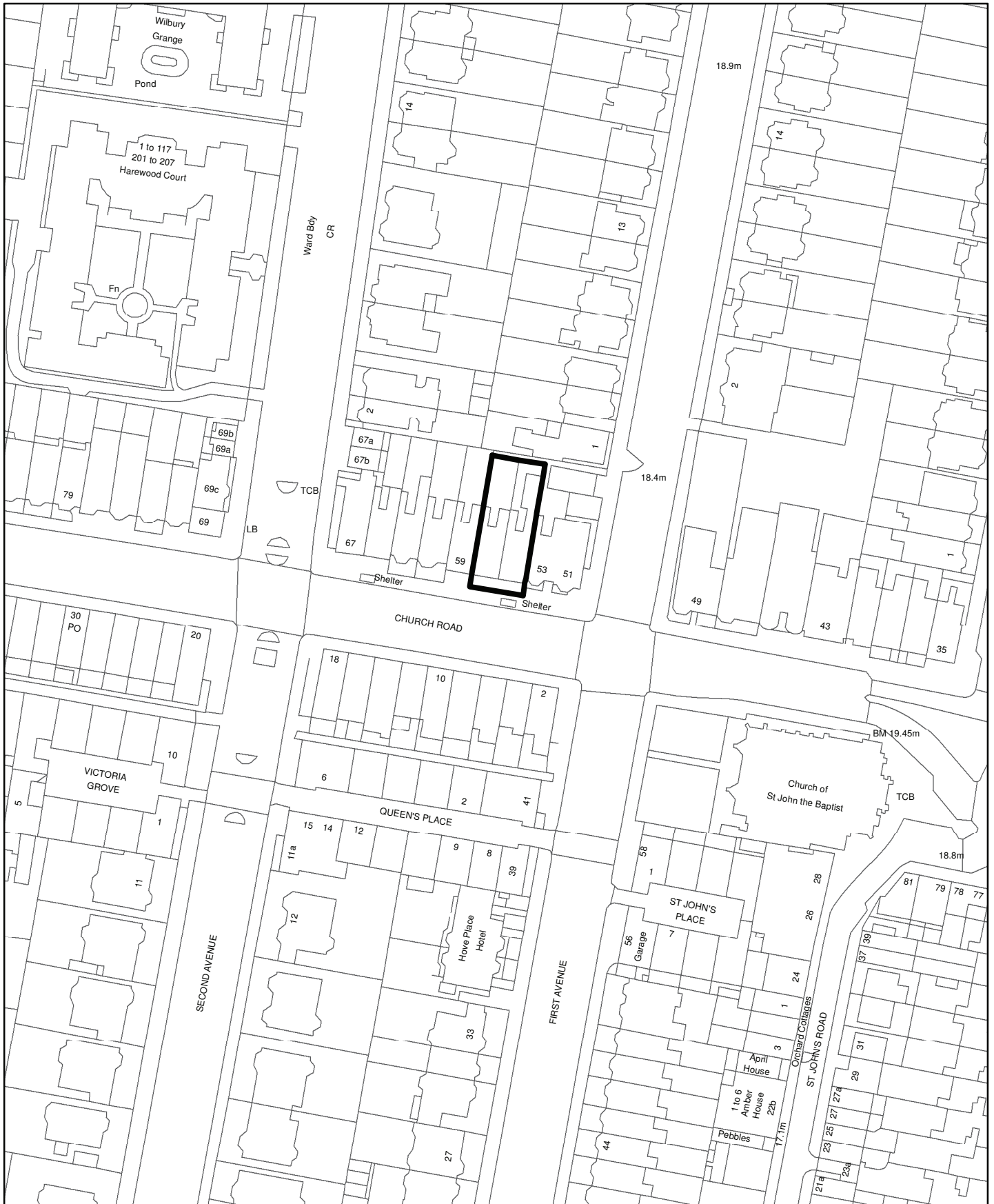
111	8	Hodder Avenue	Peacehaven
112	109	Ingleside Crescent	Lancing
113	Castle Court, 41	London Road	Reigate
114	2	Mary's Place	?
115	25	Meadow Way	Littlehampton
116	11	Mulberry Close	Shoreham
117	11	Mulberry Close	Shoreham
118	Not Given	Not Given	Not Given
119	Not Given	Not Given	Not Given
120	Not Given	Not Given	Not Given
121	Not Given	Not Given	Not Given
122	Not Given	Not Given	Not Given
123	Not Given	Not Given	London
124	Not Given	Not Given	Not Given
125	Not Given	Not Given	Not Given
126	75	Not Given	Not Given
127	1	New Road	Littlehampton
128	55a	Old Fort Road	Shoreham
129	173a	Old Shoreham Road	Southwick
130	Chesterton House	South Banks	Hassocks
131	128	The Ridgeway	?
132	29	Washington Street	?

Appendix C

We strongly support the above application to retain the existing awning/structure at Leonardo Restaurant, 55-57 Church Road, Hove. The structure/awning provides an excellent facility for both residents and businesses alike. The structure/awning fits in with its surrounding and adds to the vitality of the area. We feel it is important for the area as a whole especially in this difficult economic time.

Count	Local Address		
(18)			
1	26	Church Road	Hove
2	38	Church Road	Hove
3	2	Church Road	Hove
4	83 PR	Church Road	Hove
5	Sussex County Cricket Club	Eaton Road	Hove
6	1 Alpha House	St. John's Road	Hove
7	83 PR	Church Road	Hove
8	16	Vernon Terrace	Hove
9	8	Lynchets Crescent	Hove
10	34	Brighton Square	Brighton
	Non Local Address		
11	33	Connaught Avenue	Shoreham
12	Not given	Not given	Not given
13	Poynters	Church Lane	Pyecombe
14	Pentland	New Hall Lane	Small Dole
15	24	Broad Reach	Shoreham
16	84	Mansell Road	Not given
17	27	The Driftway	Upper Beeding
18	Staplefields Farm	Not given	Steyning

BH2011/00620, 55-57, Church Road, Hove



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2011/00442	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Council Development (Full Planning)		
<u>Address:</u>	The Brighton Centre, Kings Road, Brighton		
<u>Proposal:</u>	Alterations to entrance lobby and entrance doors to ground floor front elevation including new glazing to underside of canopy and automatic doors and extension at third floor level onto existing balcony.		
<u>Officer:</u>	Jason Hawkes, tel: 292153	<u>Valid Date:</u>	22/02/2011
<u>Con Area:</u>	Adjacent Regency Square	<u>Expiry Date:</u>	19 April 2011
<u>Agent:</u>	Crowther Overton-Hart, 2B Chanctonfold, Horsham Road, Steyning		
<u>Applicant:</u>	Brighton & Hove City Council, Mr Ian Hardy, The Brighton Centre, Kings Road, Brighton		

CAG have requested this application to be determined by the Planning Committee.

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

Regulatory Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawings no.136-10.01, 02, 03D, 04E and 05 received on the 20th April 2010.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The framing for the new doors and windows shall match the existing bronze coloured frames on the building as closely as possible.
Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.
4. The scheme shall be implemented in accordance with the laminated bronze Pilkington Optifloat glazing sample received on the 20th April 2010.
Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.

Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:
Brighton & Hove Local Plan:
TR1 Development and the demand for travel

TR7	Safe development
SU2	Efficiency of development in the use of energy, water and materials
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD4	Design – strategic frontages
QD14	Extensions and alterations
QD27	Protection of amenity
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Document:

SPD01 Brighton Centre: Area Planning and Urban Design Framework; and

(ii) for the following reasons:-

The proposed alterations do not significantly affect the appearance of the building and preserve the setting and appearance of the adjacent conservation area, adjacent listed building and the overall appearance of the seafront. The scheme does not result in an impact on the amenity of any adjacent properties and is appropriate in terms of highway and pedestrian safety and access. The scheme will also enhance the vitality and use of the Brighton Centre as a conference centre and entertainment venue for the city.

2. Please note that the proposed revolving doors overhang the adopted highway and should be sited in accordance with and under licence from the Highway Operations Manager prior to commencement of development.

2 THE SITE

The Brighton Centre, opened in 1977, is one of the largest multi-purpose venues in the area and as well as being a major music venue, it is also used for conferences and other events. The building is located on Kings Road in a prominent location facing the seafront in between the Odean cinema and The Grand Hotel (a Grade II Listed Building).

It is a large concrete structure of modern design with an imposing first floor projecting element, with windows with a vertical emphasis, and which overhangs a columned front entrance. The second and third floors are set back to give a stepped appearance with a terraced area behind a parapet wall at second floor level. The ends of the building form side columns to the building and the south east corner includes a 'crown like' feature on top. The rear of the building is accessed via Russell Road. The building is adjacent to the Regency Conservation Area.

3 RELEVANT HISTORY

Recent planning permissions for the building have related to alterations to the access to the building.

BH2010/02091: In August 2010, permission was granted for alterations to the ground floor front elevation to install new revolving door and disabled access door replacing existing windows, and new automatic sliding door replacing existing entrance doors.

BH1999/02086/FP: In October 1999, permission was granted for the provision of sliding access door for disabled access through an existing glazed screen.

73/2116/CD & 74/82CD: Outline consent and planning permission for the erection of the conference / exhibition entertainment and multi purpose hall were granted in 1973 and 1974.

4 THE APPLICATION

Planning permission is sought for the alterations to the entrance lobby and entrance doors to ground floor front elevation which include infilling the underside of canopy with new glazed doors and windows. The existing main entrance foyer is considered difficult to move through with 2 sets of doors needed to access the building. The proposal would rationalise circulation to make the space more usable. The scheme also includes a glazed extension to the Skyline Restaurant at third floor level onto an existing balcony. Currently the restaurant has sea views afforded by being on a raised platform to look over the front concrete parapet. This raised area is currently not accessible for wheelchairs. The lowering of the front parapet will allow the floor level to return to its original height and thereby remove the obstacle to disabled users.

5 CONSULTATIONS

External

Neighbours: One email of objection has been received from **313 Kingsway** objecting on the grounds that there has been no consultation on the change in the Council's colour scheme and identity logo. The new blue and purple design is not in keeping with the rest of the cities identity. The original colour scheme should be reinstated.

Conservation Advisory Group: The group felt this proposal lacked design integrity and was unsympathetic to the building and seafront. The proposal did not respect horizontal design concept of the building. The group felt that the loss of outside gathering space would force people onto the road. They considered that the ground floor extension would be better set back behind the columns. The group object to this application and request it is determined by the Planning Committee.

Sussex Police: No objection subject to any replacement or new exterior doors to conform to Loss Prevention Standard (LPS) 117 SR 2/3 with any sidelights to be laminated and any new easily accessible glazing to be laminated.

Internal:

Sustainable Transport: No objection. The area of land covered by the new entrance is set back from the limits of the publicly adopted highway, on the ground the defining line is the line between the grey and pink paving slabs. The section of public adopted footway adjacent the site is 7.4m, this is deemed wide enough to accommodate any pedestrian footfall demand.

Conservation and Design: The scheme as originally submitted required amendment. The proposal had limited architectural detail and the impression is of extensions with little concession to the impact on the existing design integrity. The effect of the scheme would be flatten out the building and diminish the strong presence and focus the bay provides. The scheme, as original submitted, proposed blue glazing which would be odds with the brown tint of the existing glazing. The scheme would be better by setting back the glazed walling and reconsidering the removal of the concrete coping. The scheme would be greatly improved were the colour of the glazing toned down and new features set behind the face of the bay.

Amended plans were subsequently submitted which indicate the colour scheme of the glazing was amended to a bronze see through glazing with bronze frames. The Conservation commented that the glass and frame samples are as we previously recommended and are consistent with the character of the Centre. The minor amendments to the scheme are also as discussed and the further detail provided is well considered and appropriate.

Environmental Health: No comment.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
SU2	Efficiency of development in the use of energy, water and materials
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD4	Design – strategic frontages
QD14	Extensions and alterations
QD27	Protection of amenity
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Document:

SPD01 Brighton Centre: Area Planning and Urban Design Framework

7 CONSIDERATIONS

The main considerations in the determination of this application relate to whether the scheme is appropriate in terms of its impact on the appearance of the building and the setting of the conservation area, adjacent listed building and wider seafront views, impact on residential amenity, highway and

pedestrian safety and access.

Design:

The conference centre was designed in the early 1970s by Russell Diplock Architects and opened in 1977. It is not considered a heritage asset; but it is now part of the established sea front scene, although not greatly admired and at best considered a disappointing architectural response to the site and its context. It makes few concessions to its wider Victorian context but nevertheless retains a strong and coherent built form and design, despite its sober appearance.

Permission is sought for extensions and alterations to the Brighton Centre which the applicants believe will enhance the use of the centre and make it a better conference centre and events facility. The alterations can be divided into two separate areas of works to the ground floor and third floor.

At ground floor, the works comprise infilling the undercroft area projecting 7m beyond the existing entrance doors and rationalising the entrances and exits. There are currently no automatic accessible doors to the centre and the scheme would allow better access. The existing main access and exit doors to and from the building are in a central position under the overhang adjacent to the box office and an ancillary coffee shop. The scheme is to install glazing and new doors to the underside which will create additional space and alter the access and exits. The glazing includes static curtain glazing in a central position which will be 23.6m long and include the Brighton Centre logo. This glazing is in front of an existing fascia which is currently used to advertise events. Adjacent the glazing on the west side glazed folding doors are proposed which will allow access to the new internal entrance doors. Adjacent to the folding doors is a large revolving door. The main exit and fire exit doors are proposed to the east side of the undercroft.

At third floor level, it is proposed to extend out 1.7m over an existing balcony to allow an enlarged and more accessible restaurant. The existing parapet wall would be lowered. The top coping section will be replaced to the lowered parapet and the glazed extension is to be constructed behind the wall and attached to the main building with a lean-to roof. A small outside terrace is retained to the west elevation with a glazed screen on top of the parapet wall to allow better views from the new terrace area.

The Conservation Officer originally commented the large projecting first floor bay over sailing the street is a strong horizontal architectural feature, with distinctive vertical ribs, and the forward most element of a number of layers that make up the building. Its character is that of a building with pronounced modelling and set backs. Its appearance is of rough textured natural concrete and red brick and brown tinted glazing. Signing is very low key. The effect of the glazed infilling will be to flatten out the building, to diminish the strong presence and focus that the bay provides, and to increase the apparent bulk of the building.

The scheme originally proposed the use of blue glazing which was felt to be at odds with the brown tint of the existing glazing, and be an assertive feature especially at 2nd floor level. The Conservation Officer also felt that the scheme should be amended so that the undercroft glazing was set back to reduce its visual impact.

With the Conservation's Officers comments in mind, the applicant has submitted a sample of bronze glazing to replace the proposed blue glazing. This would be installed with bronze frames which would match the existing frames on the building. Unfortunately, the applicant has not been able to set back the undercroft extension. The setback is limited by the existing fascia which hangs below the undercroft. The fascia housing conceals services for the building and cannot be removed. It is set near the front of the building and the glazed extension is directly over the fascia. The amended scheme also includes siting the folding doors when folded adjacent to a pillar. This leads to the doors looking better positioned and less cluttered when fully folded.

The Conservation Officer has commented that the glass and frame samples submitted are as recommended and are consistent with the character of the Centre. The omission of blue glazing from the scheme is considered a definite improvement and bronze glazing and framing will match the existing glazing and framing. The idea of the glazing is allow greater transparency into the building.

Whilst it is unfortunate that the undercroft glazing cannot be set back any further, it is considered that the scheme is visually appropriate and the extensions are appropriate in terms of their design and appearance. The building does have some architectural integrity and it is considered that the proposed extensions do not significantly detract from its character and appearance. It is also felt that the scheme would not significantly affect the setting of the adjacent listed building or conservation area.

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.

The centre is not sited near to any residential properties which would be affected by the extensions or alterations. The Grand Hotel is directly to the west of the centre but due to its positioning in relation to the proposed extensions, the amenity of the guests of the hotel would not be significantly affected by the proposed scheme.

Sustainable Transport:

Policy TR7 states that planning permission would be granted for development

proposals that do not increase the danger to users of pavements, cycle routes and roads. The Transport Manager has commented that there are no objections to the scheme from the perspective of highway capacity and public safety. The section of public highway in front of the building is 7.4m wide and this is deemed wide enough to accommodate pedestrian footfall demand. It should be noted that when large events are on, the folding doors would be opened to allow access to the building and the main exit doors would allow access straight out to the eastern side of the building avoiding the front area.

The proposed revolving doors would overhang the public highway and the applicant is advised that the doors should be sited in accordance with and under licence from the Highway Operations Manager prior to commencement of development.

Additional considerations:

The applicants have stated that currently the undercroft area attracts unwanted activities at night. Infilling this area would also alleviate these problems.

The Sussex Police Crime Prevention Officer has commented that no objection is raised to the scheme subject to the glazing being laminated. The applicants have confirmed that this is the case. The applicant has also confirmed that the Fire Service have been consulted regarding the works.

The scheme involves the removal of the larger 'Brighton Centre' sign at roof level. The applicants have stated that replacement advertisements for the building are to be considered in a separate application to be submitted.

Supplementary Planning Document 1: Brighton Centre: Area Planning and Urban Design Framework outlines the development of the centre. This includes a replacement facility for the existing Brighton Centre with a new state of the art convention facility. Currently, there are no immediate schemes for a replacement centre. The current proposal would improve the use of the existing centre and is not considered to compromise the long term plans for its replacement as outlined in the SPD.

Conclusion

The scheme, as amended, would not significantly detract from the appearance or character of the building or adjacent area. Additionally, the scheme does not result in an impact on the amenity of adjacent properties or impact on highway or pedestrian safety. The scheme would also enhance the use of the centre as a conference facility and entertainment venue for the city.

8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

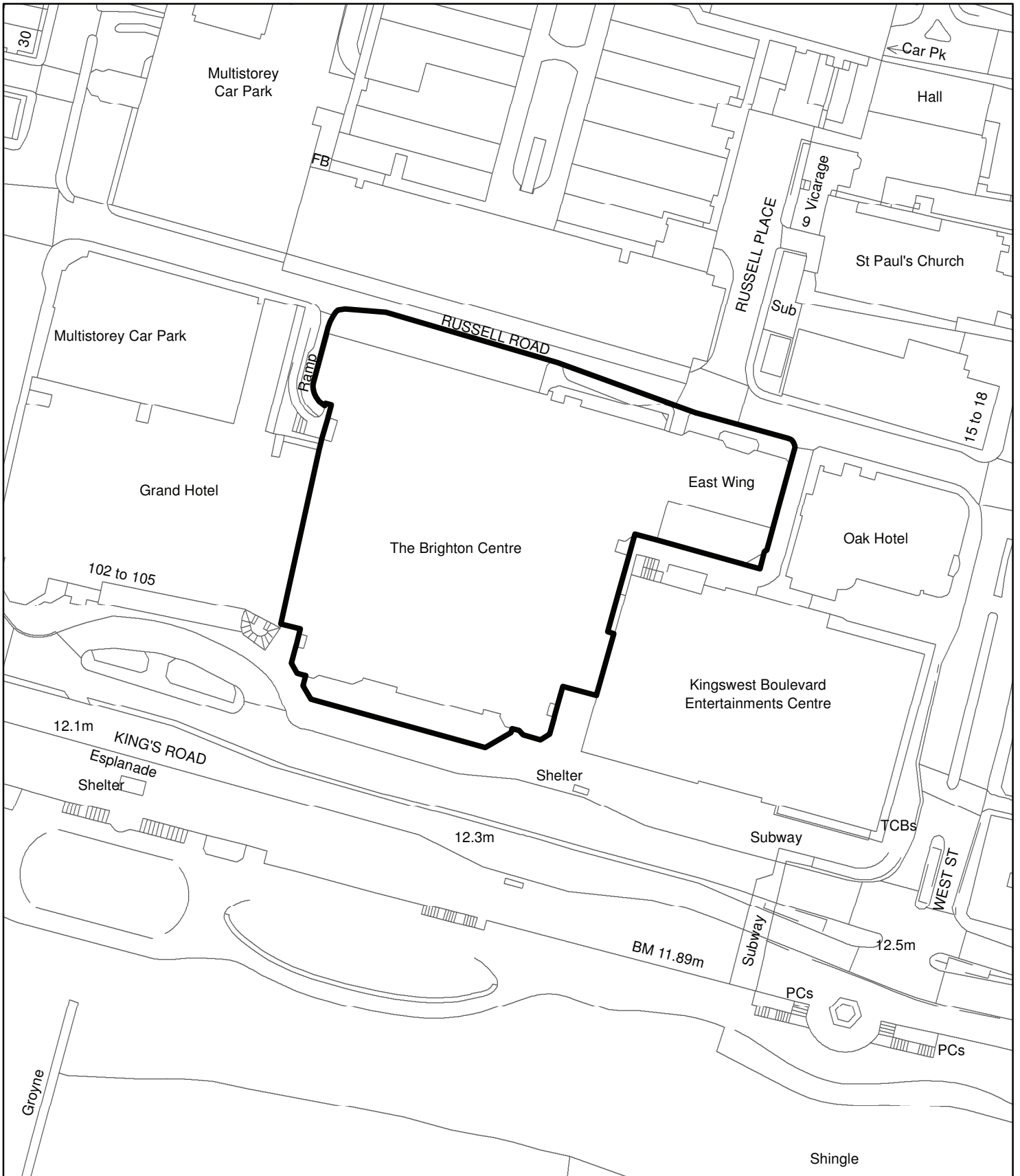
The proposed alterations do not significantly affect the appearance of the building and preserve the setting and appearance of the adjacent conservation area, adjacent listed building and the overall appearance of the seafront. The scheme does not result in an impact on the amenity of any

adjacent properties and is appropriate in terms of highway and pedestrian safety and access. The scheme will also enhance the vitality and use of the Brighton Centre as a conference centre and entertainment venue for the city.

9 EQUALITIES IMPLICATIONS

The proposed alterations incorporate specific measures to improve access for people with disabilities.

BH20011/00442 The Brighton Centre, King's Road



**Brighton & Hove
City Council**



Scale: 1:1,250