

LIST OF MAJOR APPLICATIONS

<u>No:</u>	BH2011/01264	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Blatchington Mill School, Nevill Avenue, Hove		
<u>Proposal:</u>	Construction of 2no. artificial turf sports pitches incorporating installation of 12no. 15m high floodlights, perimeter fencing and associated ground works.		
<u>Officer:</u>	Christopher Wright, tel: 292097	<u>Valid Date:</u>	12/05/2011
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	11 August 2011
<u>Agent:</u>	CJ Planning Ltd, 80 Rugby Road, Brighton		
<u>Applicant:</u>	Blatchington Mill School, Brighton & Hove Hockey Club, C/O CJ Planning Ltd		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 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 drawing nos. SCC/BHHB/05C, SCC/BHHCB/08, SCC/BHHCB/09A, SCC/BHHCB/11C, SCC/BHHCB/12, SCC/BHHCB/13, SCC/BHHCB/14, SCC/BHHCB/19, SCC/BHHCB/20C and the computer visual received on 6 July 2011; the construction timetable received on 24 June 2011; the Location Plan Revision A (pitch markings removed) and Biodiversity Checklist received on 12 May 2011; and the Planning, Design and Access Statement, Travel Plan, draft hebdomadal pitch usage timetables (x2), letter of support from England Hockey Board, Location Plan, P01 (Block Plan), SCC/BHHCB/02B, SCC/BHHCB/03A, SCC/BHHCB/04A, SCC/BHHCB/06A, SCC/BHHCB/09 received on 3 May 2011.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The level of illumination from the floodlights hereby approved shall not exceed 500 Lux peak brightness upon the surface of the artificial pitches .
Reason: In order to comply with the Floodlighting Strategy submitted and to ensure levels of light spillage are kept to a minimum in the interests of safeguarding residential amenity and to comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.
4. Levels of illumination from the floodlights hereby permitted shall not

exceed a maximum brightness of 5 Lux recorded at ground level at distances greater than 30m from the perimeter edge of each of the two artificial pitches hereby approved.

Reason: To ensure minimum light spillage in accordance with the Floodlighting Strategy submitted and to safeguard the residential amenity of neighbouring residents and comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.

5. The sources of light contained within the floodlighting units (the bulbs) shall not be visible when observed from the perimeter edges of the playing field area (shown edged in red on the plans submitted) at a height of 1.7m above ground level.

Reason: To ensure the light sources are not directly visible from neighbouring residential properties, to safeguard neighbour amenity and to comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.

6. The floodlights hereby permitted shall only be used between the hours of 8.00am and 10.00pm. Additionally they shall only be used when the artificial pitches are being used.

Reason: To safeguard residential amenity and to comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.

7. The Travel Plan submitted with the application shall be implemented and carried out in accordance with the details contain therein and the applicant shall engage with the Council Travel Plan Coordinator to ensure regular monitoring of the Travel Plan takes place for the lifetime of the development.

Reason: In order to achieve the objectives of encouraging travel and from the development by alternative modes of transport to the private car, including cycling, walking and bus; reducing reliance on use of the private car in the interests of cutting emissions, reducing congestion and safeguarding neighbouring residential streets from overspill parking; and to comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

8. The noise level (dB(A) Leq) associated with any amplified music, public address systems, or any other entertainment noise on the developed site shall not exceed the background noise level by more than 15dB(A) over a 15 minute period and shall not be in use other than between the hours of 8.00am to 9.00pm.

Reason: To safeguard the amenity of neighbouring residents and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

Pre-Commencement Conditions:

9. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written statement of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.

Reason: To enable the recording of any items of historical or

archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within PPS5 'Planning for the Historic Environment'; and Policy HE12 of the Brighton & Hove Local Plan.

Pre-Operation Conditions:

10. Prior to the floodlights hereby approved being brought into use, the floodlights shall be tested and adjusted such that light spillage is minimised in accordance with the Floodlighting Strategy submitted and the impact on surrounding residential properties is duly minimised. The floodlights shall be maintained as such thereafter.

Reason: To safeguard residential amenity and to comply with policies QD26 and QD27 of the Brighton & Hove Local Plan.

11. A community use agreement shall be produced by Blatchington Mill School and the Brighton & Hove Hockey Club which commits to providing access to the pitches for the community shall be submitted to and approved in writing by the Local Planning Authority prior to the artificial pitches hereby permitted being brought into use.

Reason: To ensure access to the facilities is secured for the benefit of the wider community and in order to comply with policy SR17 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:

(Please see section 7 of the report for the full list); and

(ii) for the following reasons:-

In principle the proposed development is considered acceptable and helps meet the objectives of making best use of the playing fields and providing improved facilities for both the school, hockey club and the local community.

The applicant has demonstrated that steps have been taken to minimise the visual impact and the amenity impact on local residents and the proposed floodlighting installation is shown in the submission to be a state of the art system which will minimise light spillage and hence the effect on neighbouring residents.

The development would have no significant adverse effect on existing highway and on-street parking conditions and the Travel Plan submitted with the application demonstrates that measures will be put in place, and continually monitored, to ensure the travel demand generated by the scheme is provided for and that travel to the site by alternative modes of transport such as bus and bicycle are encouraged and promoted.

Accordingly it is recommended that permission is granted subject to the above conditions.

2 THE SITE

The application relates to Blatchington Mill School, a large campus incorporating a Sixth Form College and situated to the west of Aldrington Primary School and an area of allotments. The school buildings are concentrated across the northern part of the campus with the school's playing fields below and adjacent to Nevill Playing Fields.

The school playing fields cover an area of some 3.54 hectares and ground level slopes gently southwards.

The school campus is bounded by residential development predominantly in the form of semi-detached housing. Properties in Holmes Avenue and Nevill Avenue directly back onto the school playing fields.

The school has five car parking areas which offer parking for up to 130 cars. In addition and out of school hours other hard standing areas within the school grounds provide parking for an extra 80 cars, making a total of 210 spaces.

3 RELEVANT HISTORY

There is no relevant planning history for similar proposals at the school. Below are summaries of recent decisions for other forms of development at the school.

BH2011/00019: On 21 February 2011 permission was granted for the erection of a single storey classroom block with ramped access to the north east part of the site following a similar approval on 21 June 2010 (ref. BH2010/01210).

BH2010/00841: Planning permission was granted for replacement of existing single glazed metal framed windows with new PVCu double glazed units including associated building works on 12 May 2010.

BH2009/01830: Proposed external alterations including replacement of existing single glazed metal windows and doors with double glazed UPVC windows and aluminium doors (retrospective) were approved on 23 September 2009.

BH2009/01264: The erection of a single storey extension to the assembly and dining hall was granted permission on 30 June 2009.

BH2006/04293: Erection of canopy to existing internal courtyard. Adaptions to the front entrance including one new disable parking bay. Approved 13 February 2007.

BH2006/00290: Erection of one no. double mobile classroom. Approved 20 March 2006.

BH2005/01908/CD: Installation of 2 no. mobile classrooms and install new pathways. Approved 16 August 2005.

BH2001/01382/FP: Disabled access ramps, new air conditioning system.
Approved 3 December 2001.

BH2001/00544/FP: Erection of new sports hall and link to existing building.
Approved 13 June 2001.

BH2000/02077/FP: Erection of a storage building for use by school theatre.
Approved 3 November 2000.

BH1999/02106/FP: Installation of one no. double mobile classroom.
Approved 1 October 1999.

BH1999/00435/FP: Erection of chain-link fencing to a height of 4 metres to enclose playground area.
Approved 22 April 1999.

BH1999/00049/FP: Block up windows, new windows, replacement windows and new panel doors to Squash courts building.
Approved 4 March 1999.

BH1998/02016/RM: Link between East and West wings of the school to provide science, general teaching and music accommodation.
Approved 23 November 1998.

BH1997/01924/RM: Leisure centre for dual community use, associated car parking, access road from Nevill Avenue and the closure of the access from Holmes Avenue to vehicles, and the laying out of additional tennis courts.
Approved 8 June 1998.

4 THE APPLICATION

Planning permission is sought for the installation of two all-weather artificially surfaced hockey pitches on the north-eastern area of the school playing fields. The existing playing fields cover an area of some 3.54 hectares and the proposed pitches some 1.32 hectares.

The proposal includes a floodlighting scheme comprising twelve columns arranged in three rows of four and each being 15m in height.

5 CONSULTATIONS

External:

Neighbours: 324 letters (list of addresses in Appendix A) have been received in support of the application, for the reasons summarised below:-

Transport

- Convenient and suitable location.
- Accessible by public transport, cycling and walking.
- Reduction in number and length of journeys.
- Makes use of school's existing parking and vehicular access.
- Better for the environment.
- Disabled access.
- Many have to travel outside the city for astro turf pitches.

Facilities

- Benefits schools, sports clubs and local community.
- Encouraging child development and protection.
- Better opportunities needed in Hove.

PLANS LIST – 10 AUGUST 2011

- Improved sports and education facilities for club, school, community and city.
- Enhance sports and education services in the area.
- Brighton & Hove Hockey Club will be more successful.
- Brighton & Hove Hockey Club does not have its own ground.
- Encourages healthy lifestyle, exercise and keeping fit.
- Useful all year round as grass pitches get waterlogged.
- At present school pupils cannot play outdoor sport in the winter.
- Useful for hockey, football and other sports.
- Will add to existing rugby, football, cricket, tennis and netball facilities.
- City lacks recreation facilities.
- Youths will participate and be less induced to crime, vandalism, and computer games.

Amenity

- Acceptable appearance and size.
- Pitches and fences low level.
- Minimal impact on local residents who overlook the site.
- Floodlighting designed to minimise light spillage.
- Padded boards and fences will minimise disturbance.

185 letters have been received (Appendix B) raising objections to the proposal for the reasons summarised as follows:-

Amenity

- Less peace and quiet if pitches used until 10pm, seven days a week.
- More intensified use than present occasional use outside school hours.
- Proposed hours of use should be reduced.
- The playing fields are not currently used until 10pm.
- Noise and disturbance at anti-social times of day.
- Noise from hockey balls hitting the perimeter fences.
- Use of foul language.
- Floodlights will be visible.
- Light spillage into neighbouring properties.
- Light pollution.
- Moisture in the air will intensify the brightness of the lights.
- Anti-social behaviour.
- Detrimental to neighbouring residents' health.
- Impact of late night access on residents' security.
- Local streets will be less safe.
- More litter and vandalism.
- Could turn into a huge commercial sports venue.
- Overlooking from raised end of pitches.
- Loss of privacy.

Transport

- Lack of parking.
- Street parking at capacity due to Legal and General, Coral stadium, LloydsTSB and Co-Op.
- Increased traffic.
- Traffic noise
- Proposed on-site parking managed will be difficult to enforce.
- Inflated Travel Plan forecasts.
- The Travel Plan contains many assumptions.
- Insufficient visibility splays at existing Nevill Avenue access.
- Surrounding roads need to be made safer with reduced speed limits, improved pedestrian crossings and Police patrols.
- Cycle lanes not suitable in Hove.
- Public transport service is not good in the evenings.
- Proposed drop off area unacceptable.

Proposed use

- Loss of green playing field area
- Less space for other sports like football, rugby, cricket and athletics.
- Loss of long jump area.
- Less grass for pupils to sit on at break times.
- Asset to sporty pupils only.
- Two pitches is excessive, one should suffice.
- 15m high lighting columns out of keeping with surrounding buildings.
- Floodlights will be visible across the city.
- Not appropriate in the middle of a well established residential area.
- Will spoil view of playing fields.
- As a commercial venture there is a conflict with policy EM4 of the Local Plan.
- More like a commercial leisure centre than facilities for the school children.
- Proposal is to make money for the school.
- There are no changing rooms.
- Potential flooding of back gardens due to surface water run-off and ground saturation.
- Improved standards of hockey players can be achieved without all weather pitches.
- Alternative sites should be considered.
- Sheepcote Valley, Waterhall or Withdean would be preferable sites.
- The proposal may be followed by application for further development, e.g. a pavilion.
- Illustrative drawings showing markings for athletics/rugby on remaining playing field land represent a compromise.
- Insufficient remaining space for safe operation of archery club.
- Sports taking place on remaining grass playing field will result in rugby balls etc. going over neighbours' fences.

Environment

- The existing grass field is zero carbon, installation of floodlights will not be sustainable and is contrary to SPD08.
- Artificial/synthetic turf is unsafe and bad for the environment.

Additional matters

- Depreciation of neighbouring properties.
- Only one visual has been submitted and the angle of view selected is poor.
- More injuries on artificial surfaces.
- The committee report is to be finished and put on the agenda for Planning Committee prior to the expiry of the second round of neighbour notification and site notices on 28 July 2011. Any additional matters raised by objectors cannot therefore be given consideration.

Sport England: No objection.

The application proposes two floodlit all weather pitches to be located on existing playing field land. In the past it is understood that the site has been used for football and cricket. The pitches would be 63m x 102m in size and comprise sand filled surface type. The proposed size and surface type of the pitches ensure that they will be suitable for competition hockey matches and training and also for football training. It is proposed that the pitches would be floodlit by 12 no. 15m high lighting columns.

The applicant has submitted details of how they decided which artificial surface should be installed on the proposed pitches using the Sport England document “Selecting the Right Artificial Surface for Hockey, Football, Rugby League and Rugby Union” (2010) which concludes demand for 5-a-side football is high and would require a medium pile 3G surface although hockey requires a synthetic (sand dressed) pitch whilst football can still be played on grass.

In addition it is noted that grass football pitches will continue to be provided on the site and there would be no net loss of football pitch provision.

From a Sport England perspective, and considering the application on its planning merits in policy and land use terms, it can be concluded that the principle of the development is acceptable.

The England and Wales Cricket Board (ECB) have been consulted to establish whether the loss of the playing field would impact community cricket locally. In response ECB has stated:

The project is part of the Brighton & Hove City Sports Club project which will see Brighton & Hove Cricket Club, AFC Brighton & Hove and Brighton & Hove Hockey Club, look to improve facilities at the Nevill Ground with the potential building project at the ground which will house all three clubs. The

school is a partner in this project and has been extremely supportive to all 3 clubs. In terms of cricket usage, allotted time has been put aside on the new astro pitches for alternative forms of participation such as Twisted Cricket to further engage the local community. In simple terms this build will encourage and increase participation.

Therefore Sport England raises no objection to this application.

Sussex Police Crime Prevention Design Adviser: No objection.

The construction of these sports pitches together with the associate lighting and fencing will be totally within the site of the existing school grounds and the proper management of the facility will safeguard the amenity of nearby residents.

East Sussex Fire and Rescue Service: No objection.

Brighton & Hove Archaeological Society: No objection.

The area around West Blatchington has produced finds from the Palaeolithic period, the Bronze Age and a Roman Villa. Therefore it is recommended that a condition for an archaeological watching brief be considered as part of any planning approval.

Southern Gas Networks: No objection.

Southern Water: No objection.

Internal:

Planning Policy: No objection.

The proposal should be assessed against the three criteria in policy SR17 in the Local Plan. It is acceptable in terms of criterion (a) as it represents an improvement in sports facilities. The benefits to improving sports facilities in the city and expanding the use of the school grounds, in addition to the land already being used as playing fields, outweigh concerns regarding loss of outdoor recreation space covered by policy SR20. The proposal however, should also be assessed in terms of transport links and amenity issues (in relation to light and noise issues).

Improvement of sports facilities is welcomed in the Core Strategy alongside the expanded use of school facilities to allow use outside school hours by the local community and sports clubs. This is supported both by policy SR17 in the Local Plan and emerging policies in the Submission Version of the Core Strategy as set out in policies CP7 and SA6.

In conclusion, the proposal is considered acceptable in planning policy terms, subject to transport and amenity considerations.

Sports Facilities and Sports Development Team: No objection.

In 2008 the council commissioned leisure consultants PMP to undertake an Open Space, Sport and Recreation report which highlighted a need for more All Weather Pitches and noted that 'in terms of club aspirations for facilities, the largest proportion of respondents felt that more synthetic turf/all weather pitches would be of most value (39%).' As part of the Building Schools for the Future (BSF) programme, a council commissioned study showed a significant under supply of provision and one of the recommendations was to provide additional synthetic turf pitches to ease the pressure on current grass pitches.

The proposal will provide more sporting opportunities for pupils at Blatchington Mill School. The All Weather Pitches (AWP) would provide much more flexibility to the PE staff by providing a suitable playing surface for a multitude of sports even in bad weather. Hockey is generally only played now on AWP's so the proposal will help ensure the sport remains an important part of the PE curriculum and after school coaching programmes and holiday programmes organised by BHC will assist with this.

The proposal will provide more sporting opportunities for the local community with times allocated for community use and general hire by clubs and individuals and community groups (youth clubs, disabled groups, Cubs/Scouts etc.) at a reduced rate. The proposed pitches are located in the heart of the community with a strong local catchment.

The proposal will help the development of the city's primary hockey club. BHC currently rent the pitches at Stanley Deason Leisure Centre and Sussex University for training and matches and they have shared use of the pavilion at Preston Park and demand for pitches by other users is high and so the hockey club's ability to book additional time is limited. By having their own pitches at Blatchington Mill School they will be able to establish a home base to help with the development of their junior coaching programmes and therefore to ensure the long-term sustainability of the club.

Capital Strategy and Development Planning: No objection.

The benefits of this proposal to the school are that it will provide all weather outside team games playing space that the school does not currently have. The school will have exclusive use of the pitches during the school day and will be able to make use of the pitches for intra and inter school competitions after school. While this does currently occur, once the light fades at the end of the day no further use of the space is possible. The proposal includes the provision of floodlighting and therefore it will be possible for the school to make use of the pitches for a longer period than is possible at present.

The school has been working closely with Brighton & Hove Hockey Club for some time on this proposal, the hockey club is one of the oldest in the country having been founded in 1896. It has over 300 members, including a thriving junior section. They are a 'not for profit' organisation and have given an

undertaking that any 'profit' generated by the proposed scheme would either be directed to a sinking fund for replacement of the pitch surfaces or be ploughed back into the club to meet coaching costs etc.

The proposal will not result in a loss of playing field space for the school, in fact it will offer better facilities to the school than are available at the present time. There is very little organised use of these playing fields outside the school day at the present time and therefore the proposal will provide an additional facility to sporting clubs in the city. In addition to this it will offer a permanent home to a sporting club that encourages young people to take up active sport in their leisure time. The proposal will offer increased sporting activity to the school and the wider community of Brighton & Hove.

Environmental Health: No objection.

The site of this application is in close proximity to many residential properties. It has always been in existence as a large playing field with various sporting activities undertaken on it during the day.

It is the case that the proposed floodlight installation will have some environmental impact upon nearby properties. However, it must be established to what extent and then balanced against Government guidelines, community benefits and the advantages of providing such a facility.

The land slopes gently up towards the school buildings and the intention is to achieve a flat playing surface by using a cut and fill method for economy which will also keep the pitches as low as is practical in respect of surrounding landscape. The levelled area will be approximately 125m x 100m, the size of which will allow for two hockey pitches.

The proposed lighting columns are 15m high. The upward slope from the rear fence of the nearest residential gardens amounts to approximately an additional 3m. Then a further 2m should be added because the pitch is raised in order for it to be level. This means that the height of the lighting columns from the base of the rear fence line would be 20m in the air.

The applicant has submitted a Lighting Scheme prepared by LTL Contracts and within this report, Appendix 3a – Explanatory Note, states that the height of the floodlights is the optimum balance between higher, more intrusive columns and the design requirement to direct light downwards so far as possible.

The report calculates the required amount of illumination for the pitches for both football and hockey. Appendix 3a explains that football requires a lower level of illumination than hockey. Hockey requires more because of the smaller ball travelling very fast. The proposed floodlight installation will provide 2 levels of illumination – with the brighter level only used as and when necessary so that no more light than is absolutely required is used. The report points out that this will also reduce running costs, that lamp life will be

extended, and it is overall a more environmentally friendly solution.

The lighting scheme calculations with regards to the amount of light spillage are accepted and the report illustrates how the light level will decrease with distance from the pitches. The resultant light spillage, if any, in the rear gardens of the nearest residential properties, will be less than 2 Lux. This is an encouraging conclusion because the level of light produced by the Moon (moonlight) is around 2 Lux. Therefore, it is probable that the light used to illuminate the surface of the pitches will not impact upon nearby residents to any intrusive degree.

An objection with regards to the lighting scheme was submitted by a local resident who states they are a lighting engineer. The concerns raised in this letter of objection have been addressed by the applicant's response to the individual points raised. Environmental Health has no reason to disagree with, or challenge, the responses given by the applicant.

For instance, glare from the proposed floodlighting was a concern of Environmental Health. The question being, if a local resident is in their garden or home, would the glare when looking at the uppermost part of the floodlight, where the bulb is housed, be so intense as to be a problem, or so powerful and distracting as to become an intrusion when not being directly looked at, but compared against the normal enjoyment that the average person can reasonably expect of their home – a nuisance.

This concern has been addressed by the applicant's responses to the questions posed by the objection letter. The bulbs themselves are not directly visible from any neighbouring property – even those below the level of the pitches. So there will be no glare from looking directly at the light sources from neighbouring houses. This is because the bulbs are fitted deep inside the solid metal light fittings, the faces of which are almost horizontal.

The specification of the luminaires to be used, and the overall specification of the floodlights themselves, is leading edge and one of the most up to date lighting systems possible.

As stated above, there will be some environmental impact on the area but Environmental Health is confident in the data provided in the lighting report and that all reasonable measures would be implemented. These measures should minimise the impact of the lighting to such a degree as to not intrude upon nearby properties and become intrusive or a nuisance.

In the event the application is approved and implemented and complaints are received from local residents, these will be fully investigated under the provisions of the Environmental Protection Act 1990.

Light is now classed as a statutory nuisance. An investigation into a complaint would involve assessment of the character, duration and frequency

of the disturbance and how this is impacting upon the normal enjoyment that the 'average' person can reasonably expect of their home. If Environmental Health establishes that there is a statutory nuisance a notice to abate the nuisance will be served.

The application seeks the use of the development Monday to Saturday and Sundays and Bank Holidays from 08.00hrs to 22.00hrs. There is no objection to these hours of use but a condition should be attached to restrict the use of the pitches to these hours only.

Also, as a precaution although no details are submitted with the application, a further condition preventing the audibility of any amplified music or public address system connected with the development should be attached.

Sustainable Transport: No objection.

The data provided with the application suggests that at any time throughout the year the maximum number of people using the playing fields would be 120 plus spectators. Survey data in the Travel Plan notes that currently roughly 60% of members would drive, and using the new site this would be reduced to 40%. It would therefore be reasonable to assume that the number of members driving would be between 48 and 60. During the times when matches/training sessions will be taking place this potential volume of traffic will not cause a capacity or safety issue on the surrounding road network or junctions serving the site.

The Travel Plan is a well designed document that follows industry best practice. It is recommended that the document is secured by a S106 Agreement to ensure that the Council could take any necessary actions if the travel demand generated by the site did become a material issue/concern.

It is appreciated that there are numerous uses on the school campus that will generate traffic outside the traditional school day. None of this activity would generate sufficient traffic that would cause a material concern to the Highway Authority in terms of highway safety or capacity of the road network, or indeed junctions serving the school.

Council Ecologist: No objection.

Any floodlighting has a potentially detrimental impact on the behaviour patterns of nocturnal wildlife. However, at this urban location it is highly unlikely it would be possible to show that the lighting proposed by this scheme would have a significant additional impact on wildlife of value. The site itself is playing fields of low ecological interest.

County Archaeologist: No objection.

The proposed development is situated within an Archaeological Notification Area defining both the medieval village of Blatchington and an area of prehistoric and Roman activity.

In the light of the potential archaeological significance of this site and the scale of the proposals, the area affected by the works should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features, disturbed during the proposed works, to be adequately recorded. These recommendations are in line with the requirements given in PPS5.

Cllr Shanks, Cabinet Member for Children and Young People, writes in support of the application (letter attached).

Cllrs Fitch, Brown and Bennett raise an objection to the application (letters attached).

6 MATERIAL CONSIDERATIONS

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (18 November 1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

Planning Policy Guidance Notes: (PPGs):

PPG17 Planning for Open Space, Sport, Recreation
PPG24 Planning and Noise

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR4	Travel Plans
TR7	Safe development
TR8	Pedestrian routes
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD4	Design – strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD20	Urban open space
QD26	Floodlighting
QD27	Protection of Amenity

- HO19 New community facilities
- HE12 Schedule ancient monuments and other important archaeological sites
- SR17 Smaller scale sporting and recreational facilities
- SR20 Protection of public and private outdoor recreation space

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD08 Sustainable Building Design

SPD11 Nature Conservation & Development

8 CONSIDERATIONS

The main considerations in the determination of this application relate to the principle of the proposed development; the visual impact; impact on neighbouring residential amenity, with emphasis on noise and floodlighting; transport implications; and the benefit of the facilities both to the school and the community.

Background

The application is made by Blatchington Mill School which is working in partnership with Brighton & Hove Hockey Club. Grant funding for the development is available from England Hockey Board until 31 March 2012. The end users of the development would be primarily the school and its pupils, along with the hockey club for training and matches outside school hours and with a lesser amount of community and commercial hire use.

Brighton & Hove Hockey Club is one of the oldest in the country and was founded in 1896. Currently there are approaching 300 members, making it the largest hockey club in Sussex, and it is divided into 14 men and women teams and 3 junior teams. Both First Teams play in the South League, which is one below national level. Current home venues comprise Sussex University, Stanley Deason Leisure Centre and Portslade Community College where pitches are hired for training and matches. In keeping with the aspirations of the club, the proposed artificial pitches would be of national hockey league standard.

Hockey is also becoming increasingly popular at schools and Blatchington Mill School is aiming to incorporate hockey into its physical education curriculum. Demand for extra-curricular hockey coaching is expected to increase.

The school carried out a consultation with local residents in July 2010 at Blatchington Mill School where the residents of 60 properties sharing a boundary with the playing fields were individually invited to attend. Around 80 residents attended and 13 left written comments, two of which were in support of the proposal.

The application has been influenced by the school's consultation with neighbouring residents, notably by the siting of the proposed artificial pitches, and in response to the pre-application enquiry with the planning department in June 2010.

Principle of Development

Policy SR17 of the Local Plan states planning permission will be granted for smaller scale new sporting and recreation facilities provided that:

- a. it involves either the expansion of existing facilities or the provision of new facilities located close to the communities that they are intended to serve;
- b. they have good pedestrian and cycle links and are well served by public transport; and
- c. intensification of facilities would not have a harmful impact on the local environment either visually (including artificial lighting), through additional noise and disturbance or impact on the natural environment.

New facilities should be located close to the communities they are intended to serve in order to reduce the length of journeys needed to get to them and school sites are well suited to provide additional community recreation facilities. The council's City Sports Strategy and Action Plan 2006-2012, identifies a number of key priorities for new or improved provision of facilities and preferred locations for them. Educational sites should play an important role in the location and provision of new facilities through the development of community sports programmes.

Policy SR20 is concerned with protecting public and private outdoor recreation space and states permission will not be granted for development on areas of outdoor recreation space other than that which is incidental and appropriate to the respective recreation uses unless it can be demonstrated that the land is not an important open space under the terms set out in Policy QD20, and particular attention should be paid to the retention of playing fields.

In this instance the proposal would enhance sports and recreation facilities for the benefit of pupils of the school. Unlike the existing playing fields, the proposed pitches could be used throughout the year and in all weathers. Such facilities encourage children to play sports and lead active lifestyles. Outside of school hours the proposed facilities would provide a useful resource for local sports clubs, including Brighton & Hove Hockey Club, and the location within a residential area is appropriate for serving the local community. Schools have been identified as having sport facilities which are underused outside of school hours and as such the proposal would provide substantial benefits for the community.

The proposed pitches would cover an area of 1.32 hectares, which is approximately 37% of the size of the existing playing fields, which are some 3.53 hectares in total. As such a large proportion of grass playing field space would remain and the applicant has demonstrated that grass football/rugby pitches and athletics tracks could still be laid out on the remaining grass areas

around the proposed artificial pitches. These drawings are illustrative only, and do not form part of the planning proposal and the marking out of pitches or athletics tracks does not constitute development requiring planning permission because it falls under the existing use of the playing fields.

The proposal meets the requirements of policy SR17 in principle and also those of policy SR20, because the development will not result in a deficiency in accessible outdoor recreation space in the locality and would enhance existing sports and recreation facilities and would be accessible for the public out of school hours and when not in use by Brighton & Hove Hockey Club.

Sport England and Planning Policy have not raised an objection to the proposed development. The principal of the proposal is also supported by Capital Strategy, within the Education Team and Sports Facilities / Developments Team.

Design

The pitches would be laid out east-west across the site and due to the natural slope of the ground there would be a 1.3m height difference between the upper and lower pitches and the southern edge of the lower pitch would be 2m above ground level. The upper pitch would have a retaining wall along the top edge. Due to the gradient of the land and the necessity for the pitches to be level, the ground would be banked on both sides, except for the raised edge of the lower pitch which would be finished in green painted smooth masonry. The reason for this edge not being graded, and indeed the reason it would be 2m above ground level, is to maximise the amount of grass playing field retained and because the amount of excavation and banking proposed would result in no earth needing to be removed from or imported to the site.

Each pitch measures 63m in width and 102m in length with a 2.5m wide space in between for dug outs and spectators. The proposed siting of the pitches has been influenced by the responses from neighbour's to the school's consultation before submitted the planning application. Previously the pitches were proposed nearer the northwest corner of the playing fields nearer to houses in Holmes Avenue, and were also orientated side-by-side (north-south).

The pitches would have a sand-dressed artificial surface, which although not suitable for football is well-suited for national level hockey matches.

Each pitch would have a perimeter fence comprising a low level timber striker board and 1.2m high green painted metal fence (358 style) with strong horizontal element and above this a 1.8m 50mm x 50mm powder coated mesh type fence. Behind each goal and in three positions along the bottom edge of the lower pitch, 20m lengths of demountable nylon nets are proposed and these would have total height of 5m above pitch level. The applicant has submitted detail drawings, photographs and materials samples for these

proposed fences. The demountable nets would only be used during hockey training and matches and would not be erected permanently. When viewed from a distance both the demountable nylon nets and also the powder coated mesh fence would be reasonably transparent and would not have an unduly solid or heavy appearance and would not be detrimental to visual amenity in this location.

The floodlighting scheme proposes twelve lighting columns each 15m in height and arranged in three rows, the middle row being fitted with lights pointing at both pitches. The number of lighting columns has been kept to the minimum required by using the middle row of lighting columns for lighting both pitches. This reduces the number of pylons which might otherwise be required.

The details of the columns show they would be 15m in height and made from metal. The proposed lighting strategy is for a total of 56 luminaires with the columns along the top and bottom edges of the two pitches having 3 floodlights at each end, and two columns with 4 luminaires between. The middle row of columns would have luminaires directed at both pitches, hence six luminaires at each end, and two columns with 8 luminaires in between.

The western boundary of the school playing fields with the back gardens of properties in Holmes Avenue has a 2.5m to 3m high hedge planted right the way along. This boundary is between 57m and 69m from the proposed artificial pitches. To the south, the playing field boundary comprises a wire mesh fence of some 2m in height behind which the majority of properties in Nevill Avenue have 2m high close boarded timber fences. This boundary would be 65m to 66m away from the proposed pitches, and is also planted with medium height hedges and shrubs together with one tall tree. Near to the access road to the school there are six tall trees planted in a row within the school grounds. It is considered that from the ground floor levels of these surrounding properties, the fences and planting would screen a view of the proposed pitches, although the top of the floodlight columns would be visible. From the upper floors of neighbouring properties the pitches themselves would be visible. However, due to the boundary screening and the distances from neighbouring properties to the proposed pitches, it is not considered the proposed development would have a harmful visual impact or adversely affect the outlook from neighbouring properties.

The pitches themselves are not considered detrimental to visual amenity due to the site context within the school playing fields and next to the Nevill Recreation Ground where sports are regularly played. The distance between the proposed pitches and the surrounding houses would be a minimum of 57m and as such the perimeter fencing is not considered unduly harmful to neighbours' outlook and would not have an overbearing impact. In context the pitches are not considered to be unduly dominant or intrusive in relation to local residents' properties around the edges of the playing fields.

The school playing fields are used for sport, and in this context, together with the variety of building forms within the school campus, it is not considered the appearance of the artificial pitches and lighting columns would be incongruous or detrimental to visual amenity.

Impact on Amenity

The proposed development is assessed in terms of residential amenity in two ways: noise and disturbance from people arriving and leaving and taking part in sport, and the light being emitted from the proposed floodlights. The assessment of the amenity impact should be focussed on the use of the proposed pitches outside of school hours – in the evenings and at weekends – because during the school day the pitches would be used by pupils of the school as the existing playing fields are used. The proposed hours of use for the pitches are from 8am until 10pm seven days a week, including Sundays and Bank Holidays. As a result of the proposal the use of the area for sports may be intensified and would occur over extended hours. It is anticipated the use of the floodlights would vary with the four seasons, being used for little more than an hour during the height of the summer and perhaps for up to six or seven hours during the winter, when typically it is becoming dark after 3pm.

Hours of use

The applicant has submitted two draft timetables for the use of the pitches during summer term and the winter/spring terms. The summer timetables show use during weekdays by the school for lessons and after school clubs until 6pm, then one hour of commercial hire followed by hockey club use until 10pm Monday to Thursday, and community use on Fridays. On Saturdays and Sundays school use is proposed in the mornings, followed by public hire from 10am until 7pm, two hours community use and school use between 8pm and 10pm. This timetable is proposed for both artificial pitches.

The draft winter/spring timetable partly extends the amount of commercial hire time between 6pm and 8pm Monday to Thursdays and hockey club matches and junior hockey training on Saturdays and Sundays together with extended periods for community use and school use on weekend evenings up to 10pm.

In both timetables the use of the pitches between 6pm and 10pm on Fridays and at weekends would be community use or more predominantly school use. The existing playing fields could be used at all of these times for sporting activities, and this is acknowledged in the consultation comments from Environmental Health. As a result of the proposal sporting activities would intensify by virtue of the artificial pitches and floodlighting, enabling use throughout the year and in all weathers. However, the proposed pitches are situated in the north-eastern part of the site as far from surrounding residential properties as possible, and the applicant has taken steps through the draft timetables to enable community use and school use on Friday and weekend evenings, so the hockey club would not use the pitches every evening.

Environmental Health does not raise an objection to the proposed hours of

use and there is no convincing argument that, subject to other considerations, the use of the pitches during the hours proposed would be harmful to amenity.

Noise

It is anticipated that sports use of the proposed artificial pitches would produce noise from spectators and participants shouting and perhaps the sound of a referee's whistle. The separation distances between the pitches and the nearest residential properties are as far as can practicably be achieved on the site and such sounds, though they may be heard by neighbouring residents, should not be intrusive or unduly disturbing and would not necessarily be more harmful than the noise from sports activities which can currently take place on the school playing fields.

Environmental Health raises no objection on noise grounds and, although a scheme for public address has not been submitted with the application, a condition should be imposed to ensure that the use of any such public address systems that may be installed cannot be heard from the nearby residential properties.

Floodlights

Policy QD26 of the Local Plan applies to proposals for floodlighting and states proposals for floodlighting are required to keep to the minimum necessary level of light intensity and to an appropriate number, height, design and size of structures and fittings necessary to minimise light pollution and harm to amenity. Floodlighting which creates significant illumination beyond those areas requiring illumination or will result in detriment to amenity or to sensitive areas and their settings will not be permitted.

The floodlighting scheme is a key area of contention, with the objections received from properties around the edges of the playing fields referring to light glare, intrusion and the brightness of the lights being harmful to their living conditions and residential amenity. In particular, one resident has referred to specific medical conditions with symptoms including sensitivity to light.

The proposed floodlighting is a state of the art design and the floodlighting strategy submitted with the application shows that the luminaires would be directed to illuminate the artificial pitches with a minimal spillage of light outside of the pitches. The number of support columns has been kept to a minimum, with the middle row of columns supporting luminaires for both pitches. Also, the applicant states the height of the columns has been decided with reference to minimising the height of the columns, minimising light spillage whilst still providing adequate illumination of the pitch surfaces.

As an example, the graphical table for one of the middle floodlights along the bottom edge of the lower pitch gives light levels of 272 Lux on the pitch surface at half power and 505 Lux on the pitch surface at full power, whilst immediately behind the floodlighting column, light spillage falls dramatically to

only 18 Lux. Some 30m from the edge of the pitch this drops further to 3 Lux and at 45m the figure is 1 Lux. This level of light is less than that of Moonlight, which is 2 Lux.

For the nearest residential properties to the proposed pitches, that is to say those opposite the edges of the pitches, there would be no light spillage at all.

As such there would be no light spillage affecting residents' back gardens or homes.

Concerns of neighbouring residents include whether the lighting strategy has taken into account the downward sloping of the land in the direction of domestic back gardens, which would have the effect of increasing the height of the proposed lighting units in relation to neighbouring properties. Also, the issue of the lighting calculations has been queried and whether the light sources themselves would create a distracting bright appearance on top of the lighting columns.

The applicant has responded to these concerns and confirmed the lighting calculations are correct and produced using industry standard software and that the light spillage data does take into account the sloping ground level outside of the pitches. The luminaires themselves are of a design whereby the bulbs are positioned high up inside the metal casings and the open face of the luminaires is close to the horizontal. As such the bulbs themselves would not be seen from neighbouring properties.

In addition the lighting along the bottom edge of the lower pitch would be pointing towards the pitches and away from neighbouring houses. The luminaires lighting the top edge of the pitch would be a minimum of 130m from the boundary of the playing fields with neighbours' back gardens.

Similarly, the lighting at the western goal end of the upper pitch would be directed towards the pitch surface and not towards neighbouring properties.

Ultimately, the glare and light spillage from street lights would be more significant than the impact of the proposed floodlighting on neighbour amenity.

In summary, the floodlighting strategy submitted, together with the responses of the applicant to neighbour concerns, is acceptable and addresses the concerns of Environmental Health. It is considered the floodlighting strategy complies with policies QD26 and QD27 of the Local Plan.

Aside from affecting neighbouring residents, floodlighting can also affect the ecology and wildlife of the site.

The Council Ecologist comments that in this urban location any significant additional impact on wildlife of value as a result of the lighting scheme would

be difficult to show. The site itself comprises playing fields and these are of low ecological interest. The Council Ecologist raises no objection to the proposal and accordingly it is considered there would be no harmful impact on the ecology and wildlife of the site.

Brighton and Hove Archaeological Society has noted that the area around West Blatchington has produced finds from the Palaeolithic period, the Bronze Age and a Roman Villa. They recommend an archaeological watching brief be undertaken and this may be secured by condition.

Sustainable Transport

Travel Plan

The application is accompanied with a Travel Plan to meet the requirements of policy TR4 of the Local Plan. Travel Plans are required for developments with significant transport implications and where traffic generated by the proposal can be alleviated through measures to reduce use of private vehicles and encourage use of cycling, public transport, car sharing or travel on foot.

Transport Planning raises no objection to the proposed Travel Plan and states that it meets Industry Best Practice guidance.

The Travel Plan is an on-going management strategy intended to address the negative impact of the development and improve sustainability and specifically identifies the issues of parking, congestion and access on neighbouring roads and how this can be successfully managed. The Travel Plan objectives are to reduce the impact of travel to and from the pitches on the local community, particularly in terms of car parking; to reduce the impact of the development on the environment by promoting the use of low carbon mode of transport; to encourage active travel to make a contribution to improving the health of pitch users; and to manage the Travel Plan effectively.

The Travel Plan not only applies to the hockey club and away teams using the pitches, but extends also to other groups in the local area booking the pitches on a regular and irregular basis and young people attending regular school-based activities.

At present hockey club members mostly drive or car share and meet at Preston Park before continuing on to Sussex University, Stanley Deason or Portslade Community College where they hire pitches for training and matches. The hockey club is in competition with other users to book pitches at these venues.

An inherent benefit of the application is that focusing the hockey club activities in a single location will greatly reduce car trips taken across the city and the length of these journeys.

Measures to achieve the Travel Plan objectives include:-

- Secure cycle parking (there are 146 existing cycle parking spaces within the school grounds).
- Discounts on cycling and walking equipment
- Dedicated storage areas for clothing
- Information of Bikeability training
- Operating a lift share scheme for car users
- Producing a leaflet and map showing walking, cycling and public transport information
- Dedicated drop-off zone for users coming by car – the location for this to be agreed.

On site parking would be by ticket only, and managed by the Travel Plan Coordinator which is currently the school's Business Manager.

Of the current membership of approaching 300 members, the majority are based in the Withdean and Preston Park locality, closely followed by Hove Park and Kemptown. The hockey club surveyed its members in February and March 2011 and achieved a response of 35% which revealed most use their own cars or lift share to travel to training and matches and most cover distances of between 5 and 10 miles per journey. The length of these journeys is partly due to the four stage trips currently undertaken whereby members first meet in Preston Park before travelling on to the match or training venues.

The respondents revealed that should club activities be relocated to Blatchington Mill School their use of buses would increase by nearly 7 times its current level and car use would fall by nearly 30%. In addition, the average distance of journeys taken would fall by 22% from 9.8 miles to 7.6 miles. 96% of respondents said they would consider car sharing if information was made available.

Car and cycle parking

The maximum levels of parking provision for sports pitches as set out in SPGBH4 are 1 parking space per 2 players at the busiest period plus 1 parking space per 5 spectator positions.

The Travel Plan identifies that at peak times when both pitches are in use, there would be 52 hockey club members arriving and leaving between matches or for commercial users at the peak times of summer weekends and school holidays, up to 120 users present at the changeover between pitch bookings.

Management of how away hockey teams and other users of the pitches travel to the site is intended to be carried out by visitor surveys with the intention to reduce car travel to the site by 20 to 30 per cent. This would result in a maximum of 50 vehicles being parked within the school site, either arriving or departing.

At the busiest period of use for the proposed pitches there would be 120 users present at peak changeover times, requiring 60 parking spaces. The objectives of the Travel Plan seek to reduce car use such that a maximum of 50 vehicles would be arriving and departing from the site at peak changeover times. There are 210 parking spaces available within the school campus. This comprises 130 parking spaces, 50 of which would be marked out for users of the proposed pitches, and an additional 80 parking spaces which are available outside of school hours on hard surfaced areas. This is sufficient to provide for the level of car use of the proposed development.

Some local residents have raised objections based on levels of parking along the southern access route to the school and along Frant Road and surrounding residential streets. It is considered the proposed development would not materially worsen the present situation and the Travel Plan would successfully manage car use to prevent the current situation deteriorating further. The application demonstrates there is sufficient provision made within the school grounds and by way of encouraging alternative modes of transport to provide for the transport demand created by the development.

SPGBH4 does not set out a minimum level of cycle parking provision for sports pitches, but there are 146 existing cycle parking spaces within the school site and this is considered sufficient to cater for the cycle demand generated by the proposed development.

Sustainability

The above transport measures combined with focusing hockey club activities in a single location would help to reduce car use and the length of journeys undertaken hence also reducing congestion and harmful emissions and pollution. The application also states that for sports other than hockey, the proposed floodlights can be switched to half power and this would not only reduce electricity consumed but would also extend lamp life.

In terms of minimising surface water run-off, the application proposes a series of perforated pipes under and around the pitches which would collect rain water and direct it towards a large soak-away for the water to drain away naturally within the site.

Additional Considerations

The earthworks required to grade the land in order to make the pitches level has been calculated such that no export or import of spoil from outside the site will be necessary. Construction vehicles are proposed to use the existing access road off Nevill Avenue. The applicant has submitted a draft schedule for construction of the pitches which indicates a two month period for earthworks followed by two months for installing the floodlighting then a short break prior to laying the final artificial pitch surfaces.

In terms of changing facilities, there are existing changing facilities, including disabled facilities, within the existing main school building in an area which

can be isolated from the rest of the school buildings and classrooms by way of lockable internal gates across the corridors. These changing facilities would be made available to users of the proposed pitches. As such a stand alone changing facility is not required and does not form part of the planning application.

9 CONCLUSION

In principle the proposed development is considered acceptable and helps meet the objectives of making best use of the playing fields and providing improved facilities for both the school, hockey club and the local community. The applicant has demonstrated that steps have been taken to minimise the visual impact and the amenity impact on local residents and the proposed floodlighting installation is shown in the submission to be a state of the art system which will minimise light spillage and hence the effect on neighbouring residents.

The development would have no significant adverse impact on existing highway and on-street parking conditions and the Travel Plan submitted with the application demonstrates that measures will be put in place, and continually monitored, to ensure the travel demand generated by the scheme is provided for and that alternatives to travelling to the site by other modes of transport, such as bus and cycle, are encouraged.

Accordingly it is recommended that permission is granted subject to the above conditions.

10 EQUALITIES IMPLICATIONS

The proposed pitches will be fully accessible for wheelchair users.

Appendix A – Support

Flat No.	Building Name / Number	Street	Town / County	Post Code
	44	Westbourne Gardens	Hove	BN3 5PQ
	1	Station Road	Steyning	BN44 3YN
3	8	Enys Road	Eastbourne	BN21 2DH
	21	Withdean Court Avenue	Btn	BN1 6YF
	77	Beaconsfield Villas	Btn	BN1 6HF
	54	Nevill Avenue	Hove	BN3 7NA
18	Sheridan Mansions	Sheridan Terrace		BN3 5AJ
	101	Holmes Avenue	Hove	BN3 7LE
	32	Essex Street	Btn	BN2 1JW
	1	Kingsbury Street		BN1 4JW
	51	Rotherfield Crescent	Btn	BN1 8FF
	83	Coombe Vale	Btn	BN2 8HN
	38	Inwood Crescent	Btn	BN1 5AQ
	101	Holmes Avenue		BN3 7LE
	43	Nevill Avenue	Hove	BN3 7NB
	65	Cranmer Avenue	Hove	BN3 7JP
	17	Cromwell Street	Btn	BN2 9XN
	16	Byron Street		BN3 5BA
	20	Hollingdean Terrace	Btn	BN1 7HA
7	Lakeside	126 Brighton Road	Lancing	BN15 8LN
	109	Foredown Drive	Portslade	BN41 2BF
	177	Ladies Mile Road	Btn	BN1 8TF
	1	Southdown Mews	Btn	BN2 0TD
	18a	Highcroft Villas		BN1 5PS
	35	Goldstone Road	Hove	BN3 3RN
	172	Hollingdean Terrace	Btn	BN1 7HE
	51	Rotherfield Crescent	Btn	BN1 8FF
	68a	Denmark Villas	Hove	BN3 3TJ
	32	Brunswick Terrace	Hove	BN3 1HJ
	94	Leahurst Court Road		BN1 6UZ
	5A	Ventnor Villas		BN3 3DD
	3	Dyke Close	Hove	BN3 6DB
	9b	Pankhurst Avenue		BN2 9YP
	3	Coulstock Road		RH15 9XH
	23	Winchester Street		BN1 4NX
	3	Dyke Close	Hove	BN3 6DB
	39	Loder Road		BN1 6PL
	173	Bear Road	Btn	BN2 4DB
	38	Vernon Avenue	Btn	BN2 6BF
	74	Rugby Road	Btn	BN1 6ED
		High Street		NH1 2LB

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Flat No.	Building Name / Number	Street	Town / County	Post Code
	5	Upper Rock Gardens	Btn	BN2 1QE
	Assisi Heights	Southdowns Park		RH16 4TQ
2	3	Knogle Road	Btn	BN1 6RB
2	110	Bevendean Avenue	Btn	BN2 8PE
	47	Mill Drive	Hove	BN3 6WB
	310	Hangleton Road	Hove	BN3 7LN
	98	Folders Lane		RH15 0DX
	53	Valley Drive	Btn	BN1 5FD
	62	Chester Terrace	Btn	BN1 6GB
	33	Dale View	Btn	BN3 3LA
	Little Colwood	Spronketts Lane		RH1 75SA
	109	Loder Road	Btn	BN1 6PN
	Harrington Court	Harrington Road	Btn	BN1 6RQ
4	47	Goldstone Lane	Hove	BN3 7BB
10	Cherrywood	Curwen Place		BN1 6UR
	85	Blatchington Road	Hove	BN3 3YG
	25	Balsdean Road	Btn	BN2 6PF
	16	Shepherds Croft		BN1 5JF
2	26	Chatham Place		BN1 3TN
	14	Shenfield Way	Btn	BN1 7EX
	7	Valley Drive		BN1 5FA
35	Furzecroft	Furzehill	Hove	BN3 1PB
	9	Downlands Avenue	Bexhill	TN39 3PL
	9b	Pankhurst Avenue	Btn	BN2 9YP
	9b	Pankhurst Avenue	Btn	BN2 9YP
	1b	Chester Terrace	Btn	BN1 6GB
	28	Albert Road	Southwick	BN42 4GE
	16	Mill Lane		BN41 2DE
	101	Compton Road		BN1 5AL
	9	Shanklin Road	Btn	BN2 3LP
2	16	Clermont Terrace	Btn	BN1 6SH
	16	Prince Regents Close	Btn	BN2 5JP
		Nevill Recreation Ground	Hove	BN3 7BT
	1	St Peters Close	Hove	BN3 7LG
	69	Nevill Avenue	Hove	BN3 7NB
	67	Nevill Avenue	Hove	BN3 7NB
1	10	Hartley Avenue	Leeds	LS6 2LP
	3	The Daisycroft	Henfield	BN5 9LH
	51	West Way	Hove	BN3 8LS
	12	Salisbury Road	Hove	BN3 3AD
	39	South Coast Road	Peacehaven	BN10 8QN

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Flat No.	Building Name / Number	Street	Town / County	Post Code
	31	Crescent Drive South	Btn	BN2 6RA
	33	Prinsep Road		BN3 7AB
	9	Court Close	Btn	BN1 8YG
	5	Upper Rock Gardens	Btn	BN2 1QE
				BN1 8WP
	11	Overhill Way	Btn	BN1 8WP
	85	Downsway		BN42 4WE
2	33	Dudley Road	Btn	BN1 7GN
	5	Norfolk Square	Btn	BN1 2PB
	81	Overdown Rise	Hove	BN41 2YF
	70	Warleigh Road		BN1 4NS
	7	Mount Caburn Crescent	Peacehaven	BN10 8DW
	171	Nevill Road	Hove	BN3 7QG
	5	Whippingham Road	Btn	BN2 3PF
	69	Nevill Avenue	Hove	BN3 7NB
	78	Holmes Avenue	Hove	BN3 7LD
3	12	Rock Street	Btn	BN2 1NF
	116	Havelock Road	Btn	BN1 6GQ
	95	Holmes Avenue	Hove	BN3 7LE
	137	Godwin Road		BN3 7FS
	16	Overhill Gardens		BN1 8ND
	88	Ripley Road		BN11 5NH
	3	Foxdown Road	Btn	BN2 6TJ
	11	Overhill Way	Btn	BN1 8WP
	142	Carden Avenue	Btn	BN1 8NH
	69	Greenway		BN20 8UQ
	32	New England Road	Btn	BN1 4GG
10	Cherrywood	Curwen Place	Btn	BN1 6UR
3	4a	Alexandra Villas	Btn	BN1 3RE
10	Cherrywood	Curwen Place	Btn	BN1 6UR
	Leahurst			
87	Court			BN1 6UN
10	Cherrywood	Curwen Place	Btn	BN1 6UR
3	8	Enys Road	Eastbourne	BN21 2DH
10	Cherrywood	Curwen Place	Btn	BN1 6UR
	17	Wellington Road	Btn	BN2 3AB
				BN1 6UQ
	103	Leadenhall Street		EC3A 3BP
	Mile Oak	The Haven	Billingshurst	RH14 9BE
	14	Medina Place		BN3 2RF
	8	Ship Street Gardens		BN1 1AJ
	72	Woodland Drive	Hove	BN3 6DJ
	30a	Loder Road		BN1 6PJ
	198	Elm Drive		BN3 7JE
		County Ground	Hove	BN3 3AN

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Flat No.	Building Name / Number	Street	Town / County	Post Code	
4	85	Montpelier Road	Btn	BN1 3BD	
	15	Silverdale Road		BN3 6FE	
	63	Cliff Road		IP11 9SH	
	121	Windmill Drive		BN1 5HH	
	20	Shepherds Croft		BN1 5JF	
	11	Seymour Square	Brighton		
	36	Totland Road	Brighton		
	63	Old Mill Close	Brighton		
	5	Canterbury Road		BN13 1AQ	
	18	Dawlish Close	Brighton		
	2	Victoria Road	Southwick		
	45	Orchard Way		BN6 9UB	
	21	Heston Avenue	Brighton		
	25	Pulman Haul	Brighton		
	11	Seymour Square	Brighton	BN2 1DW	
	73	Woodland Avenue	Hove	BN3 6BJ	
	5	Carylls Meadow		RH13 8HW	
	2	18	Medina Villas	Hove	BN3 2RL
		54e	Fordwych Road		NW2 3TG
		46	Wilmington Close		BN6 8QB
161		Nevill Avenue	Hove	BN3 7NF	
27		Viaduct Road	Brighton	BN1 4NB	
44		Great Oaks Park Burpham	Guildford	GU4 7JG	
161		Nevill Avenue	Hove	BN3 7NF	
4		Coomes Way		BN17 7LP	
		Royal Crescent			
28		Manions	Brighton	BN2 1AX	
28	Royal Crescent				
	Manions	Brighton	BN2 1AX		
	1 The parade	Hangleton Road	Hove	BN3 7LU	
	1 The parade	Hangleton Road	Hove	BN3 7LU	
	32	Bigwood Avenue	Hove	BN3 6FQ	
	182	Nevill Avenue	Hove	BN3 7QG	
	57	Ellesmere Road		KT13 0HW	
	79	Lark Hill	Hove	BN3 8PH	
	51a	Surrenden Crescent	Brighton	BN1 6WE	
			Shoreham-by-Sea		
	31 Park Avenue	Sea	BN43 6PH		
	51a Surrenden Crescent	Brighton	BN1 6WE		
	51a Surrenden Crescent	Brighton	BN1 6WE		
	51a Surrenden Crescent	Brighton	BN1 6WE		

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Flat No.	Building Name / Number	Street	Town / County	Post Code
			Maregate	RH20 2DS
36		Hythe Road		BN1 6JS
36		Hythe Road		BN1 6JS
36		Hythe Road		BN1 6JS
39		Portland Road		BN3 5DQ
17		Clermont Road		BN1 6SG
4		Rose Hill Terrace Mews	Brighton	BN1 4HH
		18 Landseer Road	Hove	
		24 Foxdown Road	Brighton	
		83 Bonchurch Road	Brighton	
		47 Langley Crescent	Brighton	
		81 Bonchurch Road	Brighton	
		69 Nevill Avenue	Hove	
		69 The Drive	Shoreham	
		Basement Flat, 1 Norfolk Square	Brighton	
		74 Grand Parade	Brighton	
		74b Springfield Road	Brighton	
		58 Brading Road	Brighton	
		51 Rotherfield Crescent	Brighton	
		54 Clarendon Road	Shoreham	
		41 Upper Lewes Road	Brighton	
		132 Havelock Road	Brighton	
		Flat 3, 18 Portland Road	Hove	
		Tim Hardy	Brighton	
		Flat 3, 8 Enys Road	Eastbourne	
		Flat 1, 21 Upper Rock Gardens	Brighton	
		62 Pembroke Crescent	Hove	
		Croo Kendal	Brighton	
		Garden Flat, 15 St. Catherine's Terrace	Hove	
		21 Laylands Court	Portslade	
		Patrick Roberts	Hove	
		5 Victoria Road	Shoreham	
		40 Brook Gardens	Portsmouth	
		36 Withy Bush	Burgess Hill	
		7 Kingsland Close	Shoreham	
		30a Wish Road	Hove	
		9 Kingston Quay	Eastbourne	
		18 Avondale Rise	London	
12		Queen Alexandra Avenue	Hove	
		Andrew Pearson	Hove	
		3 Pinewood, Curwen Place	Brighton	
		Flat 7, 21 Broadwater Road	Worthing	

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
		245 Junction Road	Burgess Hill	
		Basement Flat, 38 Sillwood Road	Brighton	
		45 Newick Drive	Lewes	
		18 Avondale Rise	London	
		Flat 3, 47 Tisbury Road	Hove	
		63 May Road	Brighton	
		19 Withdean Court	Brighton	
		48 Ferring Lane	Worthing	
		25 Old Shoreham Road	Hove	
		3 Pinewood, Curwen Place	Brighton	
		3 Gloucester Mews	Brighton	
		27 George Street	Brighton	
			Sayers	
		18 Meadowview, Reeds Lane	Common	
		14 Symonds House, Braeburn Road	Crawley	
		16 Hornby Road	Brighton	
		1 Bates Road	Brighton	
		25 Highcroft Lodge, Highcroft Villas	Brighton	
		2 Pelham Terrace	Lewes	
		18 Landseer Road	Hove	
		52 Commercial Road	Eastbourne	
		First Floor Flat, 62 Wilbury Road	Hove	
		11a Fontenoy Road	London	
		17 Tivoli Crescent	Brighton	
		116 Bevendean Avenue	Brighton	
		15 Chichester Drive East	Brighton	
		Flat 1, 38 First Avenue	Hove	
		8 Windmill Close	Hove	
		12 Mill Drive	Hove	
		12 Mill Drive	Hove	
		14 Shenfield Way	Brighton	
		Flat 6, Church Court, 130 Nevill Road	Hove	
		84 Wordsworth Street	Hove	
		84 Wordsworth Street	Hove	
		84 Wordsworth Street	Hove	
		Flat 6, Church Court, 130 Nevill Road	Hove	
		21 Laylands Court	Portslade	
		46 Mansell Road	Shoreham	
		16 First Avenue	Hove	

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
		53 Dale View	Hove	
		Gff 33 Shelley Road	Hove	
		1 Jubilee Street	Brighton	
		106 Bannings Vale	Saltdean	
		44 Hartfield Avenue	Brighton	
		9 Sandringham Close	Hove	
		Austen Court, 45 Millfield Close	Rustington	
		66 Hallyburton Road	Hove	
		38 Inwood Crescent	Brighton	
		38 Inwood Crescent	Brighton	
		34 Eggton Road	Brighton	
		13 St Leonard's Gardens	Hove	
		The Old Coach House, 22 Manor View Court	Brighton	
		1 Grange Close	Worthing	
		1 Grange Close	Brighton	
		7 Redhill Close	Brighton	
		1 Lee Farm Cottages	Worthing	
		1 Bates Road	Brighton	
		78 Dudley Road	Brighton	
		23 Old Shoreham Road	Shoreham	
		126 Hartington Road	Brighton	
		32 Bigwood Avenue	Hove	
		9 Court Close	Brighton	
		Flat 15, Southdown House, 4-8 Somerhill Avenue	Hove	
		Flat 15, Southdown House, 4-8 Somerhill Avenue	Hove	
		11 Orchard Gardens	Hove	
		13 Orchard Gardens	Hove	
		64 Whippingham Road	Brighton	
		11 Hanover Lofts, 8 Finsbury Road	Brighton	
		1 Warburton Close	Uckfield	
		78 Valley Drive	Brighton	
		78 Valley Drive	Brighton	
		78 Valley Drive	Brighton	
		78 Valley Drive	Brighton	
		59 Aleybury Avenue	Bn23	
		52 Pembroke Crescent	Hove	
		40 Woodruff Avenue	Hove	
		19 Withdean Court, London Road	Brighton	
		40 Woodruff Avenue	Hove	

PLANS LIST – 10 AUGUST 2011

Flat No.	Building Name / Number	Street	Town / County	Post Code
		14 Forest Gardens	So43	
		14 Forest Gardens	So43	
		73 Coombe Road	Brighton	
			Haywards	
		10 Orchard Close	Heath	
		53 Hova Villas	Hove	
		53 Hova Villas	Hove	
		1 Suffolk Street	Hove	
		40 Loder Road	Brighton	
		138 Oaklands Avenue	Brighton	
		57 Spencer Avenue	Hove	
		4 Abbots, 129 King's Road	Brighton	
		Mile Oak	Rh14	
		13 Devonshire Square	Br2	
		5 Norfolk Square	Brighton	
		224-232 St John Street	London	
		224-232 St John Street	London	
		View Farm House, Park Lane	Cb23	
		8 Pembroke Court, 15 New Church Road	Hove	
		68 Highdown Road	Hove	
		70 Warleigh Road	Brighton	
		41 Sproule Close	Ford	
		4 Wootton House, 94 Old London Road	Brighton	
		2 Woodside Avenue	Brighton	
		3 Kites Nesty Walk	Tn39	
		5 Canterbury Road	Worthing	
		9 Court Close	Brighton	
		40 Woodruff Avenue	Hove	
7		Mount Caburn Crescent		BN10 8DW
65		Cranmer Avenue	Brighton	BN3 7JP
22		Elizabeth Avenue	Hove	BN3 6WG
67		Cranmer Avenue	Hove	BN3 7JP
32		Holmes Avenue	Hove	BN3 7LA

In addition a letter was received by email, no address given.

Appendix B – Objection

Building Name / Number	Street	Town / County	Post Code
141	Holmes Avenue		BN3 7LF
22	Court Farm Road	Hove	BN37QR
108	Nevill Avenue	Hove	BN37ND
93	Nevill Avenue	Hove	BN37NE
8	Nevill Avenue	Hove	BN3 7NA
69	Nevill Avenue	Hove	BN3 7NB
28	Nevill Avenue	Hove	BN3 7NA
131	Holmes Avenue	Hove	BN3 7LF
72	Nevill Avenue	Hove	BN3 7NA
83	Holmes Avenue	Hove	BN3 7LE
81	Holmes Avenue	Hove	BN3 7LE
95	Nevill Avenue	Hove	BN3 7NE
105	Holmes Avenue	Hove	BN3 7LE
105	Holmes Avenue	Hove	BN3 7LE
124	Nevill Avenue	Hove	BN3 7ND
55	Nevill Avenue	Hove	BN3 7NB
124	Nevill Avenue	Hove	BN3 7ND
123	Holmes Avenue	Hove	BN3 7LE
124	Nevill Avenue	Hove	BN3 7ND
123	Nevill Avenue	Hove	BN3 7NE
104	Nevill Avenue	Hove	BN3 7ND
20	Nevill Avenue	Hove	BN3 7NA
110	Holmes Avenue	Hove	BN3 3BQ
95	Nevill Avenue	Hove	BN3 7NE
104	Nevill Avenue	Hove	BN3 7ND
34	Court Farm Road	Hove	BN3 7QR
103	Holmes Avenue	Hove	BN3 7LE
103	Holmes Avenue	Hove	BN3 7LE
103	Holmes Avenue	Hove	BN3 7LE
45	Nevill Avenue	Hove	BN3 7NB
44	Nevill Avenue	Hove	BN3 7NA
44	Nevill Avenue	Hove	BN3 7NA
62	Nevill Avenue	Hove	BN3 7NA
73	Holmes Avenue	Hove	BN3 7IB
74	Nevill Avenue	Hove	BN3 7NA
103	Holmes Avenue	Hove	BN3 7LE
103	Holmes Avenue	Hove	BN3 7LE
115	Nevill Avenue	Hove	BN3 7NE
43	Nevill Avenue	Hove	BN3 7NB
	D. Smart		
	L. Smart		
126	Holmes Avenue	Hove	BN3 7LE
129	Nevill Avenue	Hove	BN3 7NE
129	Nevill Avenue	Hove	BN3 7NE

PLANS LIST – 10 AUGUST 2011

Building Name / Number	Street	Town / County	Post Code
84	Nevill Avenue	Hove	BN3 7NA
99	Nevill Avenue	Hove	BN3 7NE
76	Holmes Avenue	Hove	BN3 7LD
33	Holmes Avenue	Hove	BN3 7LB
43	Nevill Avenue	Hove	BN3 7NB
101	Nevill Avenue	Hove	BN3 7NE
49	Nevill Avenue	Hove	BN3 7NB
123	Nevill Avenue	Hove	BN3 7NE
95	Holmes Avenue	Hove	BN3 7LE
139	Nevill Avenue	Hove	BN3 7NE
52	Nevill Avenue	Hove	BN3 7NA
8	St Peters Close	Hove	BN3 7LG
109	Holmes Avenue	Hove	BN3 7LF
109	Holmes Avenue	Hove	BN3 7LF
135	Nevill Avenue	Hove	BN3 7NE
64	Nevill Avenue	Hove	BN3 7NA
127	Nevill Avenue	Hove	BN3 7NE
119	Holmes Avenue	Hove	BN3 7LF
99	Holmes Avenue	Hove	BN3 7LE
101	Holmes Avenue	Hove	BN3 7LE
139	Nevill Avenue	Hove	BN3 7NE
60	Nevill Avenue	Hove	BN3 7NA
99	Holmes Avenue	Hove	BN3 7LE
108	Nevill Avenue	Hove	BN3 7ND
12	Nevill Avenue	Hove	BN3 7NA
81	Holmes Avenue	Hove	BN3 7LE
1	Tudor Close	Hove	BN3 7NR
70	Holmes Avenue	Hove	BN3 7LD
70	Holmes Avenue	Hove	BN3 7LD
63	Holmes Avenue	Hove	BN3 7LB
111	Nevill Avenue	Hove	BN3 7NE
47	Nevill Avenue	Hove	BN3 7NB
19	Nevill Avenue	Hove	BN3 7NB
47	Nevill Avenue	Hove	BN3 7NB
19	Nevill Avenue	Hove	BN3 7NB
48	Nevill Avenue	Hove	BN3 7NA
1	Nevill Gardens	Hove	BN3 7QF
61	Nevill Avenue	Hove	BN3 7NB
6	Frant Road	Hove	BN3 7QS
14	Court Farm Road	Hove	BN3 7QR
16	Nevill Avenue	Hove	BN3 7NA
16	Nevill Avenue	Hove	BN3 7NA
34	Queen Alexandra Avenue	Hove	BN3 6XH
22	Nevill Avenue	Hove	BN3 7NA
10	Nevill Avenue	Hove	BN3 7NA
4	Frant Road	Hove	BN3 7QS

PLANS LIST – 10 AUGUST 2011

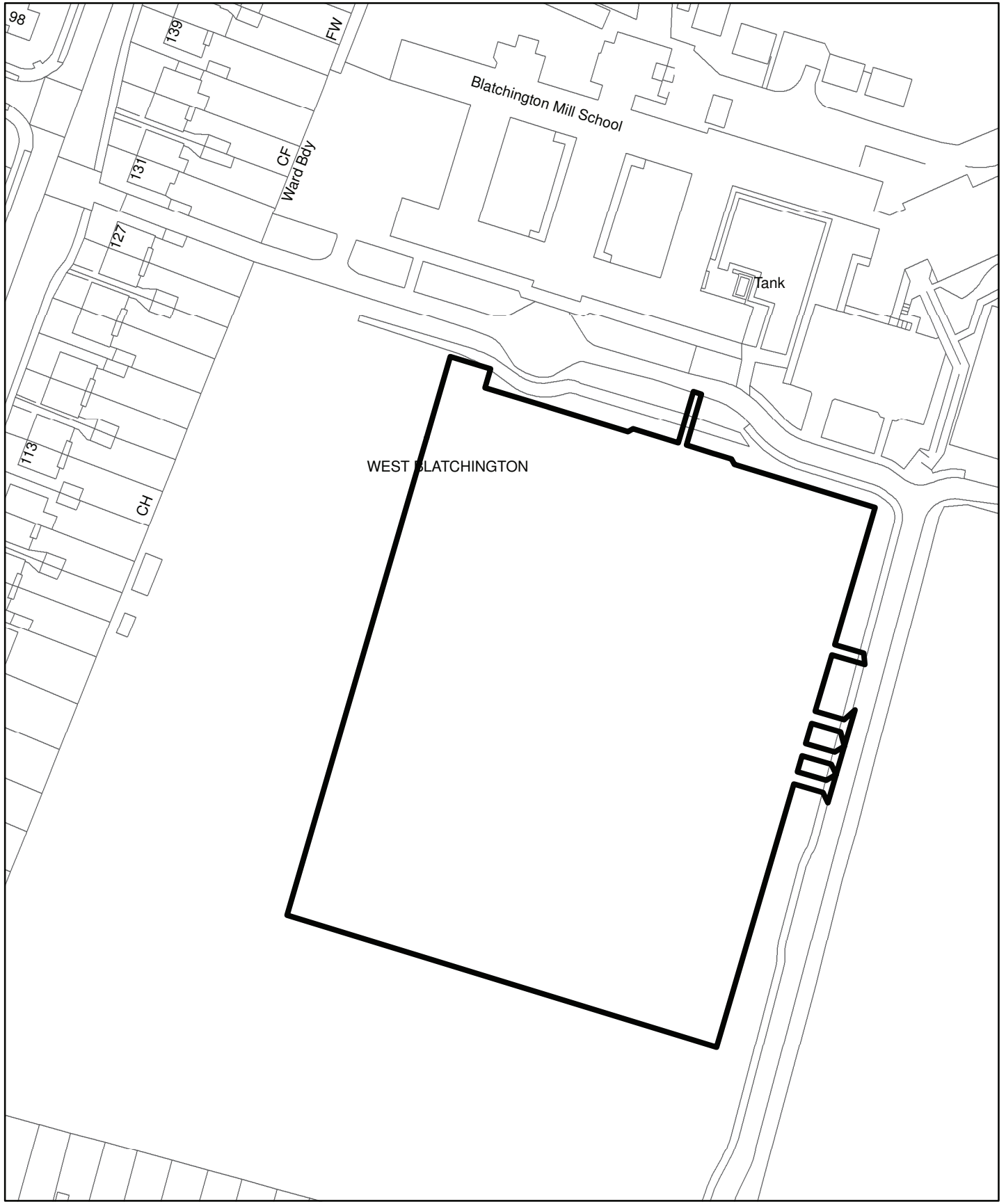
Building Name / Number	Street	Town / County	Post Code
98	Nevill Road	Hove	BN3 7BT
4	Nevill Close	Hove	BN3 7QT
18	Court Farm Road	Hove	BN3 7QR
111	Nevill Avenue	Hove	BN3 7NE
3	St Peters Close	Hove	BN3 7LG
3	Frant Road	Hove	BN3 7QS
3	Frant Road	Hove	BN3 7QS
55	Nevill Avenue	Hove	BN3 7NB
203	Nevill Avenue	Hove	BN3 2NB
43	Nevill Avenue	Hove	BN3 7NB
18A	Wilbury Grove	Hove	BN3 3JQ
123	Nevill Avenue	Hove	BN3 7NE
125	Holmes Avenue	Hove	
145	Holmes Avenue	Hove	BN3 7LF
108	Nevill Avenue P Hubbard	Hove	BN3 7ND
139	Nevill Avenue	Hove	BN3 7NE
105	Nevill Avenue	Hove	BN3 7NE
93	Nevill Avenue	Hove	BN3 7NE
121	Holmes Avenue	Hove	BN3 7LF
98	Nevill Avenue	Hove	BN3 7ND
29	Holmes Avenue	Hove	BN3 7LB
103	Nevill Avenue	Hove	BN3 7NE
121	Nevill Avenue	Hove	BN3 7NE
121	Nevill Avenue	Hove	BN3 7NE
123	Nevill Avenue	Hove	BN3 7NE
80	Nevill Road	Hove	BN3 7BT
78	Nevill Road	Hove	BN3 7BT
80	Nevill Road	Hove	BN3 7BT
71	Holmes Avenue	Hove	BN3 7LB
3	Nevill Close	Hove	BN3 7QT
20	Tudor Close	Hove	BN3 7NR
95	Holmes Avenue	Hove	BN3 7LE
95	Holmes Avenue	Hove	BN3 7LE
122	Nevill Avenue	Hove	BN3 7ND
122	Nevill Avenue	Hove	BN3 7ND
124	Nevill Avenue	Hove	BN3 7ND
49	Holmes Avenue	Hove	BN3 7LB
101	Holmes Avenue	Hove	BN3 7LE
42	Nevill Avenue	Hove	BN3 7NA
124	Nevill Avenue	Hove	BN3 7ND
119	Holmes Avenue	Hove	BN3 7LF
108	Nevill Avenue	Hove	BN3 7ND
121	Holmes Avenue	Hove	BN3 7LF
121	Holmes Avenue	Hove	BN3 7LF
101	Nevill Avenue	Hove	BN3 7NE

PLANS LIST – 10 AUGUST 2011

Building Name / Number	Street	Town / County	Post Code
98	Nevill Avenue	Hove	BN3 7ND
131	Holmes Avenue	Hove	BN3 7LF
124	Holmes Avenue	Hove	BN3 7LF
55	Nevill Avenue	Hove	BN3 7NB
126	Holmes Avenue	Hove	BN3 7LE
43	Nevill Avenue	Hove	BN3 7NB
98	Fallowfield Crescent	Hove	BN3 7NN
43	Nevill Avenue	Hove	BN3 7NB
126	Holmes Avenue	Hove	BN3 7LE
55	Nevill Avenue	Hove	BN3 7NB
124	Nevill Avenue	Hove	BN3 7ND
124	Nevill Avenue	Hove	BN3 7ND
131	Holmes Avenue	Hove	BN3 7LF
125	Holmes Avenue	Hove	BN3 7LF
43	Nevill Avenue	Hove	BN3 7NB
123	Nevill Avenue	Hove	
108	Nevill Avenue	Hove	BN3 3BQ
	95 Holmes Avenue	Hove	
	95 Holmes Avenue	Hove	
	124 Nevill Avenue	Hove	
	123 Holmes Avenue	Hove	
	43 Nevill Avenue	Hove	
	113 Nevill Avenue	Hove	
	117 Nevill Avenue	Hove	
	95 Nevill Avenue	Hove	
	81 Nevill Avenue	Hove	
	91 Nevill Avenue	Hove	
	97 Holmes Avenue	Hove	
	54 Nevill Avenue	Hove	
	101 Holmes Avenue	Hove	
103	Nevill Avenue	Hove	BN3 7NE
114	Holmes Avenue	Hove	BN3 7LE
126	Holmes Avenue	Hove	BN3 7LE
	95 Holmes Avenue	Hove	
98	Fallowfield Crescent	Hove	BN3 7NN
46	Court Farm Road	Hove	BN3 7QR
43	Nevill Avenue	Hove	BN3 7NB
4	Frant Road	Hove	BN3 7QS
70	Nevill Road	Hove	BN3 7BT
3	Frant Road	Hove	BN3 7QS
91	Nevill Avenue	Hove	BN3 7NE
124	Nevill Avenue	Hove	
4	Frant Road	Hove	BN3 7QS

In addition letters have been submitted from five email addresses, no address given.

BH2011/01264 Blatchington Mill School, Nevill Avenue



Scale: 1:1,250



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011

COUNCILLOR REPRESENTATION

Jeanette Walsh
Development Control Manager
First Floor
Hove Town Hall
Norton Road
Hove

Date: 23 June 2011
Our Ref: JB/EB
Your Ref:

Dear Jeanette

Re: Planning Application BH2011/01264

As Ward Councillors we wish to object to the above un-neighbourly proposal, and as previously requested by email we wish to register to speak in opposition to this application at the planning meeting.

We have many serious concerns about these plans including the effects of the floodlights and the noise and disturbance late into the evenings for homes surrounding the site. There will also be extra traffic generated, more pressure on parking and the loss of the green space.

Yours sincerely

Councillor Jayne Bennett
Tel (01273) 291135
Email: jayne.bennett@brighton-hove.gov.uk
hove.gov.uk

24 JUN 2011

Councillor Vanessa Brown
Tel: (01273) 291143
email: vanessa.brown@brighton-hove.gov.uk

Councillor Brian Fitch
107 Holmes Avenue
Hove BN3 7LE

Jeannette Walsh
Development Control Manager
Development Control
1st Floor
Hove Town Hall
Norton Road
Hove

Date: 17 May 2011
Our Ref: BF/PJ
Your Ref:

Dear Mrs Walsh

**Re: Planning Application – Blatchington Mill School: Installation of
Floodighting**

I write in my capacity as a Councillor for Hangleton & Knoll Ward to request that this application is determined by the Planning Committee.

I wish to oppose the application and should like to speak in my in my capacity as a Ward Councillor when it comes before the Committee for decision.

Yours sincerely

Councillor Brian Fitch

Email: brian.fitch@brighton-hove.gov.uk

Labour Member for Hangleton & Knoll Ward



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011

COUNCILLOR REPRESENTATION

From: Sue Shanks
Sent: 19 June 2011 17:32
To: Christopher Wright
Subject: Blatchington Mill School

I understand you are the officer concerned with the application for hockey pitches at Blatchington Mill School, BH2011/01264.

As Cabinet Member for Children and Young People I would like to support the proposal. The all weather multi-sport pitches will offer excellent opportunities to students of Blatchington Mill and other schools in the city. As well as the hockey club the pitches will also be a facility for the Hangleton & Knoll Project and other community groups. I consider this a well thought out plan involving different sections of the community and the pitches will be an asset for the community.

<u>No:</u>	BH2011/01013	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	St Augustines Church, Stanford Avenue, Brighton		
<u>Proposal:</u>	Demolition of timber building to rear and conversion and extension of church hall to provide for 13 self contained flats.		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	20/04/2011
<u>Con Area:</u>	Preston Park CA	<u>Expiry Date:</u>	20 July 2011
<u>Listed Building Grade:</u>	II		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, Paxton Business Centre, Portland Road, Hove		
<u>Applicant:</u>	Elim International, Rev Peter Dennett, 115 St Georges Road, Cheltenham		

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. In the absence of satisfactory justification with regard to the level of enabling development required, as defined in PPS5, the proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design, would be detrimental to the character, appearance and setting of the Grade II listed church, contrary to Policy HE11 of PPS 5 and policies QD1, QD2, QD14, HE1, HE2 & HE3 of the Brighton & Hove Local Plan.
2. The proposed development, in the absence of robust financial information relating to the viability of the scheme and satisfactory justification for the none provision of affordable units, has failed to provide an element of affordable housing contrary to policy HO2 of the Brighton & Hove Local Plan.
3. The proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design, would be detrimental to the character and appearance of the Preston Park Conservation Area, contrary to policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan.
4. The proposed windows and balconies at first and second floor levels in the north facing elevation of the church hall and the proposed rear extension, by virtue of its size, siting, design and form, would adversely affect the amenities of the occupiers of No.24 Stanford Avenue resulting in loss of light, loss of privacy and over-dominance and visual intrusion, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.
5. The proposed development would provide an unsatisfactory residential environment for the future occupiers of the proposed dwellings by virtue of poor light and outlook, potential noise and disturbance and inadequate

private and communal amenity space provision, contrary to policies SU10, QD27 and HO5 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on site location plan, drawing nos.07031/02A, /03, /52, /59, /62A, /63, /66, /67A, /68, /69, /70, /71, /72, /73, /74 Design & Access Statement, Heritage Statement & Structural Engineer's Report, Transport Statement, Biodiversity Checklist, Planning Supporting Statement, Site Waste Management Plan, Heritage Statement received on 4 April 2011, and drawing nos. 07031/60, /61, /75, and Bat Survey Report received on 15 June 2011.

2 THE SITE

The application site is located on the eastern side of Stanford Avenue immediately to the north of its junction with Florence Road. It has a maximum depth of 70m, a maximum width of 46m and an area of 0.23 ha. St Augustine's Church is a prominent landmark Grade II listed building which occupies a central position within the site. The building which dates from the 1890's, is of red brick construction with stone dressings and a tiled pitched roof. A smaller church hall dating from 1914 is located on the northern part of the site and complements the main church building in terms of its scale, design and materials. There are a number of dilapidated timber sheds located on the north-eastern corner of the site. The church and associated church hall are disused. Land levels within the site rise gently from south-west to north-east following the prevalent topography of the area.

The surrounding area is wholly residential in character. Adjoining the site to the north, are a pair of two storey semi-detached Victorian houses fronting Stamford Avenue (No's 24 & 26) and to the east, is a two storey detached property with accommodation in the roofspace which has been sub-divided into flats. To the west of the site, the opposite side of Stanford Avenue comprises substantial two storey semi-detached houses, a number of which have been converted into flats whilst opposite the site, the southern side of Florence Road is characterised by substantial three/ four storey semi-detached houses which are in use as flats.

The application site is located in the Preston Park Conservation Area as designated in the Brighton & Hove Local Plan.

Florence Road and the relevant section of Stanford Avenue are unclassified residential access roads and are not subject to on-street parking restrictions in the vicinity of the application site.

3 RELEVANT HISTORY

BH2011/01014: Internal alterations to church incorporating installation of 2 new floors and associated works and extension to rear of church hall is currently under consideration

BH2010/00061: Conversion of Church Hall to provide 14 self-contained flats

together with alterations to existing building and 2-storey extension with accommodation in roofspace and basement car parking to rear. Alterations to church to provide additional community space. Demolition of timber building to rear. Refused at Planning Committee 30/06/2010.

BH2010/00060: Full planning application for the conversion of the church hall to provide 14 self-contained flats together with alterations to the existing building and two storey extension with accommodation in the roofspace and basement car parking to rear. Alterations to church to provide additional community space. Demolition of timber building to rear. Refused at Planning Committee 30/06/2010.

BH2009/00055: The accompanying application for listed building consent was also withdrawn in December 2009.

BH2009/00054: An application for full planning permission was submitted and subsequently withdrawn in December 2009 for the conversion of the church hall to provide 20 self-contained flats together with alterations to the existing building and three storey extension to the rear together with alterations to the church to provide additional community space.

91/108/CA: The accompanying application for conservation area consent was also withdrawn in March 1993.

91/1507/OA: An outline planning application was submitted and subsequently withdrawn in March 1993 for the demolition of the hall, the erection of a nine storey tower to the west end of the church to provide 16x1 bed flats and the erection of a four storey building to provide 12x1 bed and 4x2 bed flats with 18 parking spaces.

4 THE APPLICATION

Planning permission is sought for the conversion of the church hall to provide thirteen self-contained flats with alterations to the existing building and the erection of a two storey extension with accommodation in the roofspace and basement car parking to the rear. Alterations to the church to provide additional community space and demolition of the existing timber building to the rear.

The proposed extension would abut the eastern gable end of the church hall. It would comprise two distinct elements; a large single storey flat roofed section which would project to both the rear and side of the church hall (i.e. south); and a smaller recessed first floor with a pitched roof containing two dormers, to provide for accommodation within the roofspace. At ground floor level the extension would have a depth of 13m and a maximum width of 14.5m and at first floor a depth of 9.5m and a width of 10.6m. The extension would result in an eaves height of 4.6m and a ridge height of 10.1m. It would be set back a minimum of 2m from the northern boundary of the site with No.24 Stanford Avenue and a minimum of 2.5m from the eastern boundary of the site with No.1 Florence Road.

The proposed external alterations to the existing church hall would involve the replacement of the existing roof with a new pitched roof (utilising the original tiles) with enlarged catslide dormers to both the north and south facing

slopes, to provide for accommodation within the roofspace. New window, door openings and balconies would also be created.

The development would provide a total of thirteen flats comprising, 1x1 bed 9x2 bed and 3x3 bed units. The unit sizes will vary from approximately 49sqm to 90sqm. A private balcony would be provided for seven of the fourteen units proposed together with areas of communal amenity space mainly located on the Stanford Avenue frontage.

Seventeen car parking spaces would be provided, ten at basement level below the proposed extension to the church hall and seven, including one disabled space, on the Florence Road frontage adjoining the eastern boundary of the site. Vehicular access would be from Florence Road. Nineteen cycle parking spaces are also proposed contained within a covered store.

The proposal also includes the conversion of the main church building to a church/community centre. A narrow single storey flat roofed extension comprising a kitchen, WC's and bin store infilling the gap between the church and the church hall is proposed. The other external works to the church are primarily those of repair and refurbishment. Internally, on the ground floor, the north nave aisles would be partitioned to provide a bistro/ cafeteria and whilst the southern nave aisles would be used for offices. The chancel is to be partitioned to provide a multi functional area. A first floor would be formed above the nave to provide a church hall and coffee lounge with a galleried area above.

There are some minor changes between this application and the previously refused application in terms of the design and layout of the hall, the proposed rear extensions and the submitted supporting documents. These changes include:

- a reduction of 1 residential unit from 14 to 13 units,
- additional information in relation to the proposed community use
- financial information relating to the proposed works,
- revised extent of the internal works to the church and church hall
- revised configuration of balconies to the church hall.

5 CONSULTATIONS

External:

Neighbours: Letters of representation have been received from, **13, 44 Havelock Road, 15A, 24 (x2) Stanford Avenue, 2, 3, 5, 6A, 8, 11 (x2), 13, 37, Fiveways Play Centre, Florence Road, 2 Rugby Road, 31 Harrington Road, objecting** the application for the following reasons:

- overlooking/ loss of privacy;
- extension would be overbearing/ visually intrusive;
- overshadowing;
- increased noise and disturbance;
- noise from car park;

- overdevelopment;
- size and appearance of the extension and alterations to the church would be out of character with the area;
- development would adversely affect the appearance of the listed building and conservation area;
- pedestrian access from Stanford Avenue would potentially result in security problems;
- inadequate parking provision would result in increased pressure on limited on-street capacity;
- vehicular access on to Florence Road would be hazardous as close to nursery school;
- increased pressure on local services/ infrastructure; and
- proposed flats would provide poor outlook and orientation for the future occupiers.

Letters of representation have been received from, **33 Kingfisher Drive (Hemel Hempstead), Heart Studios (Haywards Heath), 49 Lockhart Court (Haywards Heath), 96 Woodland Avenue (Burgess Hill), 76 High Street (Ardingly), 15 Ambrose Place (Worthing), 11 Ashurst Heath Road (x2), 3 Rayford Close, 3 Collingwood Close, 121 Hollingdean Terrace, 20 Water May House, 4 Dudley Road, 1 Berry Close, 132 Portland Place, 26 Widdicombe Way, 49 Ventnor Villas, 1 Popes Folly, 16 Chatsworth Avenue, 43 Vale Avenue (x2), 1 Falcon Close, 241 Old Shoreham Road, 12 Greenoaks, 246 Harbour Way (x2), 120 Stanford Avenue Little Oaks Nursery, The Fountain Centre Braybon Avenue, Flat 34 Oliver House Forth Avenue** supporting the application for the following reasons:

- A listed building will be brought back into good use
- It will result in the retention of the existing community use
- It will provide improved community space for the local area
- It will provide additional; employment in the area.

CAG: Recommends refusal

The group noted that this scheme is similar to that previously considered, but expresses better the front of the church hall. It also noted the positive contribution the hall makes to the appearance of the conservation area. The group agreed the conversion of the hall to housing in principle, but consider the changes have not addressed its concerns regarding the extension's proximity to neighbouring properties, and the number of flats, and the consequential harm to the character and appearance of the conservation area. The flats lack adequate amenity space and will overlook neighbours.

For the above reasons the group agreed the development will harm the character and appearance of the conservation area and, without further improvement.

English Heritage: The application should be determined in accordance with national and local policy guidance, and on the of your specialist conservation

advice.

Internal:

Design & Conservation:

The applications are revised proposals following the refusals of previous applications and have sought to address the reasons for refusal. The applicant has provided more detailed financial information as justification for the enabling development. The extent of the new first floor to the church has been slightly reduced. The ground floor footprint of the new extension to the church hall has been revised and the number of new residential units reduced by one, with minor changes to the fenestration. A maisonette has been provided to the front of the hall. These issues are addressed further below.

There is substantial harm to the character of the listed building arising from the insertion of the new floors but further information is required in order to properly judge how this harm has been, or could be further, mitigated.

The principle of converting and extending the church hall to residential use has already been accepted. The demolition of the utilitarian modern timber building has also been accepted and is welcomed.

The design, scale and form of the proposed extension remain unchanged except that the ground floor footprint has been slightly reduced and has been rationalised to some degree so that it better relates to the floors above. Nevertheless it still projects significantly and awkwardly on the southern side, towards, the church, and the flat roof above this projection is now to be used as a roof terrace, which has necessitated a glazed screen on the terrace, although it is unclear why this does not follow the roof edge. The glazed screening only serves to highlight the awkward relationship between the ground floor projection and the simpler, symmetrical form of the extension above it.

The impact on the character of the listed church hall arising from the conversion scheme, specifically with regard to the Palladian frontage, appears to now be acceptable but cannot be fully judged at this stage due to the lack of a section drawing.

The case for enabling development

Given the degree of harm that would be caused to the significance of the heritage asset, the case for the new housing units as enabling development must be considered. Policy HE11 of PPS5 sets out what must be taken into account in determining whether the benefits of the enabling development in securing the future of the asset outweigh the material harm caused. This issue is not specifically addressed in the Planning Statement but there is information in this and other supporting statements that explains how the proposals would help to secure the long term future of the church as a community asset. In principle a combined church and community use is considered to be “a purpose sympathetic to its conservation” (PPS5 Policy

HE11).

There is also information in the Cost Report (and its appendices) on the financial case. The poor condition of the church is acknowledged from previous inspection and, given its scale, the estimated itemised repair costs do not appear unreasonable. It is noted that there is no similar estimate of the costs of repairing/restoring the church hall to bring it back into use, which would give a much fuller picture of the “problems arising from the inherent needs of the heritage asset” (PPS5, Policy HE11). Appendix 1 sets out the additional costs associated with converting the church to community spaces and providing the underground car park. Appendix 3 includes all further costs associated with the proposals also sets out the anticipated income from the enabling development. The further costs include a sum of £709,753.68 for equipment, facilities and services but no further detail is provided. Given the relative size of this sum a break-down of these costs should be provided. This is important as this sum is almost equivalent to the projected loss incurred on the proposals and because on of the key considerations under policy HE11 of PPS5 is that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”. In this respect “future conservation” must be distinguished from perhaps more ambitious and aspirational plans.

Related to this, it will also be essential to clarify the matter of whether the application is proposing an overall increase in community space. The application form states that there would be a net increase of 344 sq m but in previous meetings the applicant has stated that would be no increase. Based upon the plans this would indeed seem to be the case, assuming that the existing timber building is included in the figures. However, a definitive assessment is required.

PPS5 policy HE11 also requires the applicant to demonstrate that “there is no source of funding that might support the heritage asset without the need for enabling development” but no information on this point has been submitted.

Additional comments received 1 July 2011

Section drawings through the church have now been provided and these confirm that there would be no loss of the roof timbers; all of the raking struts would be retained.

The sections also confirm that the western ends of the new floor would have partly glazed screens and the degree of glazing is considered appropriate. However, the end screen at new first floor level is to have pattern of gothic arches to the glazing and this is considered inappropriate. The glazing should be as simple and undivided as possible, both to distinguish it as a clearly modern intervention and to ensure the maximum possible sight lines from ground level to the roof timbers and ceiling. The proposed second floor end screen is simpler in design but would also benefit from less subdivision.

In order to further enhance views of the original ceiling and roof timbers, the ceiling to the new first floor could be largely glazed where there is no floor over it (i.e. to the two western 'bays').

Concern remains that there would be a lack of natural light to the main ground floor worship area and the impact of this on the character of the interior. There may be ways of mitigating this concern other than the glass edge to the floor previously proposed, such as borrowed lights in the new side partitions (between the nave and the aisles). But in the absence any such measures this remains a significant concern.

The conversion and extension of the church hall

The long section through the hall shows that the internal arrangement of the proposed maisonette, including floor and ceiling heights, would relate satisfactorily to the glazing of the Palladian frontage. It is therefore considered that this concern has now been overcome.

The design and footprint of the proposed extension to the church hall remain unchanged and therefore the previous concerns regarding the degree and shape of the ground floor projection, and the line of the glazed screening to the roof terrace, remain.

The case for enabling development

The issue of the change in gross community floor space has now been clarified and shows that there would be a net loss of 77 sq m. This is considered to assist the case for enabling development.

A budget cost of between £535k and £640K has now been provided for the repair and renovation of the church hall. It is disappointing that this is a simply a standard budget figure based upon square metre-age of floorspace rather than an itemised estimate in the manner of the estimate for the church itself. It is also questioned whether this figure is an over-estimate given that it is roughly half the cost of repairing and renovating the church itself when the church is on a much more substantial scale. Consequently it is felt that less weight can be attached to this evidence. Nevertheless it is acknowledged from site inspection that a significant sum would need to be spent on repairing and restoring the hall to being it back into long term community use.

A detailed breakdown has been provided of the sum of £709,753 set aside in the Cost Report (and appendices) for equipment, facilities and services. Whilst some of these cost items could be regarded as overly aspirational for a new community centre, the breakdown does nevertheless clarify the extent of legitimate costs required to fit out the spaces.

The applicant has also provided letters from community groups that are interested in using space at the converted church and it is noted that this includes interest from nurseries. It therefore needs to be clarified as to whether such potential users (who may be commercial ventures) would be

charged for using the space. This is raised because it is noted from the Cost Report that the only income referred to is from the sale of the flats.

Finally, it is noted that no information has been provided to demonstrate that “there is no source of funding that might support the heritage asset without the need for enabling development”. This is a requirement of policy HE11 of PPS5. Addressing this point should include evidence of any applications, investigations or enquiries that have been made for grant or loan funding from public funds and schemes or any other sources of funding available to or through the Elim Church.

Conclusion

The additional drawings and information have gone some way towards addressing the original concerns. However, the case for enabling development is not yet considered to have been fully made, having regard to the requirements of PPS5 and English Heritage guidance on the subject and specifically that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”.

In addition, concerns still remain about the design and detail of the proposals, particularly to the internal conversion of the church. Given the great significance of the church interior, in terms of its special architectural interest, these concerns are considered to be crucial to determining whether the development is justified and in mitigating the harm that inevitably arises from the horizontal sub-division of the church.

Ecology:

The application includes a bat survey report, submitted by specialist bat surveyors, which concludes that bats were not roosting in the buildings at the time of the survey. No recommendations for further survey are made, although various measures to improve the site for roosting bats are offered.

Annex 6 of SPD 11 quantifies the amount of biodiversity that new developments are required to provide in order to meet the requirements of PPS 9 (paragraph 14) and Local Plan policy QD17. However footnote 5 to Table 6.2 of the Annex explains that green roofs and green walls are not appropriate for listed buildings and “Where it can be demonstrated that these restrictions prevent applications from fully achieving the habitat points required, compensation for this shortfall will not be required.”

In this case it would not be possible for the development to achieve the amount of new biodiversity required under Annex 6 of SPD 11 without the use of green roofs and / or walls. Nevertheless any planning permission should be conditional upon the submission of a landscaping scheme which maximises the biodiversity value of the site. Appropriate measures which should be included in the scheme include a wildlife pond, artificial bat roosts and bird nest boxes and the use of plants which attract wildlife.

Planning Policy:

Whilst the existing and resultant net provision of D1 floorspace should be checked the proposal is considered in principle to meet policy HO20 (previous applications indicated existing D1 area to be approximately 1,165sqm whilst this application states existing D1 area to only be 845sqm). The Housing Development Team should be consulted in respect of the justification provided for the lack of affordable housing (policy HO2), however, it is recognised this is a relatively small development scheme which is enabling the enhancement and retention of a Listed Building and community facilities.

In respect of policy HO5, it is recognised listed building status can impact on such provision and where it is agreed it is in the interest of a Listed Building/Conservation Area not to provide all units with private amenity space then on-site communal space is welcomed. These comments are subject to clarification from the Design and Conservation Team regarding the Grade II Listed Buildings and the setting of the conservation area to which it is located.

Housing

The developer is offering no affordable housing on site. As a scheme of over 10 units we would require at least 40% of the scheme to be affordable. We cannot therefore support this application.

Education:

A financial contribution of £27,551 to be secured by way of a legal agreement would be required to help fund the additional school places that would be generated by the development.

Environmental Health

Having studied the application it is noted that it seeks to bring St. Augustines Church back into use. To do this, it is proposed to demolish the rear church hall and replace this with residential uses on ground, first and second floors. Adjacent this would be an infill extension at ground floor level which would be a kitchen use. The Church would also be utilised on a number of levels including ground, first and second floor. Uses gleaned from the various drawings submitted suggest the following uses:

- Church Ground Floor, Offices, multi function areas, parties, weddings, church services, bistro/cafeteria, coffee lounge and sound centre
- Church First Floor, fun factory, coffee lounge and sound centre
- Church Second Floor, gallery, tea bar and community multimedia uses.

Such community uses all have the potential to cause noise to neighbours and in particular the new residential area proposed immediately to the North. There are similar community spaces which have caused problems to local residents in such a close proximity. There is also concern at the general lack of data as to how any of the application will be managed. I also note air extracts identified on the drawings, yet no details within the application as to how these would be utilised to protect residents.

Sustainable Transport:

Given that as discussed the new application is the same in respect of transport as the previous one, comments on the previous application still stand.

The parking provision proposed is 15 general plus 1 disabled space. This compares to SPG4 requirements of a maximum of 21 general and at least 1 or 2 disabled. It is considered that based on the submitted parking survey, estimates of car ownership and the availability of public transport services, parking levels of less than the allowable maximum are justified and that any small problems arising from displaced parking will not unreasonably inconvenience local residents.

Nineteen cycle spaces are proposed. However, details of the layout of the proposed cycle store is required by condition.

Vehicular access is not satisfactory in that, although there is a turning head this is not easily useable by all vehicles to and from the site and it is likely that a small number of vehicles will reverse onto the carriage way. Traditional design guidance (i.e. Estates Road Manual) would not allow this arrangement but the new approach (i.e. Manual for Streets) is less prescriptive and requires that separate judgement must be applied in each particular set of circumstances. In this case the access is onto Florence Road which is lightly trafficked by pedestrians and vehicles. There are existing traffic calming features on this road which has a long straight alignment with good forward visibility. There are no recorded personal injury accidents during the last 3 years in Florence Road. Visibility from the vehicular access for vehicles emerging into Florence Road meets MfS standards and the actual numbers of vehicles to and from the application site will be very low. In all these circumstances it is considered that the design of the vehicular access route would not be a defensible reason for refusal.

The work submitted indicates that the traffic impact of the development would be insignificant with 18 in and 18 out car movements in a typical day with a peak hour total of five in and out movements combined.

A financial contribution of £10,500 would be required to fund local small scale measures to encourage the use of sustainable modes of transport near the application site such as bus stop improvements and dropped kerbs.

6 MATERIAL CONSIDERATIONS

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

The development plan is the Regional Spatial Strategy, The South East Plan

(6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (18 November 1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design-quality of development and design statements
QD2	Design-key principles for neighbourhoods
QD3	Efficient and effective use of sites
QD7	Crime prevention through environmental design
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD25	External lighting
QD27	Protection of amenity
QD28	Planning obligations
HO2	Affordable housing 'windfall' sites
Ho3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in residential development
HO13	Accessible housing and lifetime homes
HO19	New community facilities
HE1	Listed buildings
HE3	Development affecting the setting of a listed building
HE4	Re-instatement of original features on listed buildings
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance

SPGBH1:	Roof Alterations and Extensions
SPGBH4:	Parking Standards
SPGBH11:	Listed Buildings – General Advice

Supplementary Planning Documents

SPD03:	Construction and Demolition Waste
SPD08	Sustainable Building Design

Planning Advice Notes

PAN03: Accessible Housing and Lifetime Homes

8 CONSIDERATIONS

The main considerations in the determination of this application include the principle of the proposed development, design and impact on the listed building, conservation area and street scene, impact on the amenities of neighbouring the occupiers, amenities of future occupiers, highways and parking, sustainability, and nature conservation.

The previous application reference BH2010/00060 was refused on a number of grounds of these included in sufficient justification for the lack of affordable housing, issues relating to the design of the rear extension to the church hall, design issues relating to the conversion of the church hall, poor amenity for the future occupiers of the proposed dwellings, issues surrounding nature conservation, and the submission of inaccurate drawings.

This application in comparison with the previous application proposes a reduction in numbers of the proposed units, and additional information in relation to the proposed community use and financial information relating to the proposed works, as well as revised internal works to the church and church hall.

The principle of the proposed development

Policy HO20 of the Brighton & Hove Local Plan states that planning permission will not be granted for development proposals, including changes of use, that involve the loss of community facilities such as church halls. The application proposes the loss of 77sqm of community floorspace. The proposed reduction in community floorspace has been previously accepted as part of the previously refused application. It was considered that as the development would bring the existing church back into use and that the total amount of floorspace including the re-use of the church and re-organisation of space within would exceed the total provided by the existing church hall, in principle it is considered that the proposal broadly accords this policy.

Policy H02 of the Local Plan specifies that where a proposal is made for residential development, including conversions, capable of producing 10 or more dwellings, the Local Planning Authority will seek to secure a 40% element of affordable housing. In this case 13 new dwellings are proposed which would equate to a requirement of 5 affordable housing units.

No provision has been made for affordable housing, and the applicant has submitted justification as to why no affordable housing is proposed, this relates to the high cost in bringing back the church into a usable standard. No robust financial information has been provided in terms of the overall viability of the scheme which directly considers the requirement for affordable housing, in the absence of this information it is considered that there is unsatisfactory justification as to why this requirement has not been met within

the supporting documents or the schedule of development costs which has been submitted, the proposal is contrary to policy HO2.

Design

Policies QD1, QD2 and HE6 of the Local Plan state that all development must demonstrate a high standard of design and make a positive contribution to the visual quality of the conservation area. Policies HE1 and HE3 further note that proposals involving the alteration, extension or change of use of a listed building will only be permitted where they would not have an adverse affect on the architectural and historic character, appearance or setting of the building.

Reason 2 for refusal of the previously submitted application related to the proposed design of the rear extension to the church hall. In terms of the submitted application the design, scale and form of the extension has remained largely unchanged, from that of the previously refused application. The ground floor footprint has been slightly reduced and has been rationalised to some degree in an attempt to make it relate better to the floors above.

As with the previously refused application the Design and Conservation Officer has expressed concern over the extension to the rear of the hall. Whilst the extension now attempts to replicate the form of the extension to the upper stories it is felt that due to the irregularly shaped footprint and expansive area of flat roof the extension would relate poorly to the form of the extension above, appearing incongruous and out of keeping with the host building. In addition the proposed glazed screening would only serve to highlight the awkward relationship between the ground floor projection and the simpler, symmetrical form of the extension above it.

Therefore, it is considered that the development would fail to make a positive contribution to the visual amenity of the locality and the character of the Conservation Area, contrary to policies QD1, QD2 and HE6 of the Local Plan.

The Applicant has indicated that the conversion and extension of the church hall for residential use would fund/ enable the conversion of the church to a multi-purpose church and community centre. In such cases, proposals are required to meet the tests for 'Enabling Development' set out by central government in Planning Policy Statement No.5: Planning for the Historic Environment (PPS5). Policy HE11 of PPS5 sets out what must be taken into account in determining whether the benefits of the enabling development in securing the future of the asset outweigh the material harm caused.

The applicant has provided information in support of the financial case for the proposed development and the poor condition of the church is acknowledged. The Councils Design and Conservation Team have reviewed the documentation and consider that the case for enabling development has not yet been fully made, with specific regard to the requirements of PPS5 and

English Heritage guidance on the subject. Specifically that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”. As with the previously refused application ref BH2010/00061 it appears that the housing is proposed to fund the applicant’s plans to convert the church to a multi-purpose church and community centre rather than as a means restoring or addressing any significant inherent problems or defects with the buildings

Therefore, it is considered that the proposed development lacks justification and is unacceptable in principle, contrary to policy HE11 of PPS5 and policy HE1 and HE2 of the Local Plan.

Impact on the amenities of neighbouring occupiers

Policy QD27 and QD14 of the Local Plan seek to ensure that new development, including extensions to existing buildings do not adversely affect the amenities of adjoining and nearby occupiers. Reason 4 of the previously submitted application related to the impact of the proposed extension upon the amenity of the neighbouring property at no. 24 Stanford Avenue.

As previously discussed the design, scale and form of the extension has remained largely unchanged, from that of the previously refused application. At ground floor level the extension would have a depth of 13m and 9.5m at first floor level, with an eaves height of 4.6m and a ridge height of 10.1m, providing accommodation within the roofspace. The proposed extension would be positioned as little as 2m from the boundary with No.24 Stanford Avenue, run almost the length of its rear garden at ground floor level and at first floor project some 10.5m beyond its rear elevation. As the design of the proposed extension remains unchanged, and in the absence of compelling justification it is considered that the size and siting, the proposed extension would remain as a dominant and overbearing feature when viewed from the rear garden and rear facing windows of this property and would adversely affect the outlook and light of the occupiers.

The amenity of future occupiers

Reason 5 for refusal on the previously submitted scheme related to a poor standard of accommodation for the future residents of the development, in terms of poor light and outlook and inadequate private amenity space.

At ground floor level the bedroom windows serving flat No’s 2 & 3 would, at a distance of only 3.5m face on to the northern side elevation of the church over the flat roof of the proposed extension containing a kitchen and WC’s. Whilst at first and second floor levels a total of five bedroom and three lounge windows would directly face the church at minimum distance of 4m, and a maximum of 9m. As with the previously refused application it is considered that such a relationship would result in an unacceptable level of light and outlook for the future occupiers contrary to policy QD27.

Policy HO13 of the Local Plan requires new development to comply with Lifetime Homes standards. The Design and Access Statement indicates that the development would comply with these standards providing accessible off-street parking, appropriate circulation space entrance arrangements and doorway widths. Notwithstanding this, should the application had otherwise been acceptable full compliance would be secured by condition.

In terms of private amenity space provision six of the thirteen units would be provided with a balconies, whilst a further two units would have use of a raised terrace above the first floor component of the proposed rear extension. The private amenity space is supplemented by an area of communal amenity space to the front and a narrow strip to side to the church hall. However the practical use of those areas adjoining the church entrance by the future residents may well be limited, dependent upon the activities which are proposed within the church.

Given that five units would not have access to any private amenity space; the small size of the balconies and poor outlook and sunlight of some on the southern elevation, it is considered that this level of provision would not be commensurate with the nature of the development and the recreational needs of the occupiers. It is therefore considered that the proposed development would provide inadequate amenity space in terms of its size and quality, contrary to policy HO5 of the Brighton & Hove Local Plan.

Policy H06 of the Brighton & Hove Local Plan requires the provision of outdoor recreation space with schemes. The provision must be split appropriately between children's equipped play space, casual and informal space and adult and youth outdoor sports facilities. The restricted nature of the site would preclude the provision of such facilities on the site and as such, a financial contribution of £42,600 towards the provision of off site playspace and recreational facilities would be required. The applicants have indicated their willingness to make such a contribution towards the provision of outdoor recreation space in accordance with policy HO6.

Policy SU10 of the Local Plan requires proposals for new development to minimise the impact of noise on the occupiers of proposed buildings, neighbouring properties and the surrounding environment. The proposed church would contain a number of potential noise sources of which the sound centre is of particular concern. The Environmental Health Officer has indicated that due to the proximity of future residents in the converted church hall and existing residents in Florence Road and Stanford Avenue, in the absence detailed information on the sound system or how noise would be mitigated, the development would be likely to result in undue noise to the detriment of residential amenity, contrary to policy SU10.

Sustainable Transport

Policy TR1 of the Local Plan requires applicants to provide for the travel demands that their proposals create and to maximise the use of public

transport, walking and cycling.

A legal agreement requiring a financial contribution of £10,500 towards sustainable transport improvements in the area such as bus stop enhancements and dropped kerbs, to off-set the increase in demand for public transport services arising from the development is proposed. The Applicants have indicated their willingness to enter into such an agreement.

The Council's car parking standards require a maximum provision of 1 space per unit plus 1 car space per 2 dwelling for visitors. Fifteen car spaces have been provided (plus 1 disabled space) and is consistent with policy TR19 and SPGBH4.

The site has good access to public transport services and the Applicant's Transport Statement contains a parking survey carried out in the area bounded Springfield Road, Ditchling Road, Preston Drove and Preston Park Avenue indicating spare on-street capacity. The Traffic Manager has indicated that the survey demonstrates that any problems arising from displaced parking would not unreasonably inconvenience existing local residents.

Although the Applicant has indicated that 19 cycle parking spaces would be provided in one covered cycle store on the north-eastern corner of the site, the exact nature of the provision and its layout have not been shown. In the event of planning permission being granted, these details should be secured by condition.

The Traffic Manager has highlighted that the proposed turning head within the site would not be easily useable by all vehicles and it is likely that a small number of vehicles may reverse out of the site on to Florence Road. Although under previous guidance (i.e. Estates Roads Manual) such an arrangement would have been unacceptable on highway safety grounds, current guidance (i.e. Manual for Streets) is less prescriptive and requires each case to be judged on its individual merits. In this case, it is considered that because Florence Road is lightly trafficked by vehicles and pedestrians; is straight and subject to traffic calming measures; there have been no personal injury accidents recorded within the last three years; and visibility for vehicles emerging from the site would be satisfactory and vehicle movements low, the access would not be so hazardous as to warrant refusal.

Sustainability

Policy SU2 of the Local Plan requires all developments to be efficient in the use of energy, water and materials. With regard to the new build residential units within the extension to the church hall SPD08 Sustainable Building Design requires applicants to submit a Sustainability Checklist and the development to achieve a minimum rating of level 3 of the Code for Sustainable Homes and the new units within the converted church hall to demonstrate significant environmental improvements via Ecohomes for

refurbishments.

The Applicant has submitted a satisfactory Sustainability Checklist indicating that the new build residential units would meet level 3 of the Code for Sustainable Homes and that Ecohomes for Refurbishment criteria would be applied to the units within the converted church hall. It is recommended that were the application otherwise acceptable compliance could be secured by via a suitably worded condition.

Nature Conservation and Ecology

Reason 7 for refusal on the previously submitted scheme related to the requirement for a bat survey given the nature of the site. The applicant has submitted a full bat survey. The Council's Ecology Officer has reviewed the submitted document which concludes that no bats were roosting in the buildings at the time of the survey. Therefore no recommendations for further survey are required. Measures to improve the site for roosting bats are offered and should the application be considered acceptable could be secured via a suitably worded condition.

9 CONCLUSION

The proposed development, in the absence of robust financial information relating to the viability of the scheme and satisfactory justification for the provision of no affordable units, has failed to provide an element of affordable housing contrary to policy HO2 of the Brighton & Hove Local Plan.

The proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design of the ground floor, would be detrimental to the character and appearance of the host building and to the character, appearance and setting of the Grade II listed Church and the Preston Park Conservation Area, contrary to policies QD1, QD2, QD14, HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

The proposed windows and balconies at first and second floor levels in the north facing elevation of the church hall and the proposed rear extension, by virtue of its size, siting, design and form, would adversely affect the amenities of the occupiers of No.24 Stanford Avenue resulting in loss of light, loss of privacy and over-dominance and visual intrusion, contrary to policy QD27 of the Brighton & Hove Local Plan.

The proposed development would provide an unsatisfactory residential environment for the future occupiers of the proposed dwellings by virtue of poor light and outlook, potential noise and disturbance and inadequate private and communal amenity space provision, contrary to policies SU10, QD27 and HO5 of the Brighton & Hove Local Plan.

10 EQUALITIES IMPLICATIONS

The proposed units would have to comply with lifetime homes standards.

BH2011/01013 St Augustines Church, Stanford Avenue



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2011/01014	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Listed Building Consent		
<u>Address:</u>	St Augustines Church, Stanford Avenue, Brighton		
<u>Proposal:</u>	Internal alterations to church incorporating installation of 2 new floors and associated works and extension to rear of church hall		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	04/04/2011
<u>Con Area:</u>	Preston Park CA	<u>Expiry Date:</u>	30 May 2011
<u>Listed Building Grade:</u>	II		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, Paxton Business Centre, Portland Road, Hove		
<u>Applicant:</u>	Elim International, Rev Peter Dennett, 115 St Georges Road, Cheltenham		

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** listed building consent for the following reason(s):

1. In the absence of satisfactory justification with regard to the level of enabling development required, as defined in PPS5, the proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design would be detrimental to the character and appearance of the host building and to the character, appearance and setting of the Grade II listed church, contrary to Policy HE11 of PPS 5 and policies HE1, HE2 & HE3 of the Brighton & Hove Local Plan.
2. In the absence of satisfactory justification with regard to the level of enabling development required, as defined in PPS5, the proposed internal alterations to the Grade II listed church would be detrimental to its architectural and historic significance, contrary to PPS 5 and policies HE1 and HE2 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on site location plan, drawing nos.07031/02A, /03, /52, /59, /62A, /63, /66, /67A, /68, /69, /70, /71, /72, /73, /74 Design & Access Statement, Heritage Statement & Structural Engineer's Report, Transport Statement, Biodiversity Checklist, Planning Supporting Statement, Site Waste Management Plan, Heritage Statement received on 4 April 2011, and drawing nos. 07031/60, /61, /75, and Bat Survey Report received on 15 June 2011.

2 THE SITE

The application site is located on the eastern side of Stanford Avenue immediately to the north of its junction with Florence Road. It has a maximum depth of 70m, a maximum width of 46m and an area of 0.23 ha. St Augustine's Church is a prominent landmark Grade II listed building which

occupies a central position within the site. The building which dates from the 1890's, is of red brick construction with stone dressings and a tiled pitched roof. A smaller church hall dating from 1914 is located on the northern part of the site and complements the main church building in terms of its scale, design and materials. There are a number of dilapidated timber sheds located on the north-eastern corner of the site. The church and associated church hall are disused. Land levels within the site rise gently from south-west to north-east following the prevalent topography of the area.

The surrounding area is wholly residential in character. Adjoining the site to the north, are a pair of two storey semi-detached Victorian houses fronting Stamford Avenue (No's 24 & 26) and to the east, is a two storey detached property with accommodation in the roofspace which has been sub-divided into flats. To the west of the site, the opposite side of Stamford Avenue comprises substantial two storey semi-detached houses, a number of which have been converted into flats whilst opposite the site, the southern side of Florence Road is characterised by substantial three/ four storey semi-detached houses which are in use as flats.

The application site is located in the Preston Park Conservation Area as designated in the Brighton & Hove Local Plan.

Florence Road and the relevant section of Stamford Avenue are unclassified residential access roads and are not subject to on-street parking restrictions in the vicinity of the application site.

3 RELEVANT HISTORY

BH2011/01013: Demolition of timber building to rear, conversion and extension of church hall to provide for 13 self contained flats is currently under consideration

BH2010/00061: Conversion of Church Hall to provide 14 self-contained flats together with alterations to existing building and 2-storey extension with accommodation in roofspace and basement car parking to rear. Alterations to church to provide additional community space. Demolition of timber building to rear. Refused at Planning Committee 30/06/2010.

BH2010/00060: Full planning application for the conversion of the church hall to provide 14 self-contained flats together with alterations to the existing building and two storey extension with accommodation in the roofspace and basement car parking to rear. Alterations to church to provide additional community space. Demolition of timber building to rear. Refused at Planning Committee 30/06/2010.

BH2009/00055: The accompanying application for listed building consent was also withdrawn in December 2009.

BH2009/00054: An application for full planning permission was submitted and subsequently withdrawn in December 2009 for the conversion of the church hall to provide 20 self-contained flats together with alterations to the existing building and three storey extension to the rear together with alterations to the church to provide additional community space.

91/108/CA: The accompanying application for conservation area consent was also withdrawn in March 1993.

91/1507/OA: An outline planning application was submitted and subsequently withdrawn in March 1993 for the demolition of the hall, the erection of a nine storey tower to the west end of the church to provide 16x1 bed flats and the erection of a four storey building to provide 12x1 bed and 4x2 bed flats with 18 parking spaces.

4 THE APPLICATION

The application seeks listed building consent for the conversion of the existing church hall to provide thirteen self-contained flats, the erection of a two storey extension with accommodation in the roofspace, and basement car parking to the rear. Alterations to the church to provide additional community space and demolition of the existing timber building to the rear. Internal alterations are proposed the existing church including the insertion of 2no. additional floors to provide community floorspace.

The proposed extension would abut the eastern gable end of the church hall. It would comprise two distinct elements; a large single storey flat roofed section which would project to both the rear and side of the church hall to the south and a smaller recessed first floor surmounted by a pitched roof containing two dormers.

At ground floor level the extension would have a depth of 13.2m and a maximum width of 13.2m. At first floor level the a depth of 10.2m and a width of 11.3m with an eaves height of 5.2m and a ridge height of 10.8m. It would be set back a minimum of 2m from the northern boundary of the site with No.24 Stanford Avenue and a minimum of 2.2m from the eastern boundary of the site with No.1 Florence Road.

The proposed internal alterations to the existing church hall would involve the formation of a new second floor and the external alterations, the replacement of the existing roof with a new pitched roof (utilising the original tiles) with enlarged catslide dormers to both the north and south facing slopes. New window, door openings and balconies would also be created.

The development would provide a total of thirteen flats comprising 1x1 bed, 9x2bed units and 3x3 bed unit. Seventeen car parking spaces would be provided, ten at basement level below the proposed extension to the church hall and seven, including one disabled space, on the Florence Road frontage.

The proposal also includes the conversion of the main church building to a church/community centre. A narrow single storey flat roofed extension comprising a kitchen, WC's and bin store infilling the gap between the church and the church hall is proposed. The other external works to the church are primarily those of repair and refurbishment. Internally, on the ground floor, the north nave aisles would be partitioned to provide a bistro/ cafeteria and whilst the southern nave aisles would be used for offices. The chancel is to be

partitioned to provide a multi functional area. A first floor would be formed above the nave to provide a church hall and coffee lounge with a galleried area above.

There are some minor changes between this application and the previously refused application in terms of the design and layout of the hall, the proposed rear extensions and the submitted supporting documents.

5 CONSULTATIONS

External:

Neighbours: Letters of representation have been received from, **8 Florence Road**, objecting the application for the following reasons:

- The scale of development is out of keeping with the area.
- Loss of privacy and overshadowing.
- Increased parking issues.

Letters of representation have been received from, **96 Woodland Avenue (Burgess Hill)**, **49 Lockhart Court (Haywards Heath)**, **1 Heart Studios (Haywards Heath)**, **76 High Street (Ardingly)**, **15 Ambrose Place (Worthing)**, **11 Ashurst Place**, **16 Chatsworth Avenue**, **The Fountain Centre Braybon Avenue**, **3 Collingwood Close**, **49 Ventnor Villas**, **26 Widdcombe Way**, **1 Berry Close**, **121 Hollingdean Terrace**, **132 Portland Road**, **4 Dudley Road**, **20 Walter May House**, **3 Crayford Close**, **Little Oaks Nursery 120 Stanford Avenue**, **1 Popes Folly**, **241 Old Shoreham Road**, **43 Vale Avenue (x2)**, **1 Falcon Close**, **246 Harbour Way (x3)**, **12 Greenoaks**, **34 Oliver House Fourth Avenue** supporting the application for the following reasons:

- A listed building will be brought back into good use.
- It will provide improved community space for the local area.

Internal:

Design & Conservation:

The applications are revised proposals following the refusals of previous applications and have sought to address the reasons for refusal. The applicant has provided more detailed financial information as justification for the enabling development. The extent of the new first floor to the church has been slightly reduced. The ground floor footprint of the new extension to the church hall has been revised and the number of new residential units reduced by one, with minor changes to the fenestration. A maisonette has been provided to the front of the hall. These issues are addressed further below.

There is substantial harm to the character of the listed building arising from the insertion of the new floors but further information is required in order to properly judge how this harm has been, or could be further, mitigated.

The principle of converting and extending the church hall to residential use has already been accepted. The demolition of the utilitarian modern timber building has also been accepted and is welcomed.

The design, scale and form of the proposed extension remain unchanged except that the ground floor footprint has been slightly reduced and has been rationalised to some degree so that it better relates to the floors above. Nevertheless it still projects significantly and awkwardly on the southern side, towards, the church, and the flat roof above this projection is now to be used as a roof terrace, which has necessitated a glazed screen on the terrace, although it is unclear why this does not follow the roof edge. The glazed screening only serves to highlight the awkward relationship between the ground floor projection and the simpler, symmetrical form of the extension above it.

The impact on the character of the listed church hall arising from the conversion scheme, specifically with regard to the Palladian frontage, appears to now be acceptable but cannot be fully judged at this stage due to the lack of a section drawing.

The case for enabling development

Given the degree of harm that would be caused to the significance of the heritage asset, the case for the new housing units as enabling development must be considered. Policy HE11 of PPS5 sets out what must be taken into account in determining whether the benefits of the enabling development in securing the future of the asset outweigh the material harm caused. This issue is not specifically addressed in the Planning Statement but there is information in this and other supporting statements that explains how the proposals would help to secure the long term future of the church as a community asset. In principle a combined church and community use is considered to be “a purpose sympathetic to its conservation” (PPS5 Policy HE11).

There is also information in the Cost Report (and its appendices) on the financial case. The poor condition of the church is acknowledged from previous inspection and, given its scale, the estimated itemised repair costs do not appear unreasonable. It is noted that there is no similar estimate of the costs of repairing/restoring the church hall to bring it back into use, which would give a much fuller picture of the “problems arising from the inherent needs of the heritage asset” (PPS5, Policy HE11). Appendix 1 sets out the additional costs associated with converting the church to community spaces and providing the underground car park. Appendix 3 includes all further costs associated with the proposals also sets out the anticipated income from the enabling development. The further costs include a sum of £709,753.68 for equipment, facilities and services but no further detail is provided. Given the relative size of this sum a break-down of these costs should be provided. This is important as this sum is almost equivalent to the projected loss incurred on the proposals and because on of the key considerations under policy HE11 of PPS5 is that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”. In this respect “future conservation” must be distinguished from perhaps more ambitious and aspirational plans.

Related to this, it will also be essential to clarify the matter of whether the application is proposing an overall increase in community space. The application form states that there would be a net increase of 344 sq m but in previous meetings the applicant has stated that would be no increase. Based upon the plans this would indeed seem to be the case, assuming that the existing timber building is included in the figures. However, a definitive assessment is required.

PPS5 policy HE11 also requires the applicant to demonstrate that “there is no source of funding that might support the heritage asset without the need for enabling development” but no information on this point has been submitted.

Additional comments received 1 July 2011

Section drawings through the church have now been provided and these confirm that there would be no loss of the roof timbers; all of the raking struts would be retained.

The sections also confirm that the western ends of the new floor would have partly glazed screens and the degree of glazing is considered appropriate. However, the end screen at new first floor level is to have pattern of gothic arches to the glazing and this is considered inappropriate. The glazing should be as simple and undivided as possible, both to distinguish it as a clearly modern intervention and to ensure the maximum possible sight lines from ground level to the roof timbers and ceiling. The proposed second floor end screen is simpler in design but would also benefit from less subdivision.

In order to further enhance views of the original ceiling and roof timbers, the ceiling to the new first floor could be largely glazed where there is no floor over it (i.e. to the two western ‘bays’).

Concern remains that there would be a lack of natural light to the main ground floor worship area and the impact of this on the character of the interior. There may be ways of mitigating this concern other than the glass edge to the floor previously proposed, such as borrowed lights in the new side partitions (between the nave and the aisles). But in the absence any such measures this remains a significant concern.

The conversion and extension of the church hall

The long section through the hall shows that the internal arrangement of the proposed maisonette, including floor and ceiling heights, would relate satisfactorily to the glazing of the Palladian frontage. It is therefore considered that this concern has now been overcome.

The design and footprint of the proposed extension to the church hall remain unchanged and therefore the previous concerns regarding the degree and shape of the ground floor projection, and the line of the glazed screening to the roof terrace, remain.

The case for enabling development

The issue of the change in gross community floor space has now been clarified and shows that there would be a net loss of 77 sq m. This is considered to assist the case for enabling development.

A budget cost of between £535k and £640K has now been provided for the repair and renovation of the church hall. It is disappointing that this is a simply a standard budget figure based upon square metre-age of floorspace rather than an itemised estimate in the manner of the estimate for the church itself. It is also questioned whether this figure is an over-estimate given that it is roughly half the cost of repairing and renovating the church itself when the church is on a much more substantial scale. Consequently it is felt that less weight can be attached to this evidence. Nevertheless it is acknowledged from site inspection that a significant sum would need to be spent on repairing and restoring the hall to being it back into long term community use.

A detailed breakdown has been provided of the sum of £709,753 set aside in the Cost Report (and appendices) for equipment, facilities and services. Whilst some of these cost items could be regarded as overly aspirational for a new community centre, the breakdown does nevertheless clarify the extent of legitimate costs required to fit out the spaces.

The applicant has also provided letters from community groups that are interested in using space at the converted church and it is noted that this includes interest from nurseries. It therefore needs to be clarified as to whether such potential users (who may be commercial ventures) would be charged for using the space. This is raised because it is noted from the Cost Report that the only income referred to is from the sale of the flats.

Finally, it is noted that no information has been provided to demonstrate that “there is no source of funding that might support the heritage asset without the need for enabling development”. This is a requirement of policy HE11 of PPS5. Addressing this point should include evidence of any applications, investigations or enquiries that have been made for grant or loan funding from public funds and schemes or any other sources of funding available to or through the Elim Church.

Conclusion

The additional drawings and information have gone some way towards addressing the original concerns. However, the case for enabling development is not yet considered to have been fully made, having regard to the requirements of PPS5 and English Heritage guidance on the subject and specifically that “the level of development is the minimum necessary to secure the future conservation of the heritage asset”.

In addition, concerns still remain about the design and detail of the proposals, particularly to the internal conversion of the church. Given the great significance of the church interior, in terms of its special architectural interest,

these concerns are considered to be crucial to determining whether the development is justified and in mitigating the harm that inevitably arises from the horizontal sub-division of the church.

6 MATERIAL CONSIDERATIONS

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (18 November 1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

National Planning Guidance/Policy

PPS5 Planning for the Historic Environment

Brighton & Hove Local Plan

HE1 Listed buildings

HE2 Demolition of a listed building

HE3 Development affecting the setting of a listed building

HE4 Re-instatement of original features on listed buildings

Supplementary Planning Guidance

SPGBH1 Roof Alterations and Extensions

SPGBH11: Listed Buildings – General Advice

8 CONSIDERATIONS

The consideration in the determination of this application is whether the scheme preserves or enhances the historical and architectural character and appearance of the listed building. As part of the submission for this application the applicant has provided additional financial information as justification for the enabling development. The extent of the new first floor to the church has been slightly reduced. The ground floor footprint of the new extension to the church hall has been revised and the number of new residential units reduced by one, with minor changes to the fenestration. A maisonette has been provided to the front of the hall in order to retain the Palladian frontage to the hall.

Design and impact on the character and appearance of the listed building

Policies HE1 and HE3 of the Brighton & Hove Local Plan state that proposals involving the alteration, extension or change of use of a listed building will only be permitted where they would not have an adverse affect on the architectural and historic character, appearance or setting of the building.

Internal Works to the Church

The applicant has revised the proposed plans following the refusal of the previous application ref BH2010/00061. The extent of the proposed first floor level within the church has been reduced. The proposed floor is no longer the full length of the church and now stops one 'bay' short approximately 4.5m of the western end, this approach is welcomed as it allows views up to the existing roof structure upon entry into the church.

The application proposes the use of a glazed screen to the western end of the first floor and detailed sections from the applicant suggest that the screen would have a gothic pattern to the glazing. The Councils Design and Conservation Officer has expressed concern over this type of screen and considers this approach to be inappropriate as it should be read as a modern intervention and be consistent with the approach taken elsewhere in the building.

Conversion and extension of the church hall

The principle of converting and extending the church hall to residential use is accepted and the demolition of the utilitarian modern timber building to the rear (east) of the site is welcomed.

The previous issue of retaining the Palladian window frontage to the church hall has now been addressed as the application now proposes to maintain a recessed area around the window as such ensuring that no horizontal or vertical separation of the existing window will take place.

In terms of the proposed extension to the rear the design, scale and form of has remained largely unchanged. The ground floor footprint has been slightly reduced and has been rationalised to some degree in an attempt to make it relate better to the floors above. As with the previously refused application the Design and Conservation Officer has expressed concern over the extension to the rear of the hall. Whilst the extension now attempts to replicate the form of the extension to the upper storeys it is felt that due to the irregularly shaped footprint and expansive area of flat roof the extension would relate poorly to the form of the extension above, appearing incongruous and out of keeping with the host building. In addition the proposed glazed screening would only serve to highlight the awkward relationship between the ground floor projection and the simpler, symmetrical form of the extension above it.

Therefore, given the above it is considered that the proposed development due to the inappropriate internal alterations to the main church building, and the design and form of the proposed rear extension would fail to preserve or enhance the character or appearance or setting of the listed building, contrary to policies HE1 and HE3 of the Brighton & Hove Local Plan.

The case for enabling development

The Applicant has indicated that the conversion and extension of the church hall for residential use would fund/ enable the conversion of the church to a

multi-purpose church and community centre. In such cases, proposals are required to meet the tests for 'Enabling Development' set out by central government in Planning Policy Statement No.5: Planning for the Historic Environment (PPS5). Policy HE11 of PPS5 sets out what must be taken into account in determining whether the benefits of the enabling development in securing the future of the asset outweigh the material harm caused.

The applicant has provided information in support of the financial case for the proposed development and the poor condition of the church is acknowledged. The Councils Design and Conservation Team have reviewed the documentation and consider that the case for enabling development has not yet been fully made, with specific regard to the requirements of PPS5 and English Heritage guidance on the subject. Specifically that "the level of development is the minimum necessary to secure the future conservation of the heritage asset". As with the previously refused application ref BH2010/00061 it appears that the housing is proposed to fund the applicant's plans to convert the church to a multi-purpose church and community centre rather than as a means restoring or addressing any significant inherent problems or defects with the buildings

Therefore, it is considered that the proposed development lacks justification and is unacceptable in principle, contrary to PPS5 and policy HE2 of the Local Plan.

9 CONCLUSION

It is considered that in the absence of sufficient justification the proposed rear extension to the church hall, by virtue of the disproportionate size and unsympathetic design of the ground floor, would be detrimental to the character and appearance of the host building and to the character, appearance and setting of the Grade II listed church, contrary to Planning Policy Statement No.5 – Planning for the Historic Environment and policies HE1, HE2 & HE3 of the Brighton & Hove Local Plan.

In the absence of satisfactory justification, the proposed internal alterations to the Grade II listed church would be detrimental to its architectural and historic significance, contrary to Planning Policy Statement No.5 – Planning for the Historic Environment and policies HE1 and HE2 of the Brighton & Hove Local Plan.

10 EQUALITIES IMPLICATIONS

None identified.

BH2011/01014 St Augustines Church, Stanford Avenue



Scale: 1:1,250

LIST OF MINOR APPLICATIONS

<u>No:</u>	BH2011/01154	<u>Ward:</u>	PATCHAM
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Mill House, Overhill Drive, Brighton		
<u>Proposal:</u>	Erection of two storey detached residential dwelling.		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	03/05/2011
<u>Con Area:</u>		<u>Expiry Date:</u>	28 June 2011
<u>Listed Building Grade:</u>			
<u>Agent:</u>	Folkes Architects, The Design Studio, 94 High Street, Steyning, West Sussex		
<u>Applicant:</u>	Mrs Janet Hall, 15 Chewton Road, Walthamstow, London, E177DW		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

Regulatory Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
3. The new dwelling shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
4. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4

- of the Brighton & Hove Local Plan.
5. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.
6. The development hereby permitted shall be carried out in accordance with the approved drawing nos. 1012 2.20, 2.21, and 2.22 received 18 April 2011 and drawing nos. 2.21 rev A, 2.22 rev A and 2.23 rev A, received 8 July 2011.
Reason: For the avoidance of doubt and in the interests of proper planning.

Pre-Commencement Conditions:

7. No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.
8. No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.
9. Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:
- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage Report / Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and
 - (b) a Design Stage / Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units 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.

10. No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with the Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

11. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road[s], surface water drainage, outfall disposal and crossover to be provided, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details prior to occupation of the dwelling hereby approved.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large and for protection of trees and to comply with policies TR7 and QD16 of the Brighton & Hove Local Plan.

12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

13. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme to BS5837 (2005) which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

14. No development shall commence until an Arboricultural Method Statement is submitted to and approved in writing by the Local Planning Authority. The Statement shall include details relating to the levels of the site within the Root Protection Areas and details regarding service runs.

The development shall be carried out in strict accordance with the approved Statement.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

Pre-Occupation Conditions:

15. Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall be occupied until a Final / Post Construction Certificate by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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.

16. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development to comply with policies TR1 and TR14 of the Brighton & Hove Local Plan.

17. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway to comply with policies TR7 and TR19 of the Brighton & Hove Local Plan.

18. Unless otherwise agreed in writing by the Local Planning Authority, a scheme detailing the measures to improve ecological biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the number and type of bat boxes, and bird boxes. The development shall be carried out in strict accordance with the approved details and thereafter maintained.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 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:

(Please see section 7 of the report for the full list); and

(ii) for the following reasons:

The proposal would make an effective and efficient use of the site without compromising the quality of the local environment. Subject to the compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and traffic issues. The loss of protected trees on the site would be mitigated by additional planting.

2. The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
3. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
4. The applicant is advised that details of the Council's requirements for Site Waste Management Plans and Waste Minimisation Statements can be found in Supplementary Planning Document SPD03 Construction and Demolition Waste, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
5. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
6. The applicant is advised that the driveways and access road should be built in accordance with BS 5837 (2005).
7. The applicant is advised of their obligation to protect bats during construction work, if any bats are found during demolition/conversion, then works should be stopped immediately and advice sought from Natural England.

2 THE SITE

The site is an enclosed plot, which is accessed via a driveway between nos. 61 and 61a Overhill Drive to the south of the junction with Overhill Way and Highview Avenue South.

The application site relates to the south eastern plot within the grounds of Mill

House. The site currently comprises ancillary outbuildings and a single storey studio which are sited along the southern site boundary. A public footpath runs alongside the driveway to the east of the site and continues along the south of the site giving access through to Grangeways.

The site is bounded by the rear of residential properties in Overhill Drive to the east, woodland and the rear of Audrey Close properties to the west, 61a Overhill Drive to the north, and the residential development of Grange Walk, Grangeways to the south.

The site has a number of trees which are protected by Tree Preservation Orders covering the site.

Planning permission reference BH2010/03233 was granted in January of this year for the erection of a bungalow to be located within the north west quadrant of the site and included in principle the shared access into the site.

3 RELEVANT HISTORY

BH2010/03233: Erection of single detached bungalow. Approved 14/01/11.

BH2010/00097: Erection of 3 detached two storey dwellings and a single detached bungalow. Refused 07/06/10.

BH2008/02490: Erection of 3 detached two-storey dwellings and a single detached bungalow – appealed for non-determination with a committee recommendation for refusal - dismissed at Appeal 20/11/09.

BH2005/05112: Outline application for 4 detached dwellings. Means of access to be determined for the development site. (Revised description). Refused 28/11/06.

BH2004/00366/OA: Outline application for six detached dwellings. Withdrawn 02/04/04.

BH2004/02778/OA: Outline application for the erection of 4 detached houses. Refused 22/10/04.

4 THE APPLICATION

Planning permission is sought for the erection of a two-storey detached dwelling, located in the south eastern quadrant of the existing site.

The previously refused scheme reference BH2010/00097 for four dwellings, proposed two properties whose rear elevations would have faced onto the rear gardens of the properties to the south on Grange Walk. This application proposes a single dwelling which would sit on an east-west axis with the front of the property forming the western elevation. The property would comprise 4 no bedrooms and a detached double garage.

The proposed access road is to be a shared surface and would follow the same route as the previously approved application reference BH2010/03233.

5 CONSULTATIONS

External:

Neighbours Letters of representation have been received from **17 (x2) Audrey Close, 59, 61, 61A (x3), 63 Overhill Drive**, objecting to the application for the following reasons:

- Loss of the dedicated existing public right of way, which is used by local people and particularly school children, and concern that the proposed shared surface (site access and public right of way) would be unsafe for pedestrians.
- This application clearly is trying to achieve the access through a back door approach.

Letters of representation have been received from **55 Overhill Drive and 3 Grange Walk** supporting the application for the following reasons:

- In terms of design the property will enhance the area
- The proposed new footpath will benefit pedestrians as it would be safer than the existing
- Subject to conditions restricting permitted development rights for additional windows

A letter of objection has been received from **Cllr Brian Pidgeon and Cllr Geoffrey Theobald** a copy of which is attached.

Internal:

Arboricultural Team:

With regard to the proposed lay-by / passing area, the construction of this will involve the loss of 2 trees, one Sycamore and one Silver Birch. Access to these trees for a full health and safety assessment was not possible because of the above-mentioned fencing, however, as these trees were not included in the Tree Preservation Order made in 2008 (TPO (No 8) 2008), it may be presumed that they have structural defects that render them unworthy of Tree Preservation Order. For this reason, the Arboricultural Section does not object to the loss of these trees.

All other trees on the site that may be affected by the proposed works should be protected to BS 5837 (2005) Trees in Relation to Construction.

Some trees (especially in close proximity to the proposed access) will need to be pruned to facilitate development. The Arboricultural Section would not object to this.

Sustainable Transport: No objections on traffic grounds subject to the following conditions:

1. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road[s], surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

2. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

3. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

As noted in connection with previous Applications & Appeals on this site the access is designed to an appropriate standard as a shared surface street that can be used by both pedestrians & drivers in a safe manner, it has already been through a Road Safety Audit. There are clear case precedents that support the use of shared surfaces within residential areas where traffic flows are less than 100 vehicles per hour.

The highway works, although not fully part of the adopted highway network do affect a public right of way and as such should be controlled via either a condition – as noted above – and/or a S106 Agreement of the Town & Country Planning Act to ensure that the access road and adopted footway are constructed to a satisfactory standard.

Ecologist:

The councils Ecologist agrees with the findings of the Arboricultural, Landscape and Ecology report submitted in support of the application that the site does not appear to support any protected species. Nevertheless the report includes important provisos with regards to bats and it is important that they are taken into account during the development.

Similarly, while the layout provides adequate space for Annex 6 of SPD 11 to be addressed, there is very little information provided on the measures which will be taken to ensure adequate new nature conservation features will be provided and this too should be addressed by condition.

6 MATERIAL CONSIDERATIONS

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface water run-off and flood risk
SU9	Pollution and nuisance control
SU10	Noise pollution
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design – Quality of development and design statements
QD2	Design – Key principles for neighbourhoods
QD3	Design – Efficient and effective use of sites
QD4	Design – Strategic impact
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 type and size
HO4	Dwelling Densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance Documents: (SPG's)

SPGBH 4 Parking Standards

Supplementary Planning Document

SPD03	Construction & Demolition Waste
SPD06	Trees and Development Sites
SPD08	Sustainable Building Design

8 CONSIDERATIONS

The main issues for consideration are the principle of the proposed intensification of residential use on the site, the impact of the development on the living amenities of neighbouring properties, the impact on the existing TPO protected trees on the site, the adequacy of the access into the site and sustainability matters.

Planning permission reference BH2010/03233 was granted in January of this year for the erection of a bungalow to be located within the north west quadrant of the larger site and included the principle of the shared access into the site. This permission is a material consideration, whilst it does not relate specifically to this south east corner of the larger site it considers the principle of development upon the site as a whole and the proposed access route.

Principle of Use

The site is located within the built-up area boundary of the City, as defined on the Brighton & Hove Local Plan proposals map, and permission has been granted elsewhere on the site for the erection of a family dwelling, as such development within the site is acceptable in principle, although it must adequately accord to relevant development plan policies.

On the 9th June 2010 changes by the Government were made to Planning Policy Statement 3 (PPS3) by way of the removal of private residential gardens, and associated buildings, from the definition of previously developed land in addition to the deletion of national indicative minimum density.

The site currently contains a significant detached studio bungalow which covers approximately 100sqm of floor area. This application proposes a 50% increase in development in terms of floor area.

As a result of the above change, the land to which this application relates is considered to constitute both “brownfield land”, namely the existing studio, and “greenfield land”, the related garden area, the impacts of which are discussed in the Sustainability section below.

The changes to PPS3 do not constitute a presumption against the development of greenfield sites however the proposal must be assessed in context with policies QD3 and HO4 of the Brighton & Hove Local Plan. The principle of the development of the site is not in question but the matter in this instance given the previous approval on the site is whether the development of the plot is acceptable given the tests set out in the policies of the Brighton & Hove Local Plan and PPS3.

PPS3 states that a development, such as that proposed, should be integrated with and complimentary to neighbouring buildings and the local area more generally in terms of scale, density, layout and access and thereby resulting in a development which is efficient in the use of the land without compromising the quality of the local environment. Whilst Local Planning Authority are advised to take account of the positive contribution that intensification can make, PPS3 also states that design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted.

Design and Character

The application proposes a modest two-storey dwelling, the front elevation of which is orientated to the west. The previously refused application BH2010/00097 proposed two no. detached dwellings to be located within this section of the site.

This section of Overhill Drive contains a variety of dwelling type including single and two storey properties and a mix of detached and semi-detached properties built in a mixture of brick, render and pebble dash. The proposed dwellings will be barely visible within the existing street scene. The property is to be constructed of materials which reflect the nature of the dwellings in the area and Mill House itself. The proposed roof is to be finished in slate whilst the elevations are to be finished with white render. The application proposes the use of timber painted windows. The proposed design and material are in keeping with the proposed design and finish of the approved scheme ref BH2010/03233.

It is considered that the design of the proposed property reflects the design of properties within this immediate area and would not appear as an incongruous addition to this part of Overhill Drive, in accordance with Policies QD1, QD2, QD3 and QD5.

Amenity for residential occupiers

Policy HO13 requires all new dwellings to fully meet lifetime home standards. From the plans submitted it would appear that the proposed dwelling would be capable of complying with lifetime home standards, given the overall size of the dwelling. Given the internal layout and window arrangement there would be no harm to future occupiers by way of overshadowing, loss of light or overlooking.

Policy HO5 requires all new residential units to have private usable amenity space appropriate to the scale and character of the development. Whilst it is recognised that the proposed garden would be marginally smaller than those serving the dwellings in Overhill Drive, it would however be of sufficient size to serve the future occupiers. It is therefore considered that the development is acceptable.

Policy TR14 requires all new residential developments to have secure, covered cycle storage. Insufficient information has been provided regarding the full details of cycling provision, however it is considered that the property is capable of providing a suitable level of provision and as such a condition is recommended for additional details.

Policy SU2 requires all new residential development to provide refuse and recycling storage facilities. Insufficient information has been provided regarding the full details of the provision of refuse and recycling facilities, however it is considered that the property is capable of providing a suitable level of provision and as such a condition is recommended for additional

details.

Neighbouring amenity

Reason for refusal 1 of application reference BH2010/00097 related to the impact of the development upon the amenity of adjoining neighbours. Within the previous appeal decision the Inspector raised concern over the potential impact of units 2 and 3 upon the privacy of the occupiers of 2 and 3 Grange Walk to the south of the site.

In relation to this previous reason for refusal the applicant now proposes a single dwelling which has been re-orientated so that the flank southern elevation of the dwelling now faces the rear elevation of 2 and 3 Grange Walk, with a separation distance of 18m. The proposed south flank elevation is set 7.5m from the boundary to the south which is 3m closer than previously refused, albeit set on a different orientation. There are no windows proposed at first floor level on this southern elevation to ensure that no direct overlooking occurs. A suitably worded condition is proposed to restrict the permitted development rights to ensure that no windows may be inserted without the requirement of full planning permission. A bay window is proposed on the front elevation, however this bay is 28m away from the rear elevation of 2 Grange Walk.

As a result of the reorientation of the unit the first floor windows would now face east and west. To the east of the site a significant level of screening exists and is to be retained to ensure that no overlooking occurs to the properties to the rear of the property which front on Overhill Drive. To the west of the property lies Mill House 17m away between flank elevations, is orientated on a north-south axis, the flank wall of which faces the front elevation of the proposed dwelling. Given that a garage is proposed between the two properties and as the amenity space for Mill House is located to the west of Mill House itself, it is considered that no overlooking or impact upon the amenity of the existing occupiers of Mill House will occur.

It is therefore considered that the scheme overcomes the previous reason for refusal and that the proposal is in accordance with policy QD27 of the Brighton & Hove Local Plan.

Traffic Matters

The proposal would provide a shared access with the public footpath, demarcated by metal studs. As part of the previously appealed scheme the Inspector recognised there is some element of risk in cars and vulnerable pedestrians using the same space, but the Inspector considered that the length of the shared surface would be relatively short and that there would be sufficient room for cars and pedestrians to pass.

A passing point is proposed to provide vehicles an area whereby they can safely pass each other within along the access road. The proposed access road is the same as that which was approved under planning application

reference BH2010/03233. The Council's Highways Officer raises no objection the proposal it is therefore considered that refusal of the scheme on highways safety grounds could not be sustained, particularly as the access has previously been approved.

The existing tarmac which bounds the site to the east and south is to be retained, however the application proposes a new footpath route which would run along the northern and western boundary of the site. The path meets the existing tarmac to the south of the site and would provide an alternative route from Overhill Drive to Grangeways. This route provides permeability through the site and would provide a greater level of natural surveillance potential creating a safer route.

Trees on Site

A total of 17 trees on the whole Mill House site are covered by a Tree Preservation Order (TPO). The applicant has confirmed that 5 trees are to be removed as part of this application, none of which are covered by the existing TPO. One of trees to be removed is grade B2 whilst the remaining 4 are grade C. The removal of these trees was agreed as part of the previously approved application reference BH2010/03233, subject to appropriate planting of replacement specimens.

As part of the previously appealed decision the Inspector stated "*that the scope for additional planting would adequately mitigate the losses. I therefore find that the proposal would not harm the character and appearance of the surrounding area or conflict with Local Plan Policies QD2 or QD12*" It is therefore considered that a reason for refusal which relates to the current scheme given its similarities with the previously approved scheme could not be supported at appeal.

Ecology

The submitted ecology report identifies that there is no protected species present on the site, which the Council Ecologist agrees. Whilst the report concludes that there are no bats present on the site the Ecologist does however recommend an informative relating to bats to ensure that if bats were found at the site that work shall stop and English Nature notified. The standard condition requiring a scheme of ecological improvements to be submitted to and approved in writing by the local planning authority has been added.

Sustainability

As stated above, the site constitutes brownfield and greenfield land. In order for "greenfield" developments to accord with the recent changes to PPS3, policy SU2 of the Brighton & Hove Local Plan and SPDO8, the submission of such applications must be accompanied by the submission of a sustainability checklist in addition to the development being built to a minimum of Code for Sustainable Homes Level 5. The Local Planning Authority however does recognise that there will be instances where meeting this minimum code level

may not be possible. In assessing the achievement of recommended minimum standards the Local Planning Authority will consider site constraints, technology restrictions, financial viability and/or additional benefits delivered by the development. Satisfactory proof that standards cannot be fully met is required, in order to justify the relation of code level standards.

The applicant has provided further information relating to the scheme which suggests that, due to the existing site constraints including the TPO trees on the site and design restrictions, alterations may result in additional concerns given the previous Inspector's comments. In light of this information it is considered that in this case the minimum of Code Level 4 should be conditioned.

In accordance with policy SU13 of the Brighton & Hove Local Plan and SPD03 on Construction and Demolition Waste, as the proposal is for the construction of two new dwellings, a Waste Minimisation Statement has been submitted as part of the application. However it is considered that the information submitted is not sufficient enough, for example the quantities of such waste has not be stated nor the name of recycling contractors and therefore the submitted statement lacks certainty and detail. Nonetheless the lack of information is not considered to justify refusal of the application, since further information can be required by a condition.

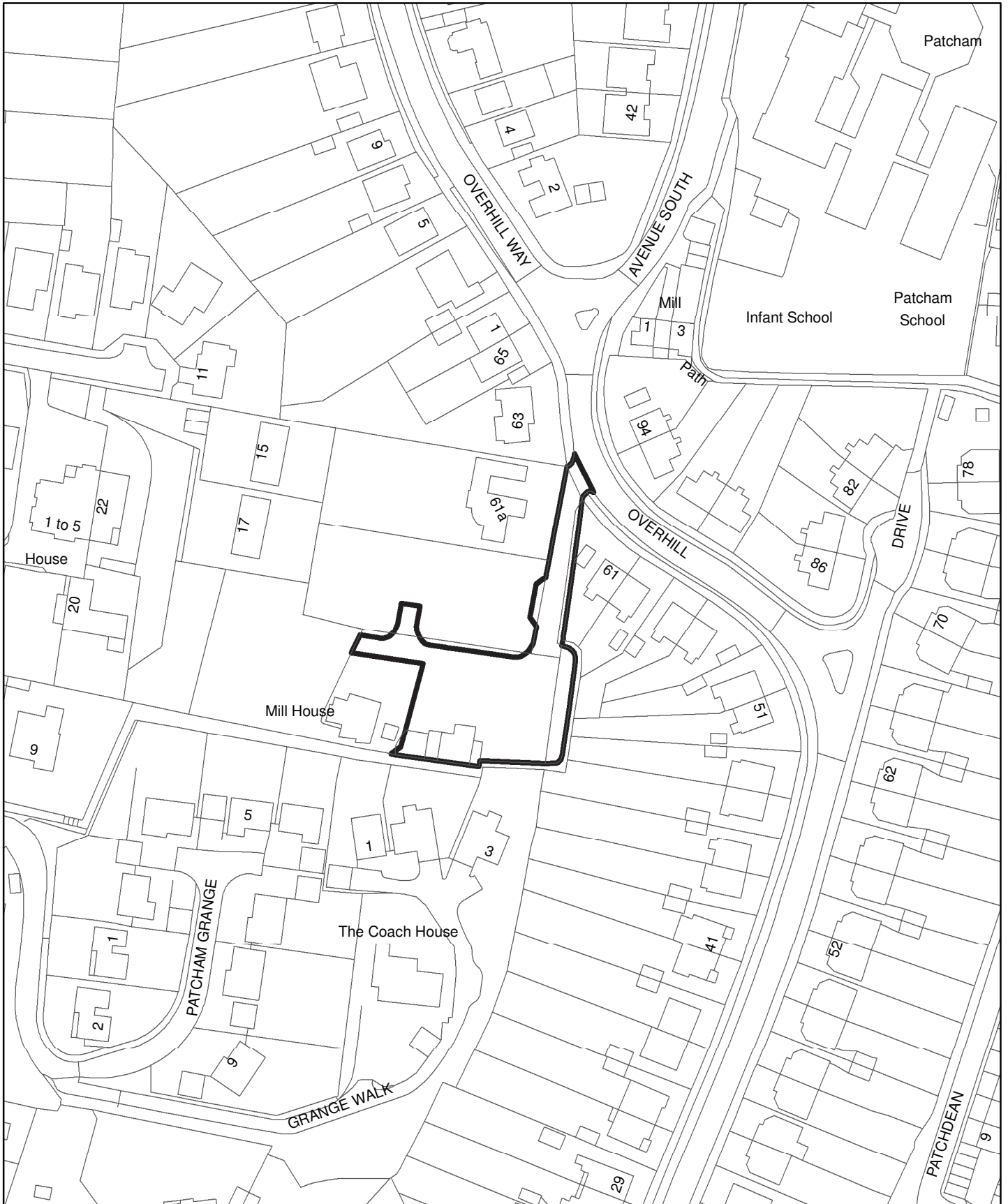
9 CONCLUSION

The proposal would make an effective and efficient use of the site without compromising the quality of the local environment. Subject to the compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and traffic issues. The loss of protected trees on the site would be mitigated by additional planting

10 EQUALITIES IMPLICATIONS

The proposed dwelling would need to comply with Lifetime Home Standards and Part M of the Building Regulations.

BH2011/01154 Mill House, Overhill Drive



Brighton & Hove
City Council



Scale: 1:1,250



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011
COUNCILLOR REPRESENTATION

27 May 2011

Mrs Jeanette Walsh
Head of Development Control
City Planning
Room 302
Hove Town Hall

Dear Mrs Walsh

Application no: BH2011/01154
Erection of two storey detached dwelling
Mill House Overhill Drive Brighton

This is the latest in a whole series of planning applications for a development in the garden of the above during the last few years that we are pleased to say were all rejected by the committee and on appeal by the Inspector until the one for a single dwelling only that was granted in January 2011.

Whereas planning permission for a multiple development has been rejected on many occasions it now seems that the applicant is applying for permission for a development in stages. First one dwelling and now a second dwelling in the garden and so with the existing house remaining there will be 3 properties if this latest application is granted.

We are still concerned about loss of trees and the effect on wildlife and ingress to and egress from the long and narrow vehicular access to the site that would have to serve 3 properties rather than just the one existing house. The visibility of this access at its junction with Overhill Drive, which is itself narrow and bends, is very poor. This junction is particularly difficult because it is near the point that Overhill Drive meets with Overhill Way and Highview Avenue South and there is considerable traffic congestion around this roundabout at peak times as it is near the entrance to Patcham Infant School.

This access is likely to be busy first thing in the morning at the same time as children arrive at school and a number will use the public right of way along the eastern edge of the site. We are concerned about the conflict between an increasing number of vehicles using the access to 3 properties and pedestrians using the public right of way. For instance if a vehicle had to be reversed 25 metres to allow another vehicle to pass through then there could be conflict with pedestrians, many of whom will be children.

AF ↘



**Brighton & Hove
City Council**

PLANS LIST – 10 AUGUST 2011

COUNCILLOR REPRESENTATION

It is vital in our view that if the Committee is minded to pass this application that there should be a condition applied that secures in perpetuity the retention of the passing area indicated on the block plan as being located just to the south of 61A Overhill Drive.

Should this application proceed to the Planning Committee then we should like this letter to be printed in full on the agenda at the appropriate meeting

We should be grateful if you would acknowledge safe receipt of this letter.

Yours sincerely

Cllr Brian Pidgeon

Cllr Geoffrey Theobald OBE

Cc: Jane Clarke, Senior Democratic Services Officer, King's House

<u>No:</u>	BH2011/01399	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Trinity House, Roedean Vale, Brighton		
<u>Proposal:</u>	Erection of three storey detached dwelling with associated access from Roedean Vale.		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	20/05/2011
<u>Con Area:</u>		<u>Expiry Date:</u>	15 July 2011
<u>Listed Building Grade:</u>			
<u>Agent:</u>	Haus Ltd, The Basement, 8 Hampton Lane, Winchester, Hampshire		
<u>Applicant:</u>	Mr & Mrs May, C/O Haus Ltd		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

Regulatory Conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.
Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
3. The new dwelling shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
4. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

5. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.
6. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.
7. Unless otherwise agreed in writing with the Local Planning Authority the development hereby approved shall be constructed in strict accordance with the approved samples received by the Local Planning Authority on 30 July 2011
Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.
8. The development hereby approved shall be carried out in strict accordance with the approved Waste Minimisation Statement received 16 May 2011.
Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with the Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.
9. Unless otherwise agreed in writing with the Local Planning Authority the development hereby approved shall be constructed in strict accordance with the approved Arboricultural Impact Assessment and Tree Protection Method Statement received by the Local Planning Authority on 16 May 2011.
Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.
10. Other than the areas of flat roof which are explicitly stated, access to the remaining flat roof areas hereby approved 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.
Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the

Brighton & Hove Local Plan.

11. The development hereby permitted shall be carried out in accordance with the approved drawing nos. 21034/OV02 received 6 June 2011 and drawing nos. 21034/PL502b, /PL503b, /PL504b, /PL505b, /PL506b, /PL507b, /PL508b, /PL09b, PL5101 received 12 July 2011.

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

Pre-Commencement Conditions:

12. Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:
- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage Report / Interim Report showing that the development will achieve Code level 5 for all residential units have been submitted to the Local Planning Authority; and
 - (b) a Design Stage / Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 5 for all residential units 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.

13. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

14. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme to BS5837 (2005) which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

15. No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of

important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

16. No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting, finished floor levels and ridge heights of the proposed building and neighbouring development have been submitted to and approved in writing by the Local Planning Authority. All levels shall be in metric units and related to Ordnance Survey Datum. The development shall thereafter be built in accordance with the agreed details.

Reason: To safeguard the character and appearance of the area, and to comply with policies QD1 and QD2 of the Brighton & Hove Local Plan.

Pre-Occupation Conditions:

17. Notwithstanding the submitted drawings, the development hereby approved shall not be occupied until full details of the terraces to the first floor roof level have been submitted to and approved in writing by the Local Planning Authority, these details are to include screening, extent of usable area, and balustrade. The development shall be carried out in strict accordance with the approved details and thereafter maintained.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

18. Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall be occupied until a Final / Post Construction Certificate by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 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.

19. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development to comply with policies TR1 and TR14 of the Brighton & Hove Local Plan.

20. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles
Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway to comply with policies TR7 and TR19 of the Brighton & Hove Local Plan.
21. Unless otherwise agreed in writing by the Local Planning Authority, a scheme detailing the measures to improve ecological biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the number and type of bat boxes, and bird boxes. The development shall be carried out in strict accordance with the approved details and thereafter maintained.
Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 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:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The proposal would make an effective and efficient use of the site without compromising the quality of the local environment. Subject to the compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and traffic issues.
2. The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
3. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
4. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front

gardens' which can be accessed on the DCLG website (www.communities.gov.uk).

5. The applicant is advised that the driveways and access road should be built in accordance with BS 5837 (2005).

2 THE SITE

The application site comprises what was previously the garden to no 50 Roedean Crescent located to the north of the site. The site is accessed from Roedean Vale and the plot is located between two existing properties no. 50 Roedean Crescent to the north and 19 Roedean Way to the south. The surrounding suburban area comprises detached two and three storey properties.

The topography of the area slopes down from west to east and from north to south. Consequently the property to the north is set upon higher ground than the property to the south "Polano".

An extant permission ref BH2010/00065 exists on the site for a 2-storey detached dwelling.

3 RELEVANT HISTORY

BH2010/00065: Construction of a two storey detached dwelling with partially sunken garage incorporating waste and cycle stores. Formation of a new entrance to Roedean Vale with associated vehicle crossover. Approved 22/03/2010

BH2009/02393: Erection of two storey detached dwelling in rear garden with new access. Withdrawn.

50 Roedean Crescent

BH2010/03571: Erection of front, side and rear extensions with associated works including extension of partially sunken garage with extended terrace above, creation of new front entrance and Juliette balconies to South elevation and rooflight to front. Approved 11/01/2011

BH2009/02399: Erection of a two storey rear extension and first floor balcony. Approved 18/12/09

4 THE APPLICATION

Planning permission is sought for the erection of a part 2 part 3 storey detached dwelling to the south of no. 50 Roedean Crescent. A previous planning application on the site ref BH2010/00065 was approved and is extant. This application seeks an alternative design solution on this site.

5 CONSULTATIONS

External

Neighbours: Letters of representation have been received from **14, 19 Roedean Way, 29, 48 (x2), 50 Roedean Crescent, 11A, 45, Maudareiu House The Cliff, and Roedean Residents Association** objecting the

application for the following reasons:

- The application is too bulky, over dominant and overbearing.
- It extends beyond the established building line.
- Out of keeping for the area.
- Overshadowing created by the building and proposed planting.
- Loss of a sycamore tree.
- Radically different design to what was approved.
- Increased volume over that which was approved.
- Increased overlooking and loss of privacy.
- To large a scale for the plot.

Internal:

Sustainable Transport

Recommended approval with conditions to protect the interests of the public using the roads and footways.

1. *The crossover is constructed in accordance the Council approved Manual for Estate Roads and under licence from the Highway Operations Manager prior to commencement of any other development on the site.*

Reason: In the interest of highway safety and to comply with Local Plan policies TR1, TR7 and TR8.

2. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development and to comply with Local Plan policies TR1, TR14, TR19 and SPG4.

3. *The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles*

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to comply with Local Plan policies TR1, TR19 and SPG4

And;

The developer enters into a legal agreement with the Council to secure a financial contribution towards improving sustainable modes of transport within the vicinity of the site.

Arboriculturalist:

The Arboricultural Section does not object to the loss of the trees and is

pleased to note that they are to be replaced.

The Arboricultural report submitted with the application is comprehensive. The only tree that is of any merit on site is one x *Acer pseudoplatanus* (Sycamore), however, it is probably not worthy of Tree Preservation Order, having a structural defect (included union at 1m).

A small *Prunus* spp (Cherry) on the Council verge will be lost for the vehicle access on to the site, and the Arboricultural survey has also noted that the *Prunus* tree further along on the verge (Tree T.7) is moribund and needs to be replaced.

The Arboricultural Section does not object to this application, but would ask for the following to be made conditions of any planning consent granted.

All trees to be retained on site should be protected to BS 5837 (2005) Trees in Relation to Construction as outlined in the submitted Arboricultural report.

The landscaping plan submitted is considered acceptable, however, the Arboricultural section would like to see precise species attached to the specimen trees outlined on the plan.

Two trees will be lost on the verge, one to facilitate the proposed crossover / vehicle access and one that is in an advanced state of decay. The Arboricultural Section does not object to the loss of these two specimens, as long as they are removed and replaced at the applicant's expense in the approximate vicinity they are currently in, this information to be included on an updated landscaping plan.

Environmental Health: No comment.

Brighton Archaeological Society:

The above application lies within an area of intense archaeological sensitivity. Among the finds from Roedean are burials dating from the Neolithic and Early Bronze Age periods, and the location of a Roman coffin burial. In October 2003 the Brighton & Hove Archaeological Society excavated an Early Bronze Age burial, close by, on the East Brighton golf course.

Other recent discoveries include Roman coins and pottery found in the gardens of a house in Roedean Crescent, and a large underground chamber, hitherto unknown, possibly associated with Royal Navy activities during the Second World War.

The Brighton & Hove Archaeological Society would recommend that the granting of any planning application include a provision for a watching brief while the top soils are removed and the footing trenches are cut. A further inclusion should allow for the recording of any archaeological features and artefacts found.

County Archaeologist:

Although this application is situated within an Archaeological Notification Area, an archaeological watching brief carried out as part of the previous planning application has shown this site to have a low archaeological potential. Therefore I do not believe that any archaeological remains are likely to be affected by these proposals. For this reason I have no further recommendations to make in this instance.

6 MATERIAL CONSIDERATIONS

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (18 November 1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT PLANNING POLICIES & GUIDANCE

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR7	Safe development
TR14	Cycle parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – Quality of development and design statement
QD2	Design – key principles for neighbourhoods
QD3	Design – effective and efficient use of land
QD4	Design – strategic impact
QD5	Design - street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD27	Protection of amenity
HO3	Dwelling type and sizes
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO8	Retaining housing
HO13	Lifetime homes
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance

SPGBH4 Parking standards

Supplementary Planning Documents

SPD03 Construction and demolition waste

SPD08 Sustainable Building Design

Planning Advice Notes

PAN03 Accessible Housing and Lifetime Homes

PAN05 Design and Guidance for Storage and Collection of Recyclable Materials and Waste

8 CONSIDERATIONS

The main considerations in the determination of this application relate to the principle of the proposal development, the suitability of the site to accommodate the proposed dwelling having regard to the amenity requirements for the dwelling, the affect upon the character of the area and neighbouring residential amenity. An assessment will also be made of the issues relating to transport and sustainability.

Principle of development

The proposal seeks permission to build on a site which was once the private garden space for the existing dwelling at 50 Roedean Crescent. A still extant permission ref BH2010/00065 has been granted for a residential dwelling on the site. The recent amendment to Planning Policy Statement 3 on Housing (PPS3) now excludes gardens from the definition of previously developed land.

The change in national policy means that the Local Planning Authority can consider the specific qualities of the garden area which is proposed to be developed. Notwithstanding the change in national policy, the adopted local approach has not changed in that proposals for 'backland' development will always need to be rigorously examined in respect of the impact of the surrounding area and its impact on amenities. Special attention will be paid to the design and quality of spaces between buildings. Local plan policies remain applicable; policies QD3 and HO4 can support planning permission for 'backland' development, including development on previously un-developed gardens providing that the proposed building responds well to the character or the area, does not harm neighbouring occupiers, and is acceptable in all other respects.

PPS3 along with Local Plan policies QD3 and HO4 seek the more effective and efficient use of development sites. However, in seeking the more efficient use of sites, PPS3 and Local Plan policies QD2, QD3 and HO4 also seek to ensure that developments are not viewed in isolation and must be characteristic of their surroundings. Considerations of layout and design should be informed by the wider context having regard not just to any immediate neighbouring buildings but the townscape and landscape of the

wider locality. Given the sites history, location and the wider context of the surrounding locality it is considered that the site is suitable for such a redevelopment.

Impact on character and appearance of the area

Local Plan policies QD1, QD2 and QD3 seeks to ensure that developments are not viewed in isolation and must be characteristic of their surroundings. Considerations of layout and design should be informed by the wider context having regard not just to immediate neighbouring buildings but the townscape and landscape of the wider locality.

Policy QD1 of the Local Plan requires design aspects such as the scale and height of development, to be taken into account while discouraging pastiche design. Policy QD2 of the Local Plan requires that all new developments should be designed to emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics such as height, scale, bulk and design of existing buildings.

The character of the dwellings located in Roedean is predominately large detached dwellings located within a reasonable sized plot. Roedean Vale and Roedean way are very much varied in terms of design and the finish of the properties. There exists a mix of brick built properties, rendered and pebbledash. A number of properties within this eastern part of Roedean Crescent area including nos. 27, 32, 41, 43, and 50 Roedean Crescent have or are undergoing refurbishment making the properties appear more contemporary and modern in design terms.

The existing property at no. 50 Roedean Crescent is fairly modest in size and is currently undergoing significant external modifications and extensions to give a more modern appearance to the property. This type of modernisation has taken place to a number of properties within the Roedean area.

The proposed design is modern and minimalist in appearance, and is to be finished in white render at 1st and 2nd floor levels with a slightly darker render to the lower ground floor level. The proposed dwelling would have a flat roof with parapet hiding the proposed bank of solar panels. The dwelling would be roughly “L-shaped”, with the longer part of the “L” facing onto Roedean Vale. The property would have a part 2 and part 3 storey frontage onto Roedean Vale with the lower floor being dug into the existing site. The proposed building height is comparable to both the adjoining properties given the topography of the street.

The rear part of the dwelling is raised on stilts with the creation of a bridge section at second floor level whilst still maintaining the appearance of a two-storey dwelling, not three storeys. This is achieved due to the change in level across the site being up to 4m in difference.

In terms of design and finish it is considered that the property is of

architectural interest which makes a positive contribution to the street scene and surrounding area, in accordance with policies QD1, QD2, and QD3 of the Brighton and Hove Local Plan.

The applicant has provided an overlay which details the footprint of the previously approved dwelling which indicates that the front building line is similar to that of the previously approved scheme. The proposed front building line is set back 7.5m from the back edge of Roedean Vale, along which the main span of the front elevation is set along, although a section of the property projects an additional 1.5m forward at both first and second floor levels.

The neighbouring properties 50 Roedean Crescent to the north is set back a maximum of 7.5 m whilst Polano to the south is set back a maximum of 9.5m from the frontage. Polano provides the established building line along Roedean Vale as it fronts directly onto Roedean Vale, whilst traditionally no. 50 Roedean Crescent fronts onto Roedean Crescent. The provided measurements suggest that Polano is set further back in terms of its building line, however this is not the case due to a slight bend in the road. Both Polano and 50 Roedean Crescent benefit from garages which extend to the east of the main property creating additional built form along the street frontage of Roedean Vale at ground and lower ground floor level.

Given the design and siting of the proposed dwelling, the previously consented scheme and the existing built form along Roedean Vale it is considered that the proposal sits well within the existing street scene and established building lines, in accordance with local plan policies QD1, QD2, QD3 and QD5.

Amenity for Future Occupiers

Policy HO13 requires residential units to be lifetime homes compliant, new residential dwellings should comply with the standards. The floor plans submitted with the application show that the internal layout of the proposed dwelling is acceptable in relation to Lifetime Homes standards.

Policy HO5 requires all new residential units to have private useable amenity space appropriate to the scale and character of the development. The proposed dwelling is capable of family occupation as such the amenity space provision should reflect this. Further-more the site is in a suburban location where it is expected that a reasonable provision would be made. The proposed and resultant amenity space is considered acceptable in relation the size of dwelling and what is characteristic for the area.

Residential amenity

Policy QD27 relates to protection of amenity and confirms that permission will not be granted where development 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 development proposes balconies and windows to the southern elevation. The balconies are to the front and rear of the property, the balcony to the rear allows access to the rear garden over a platform, and the balcony to the front is located on the south-eastern corner of the property. No windows are proposed to the northern elevation which is adjacent to no. 50 Roedean Crescent or at second floor level on the western elevation.

The application previously proposed balcony to the front of the property, however through discussions with the Planning Officer this has been removed due to concerns regarding overlooking into the amenity space of Polano to the south. The applicant proposes the use part of the first storey roof as a terrace to be accessed from the second storey. Subject to a suitable condition restricting that only the half of the roof closest to the main house may be used it is considered that no undue overlooking will occur. A condition is also proposed to restrict the use of the second floor use for maintenance only.

Windows are proposed along the southern elevation there is a separation of approx 37m between the windows on the side elevation of the proposal and the windows of the rear elevation of Polano and a distance of 13m to the shared boundary of the two properties. Given these distances, the parapet to the roof and proposed screening along the boundary this relationship is considered acceptable.

The closest flank elevation window to the adjoining southern boundary with Polano is a side return window, which is proposed to the south-eastern corner of the dwelling. The window at first floor level will be 1m in width, located 4m from the shared boundary. Two further return windows at first and second floor level are proposed on the southern flank elevation of the forward projecting component of the scheme. These windows are located 14m from the shared boundary.

Given the building line of the two properties the side return windows may allow oblique views into Polano, however the majority of the views from that window will be across the front of the property to the south. Boundary screening is proposed in the form of a fence and hedging which further reduces the possibility for direct overlooking from this window. Given the proposed screening and the orientation of the two properties it is considered that there will be no demonstrable impact in terms of overlooking upon the residents of Polano.

The existing property at no. 50 Roedean Crescent fronts onto Roedean Way however the orientation of the rooms within the house is towards the east, onto Roedean Vale. No windows are proposed to face no. 50 Roedean Crescent and the proposed building is set 5m off the adjoining boundary, therefore there is no potential for overlooking into no 50 Roedean Crescent.

In terms of the potential overbearing impact of the development upon the neighbouring properties, the separation of flank elevations between the

proposal and no 50 Roedean Crescent is approximately 14m. The three-storey component of the proposal is set 6m off the shared boundary and the two storey component is set 5m off the boundary. It is considered that this degree of separation between the two properties and the boundary minimises the potential overbearing impact of the building.

Traffic issues

Policy TR1 confirms that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling.

The Traffic Manager has stated no objection subject to the applicant entering into an agreement to secure a contribution of £2,000 towards improving accessibility to bus stops, pedestrian facilities and cycling infrastructure in the area of the site.

On the 17th May 2010, the Council introduced new temporary measures in order to assist the Development Industry. This was in light of the recession and an attempt to encourage growth within the city. The temporary measures are still in place and have removed the requirement of transport contributions for developments involving 1-4 new residential units. Having regard to the temporary measures brought in by the Council to assist the Development Industry the non-requirement of a contribution towards sustainable transport infrastructure is deemed acceptable.

The development provides sufficient space for cycle parking and the large garage facility can comfortably provide the required cycle parking spaces to meet the present parking standards.

Sustainability

Policy SU2 of the Brighton & Hove Local Plan requires new development to demonstrate efficiency in the use of energy, water and materials.

The applicants have submitted a Brighton & Hove Sustainability Checklist, in accordance with SPD08, along with a Code for Sustainable Homes pre-assessment and a supporting statement which clearly identifies the aspirations of the applicant to achieve level 5 of the Code for Sustainable Homes. This is considered an acceptable and minimal standard for a new development of this type.

The statement proposes the use of photovoltaic cells on the flat roof of the building to contribute towards micro-regeneration of electricity. On the basis of conditions being placed to ensure that the development meets level 5 of the Code for Sustainable Homes the development would be considered to attain an acceptable standard of sustainability.

Policy SU2 requires all new residential development to provide refuse and recycling storage facilities. The details submitted are considered acceptable

and in accordance with policy SU2, subject to a suitably worded condition to secure the facilities.

Archaeology

Policy HE12 relates to Scheduled Ancient Monuments and other important archaeological sites. It confirms that development proposals must preserve and enhance sites of known and potential archaeological interest and their settings.

It has been advised that the site lies within an archaeological sensitive area defining an area of Prehistoric and Romano-British activity. Neolithic/Bronze age inhumation burials were discovered in Roedean Way during the digging of sewers in 1931 and 1937, and a Romano-British remains have also been found.

On this basis it is considered that a planning condition can be placed upon the development for an Archaeological Watching Brief to take place.

Waste minimisation

Policy SU13 relates to the minimisation and re-use of construction industry waste. It confirms that permission will be granted for developments which reduce the amount of construction waste, which are otherwise in accordance with the other policies of the development plan.

Planning permission will not be granted for developments which cannot demonstrate that the minimisation and reuse of construction industry waste has been sought in an effective manner.

The development has been accompanied by an acceptable waste minimisation strategy. The submitted waste minimisation statement covers in sufficient detail the opportunity to recycle new and old construction materials, excavation material, minimise waste materials and use of a licensed waste contractor. A planning condition is recommended to ensure that the strategy is carried out.

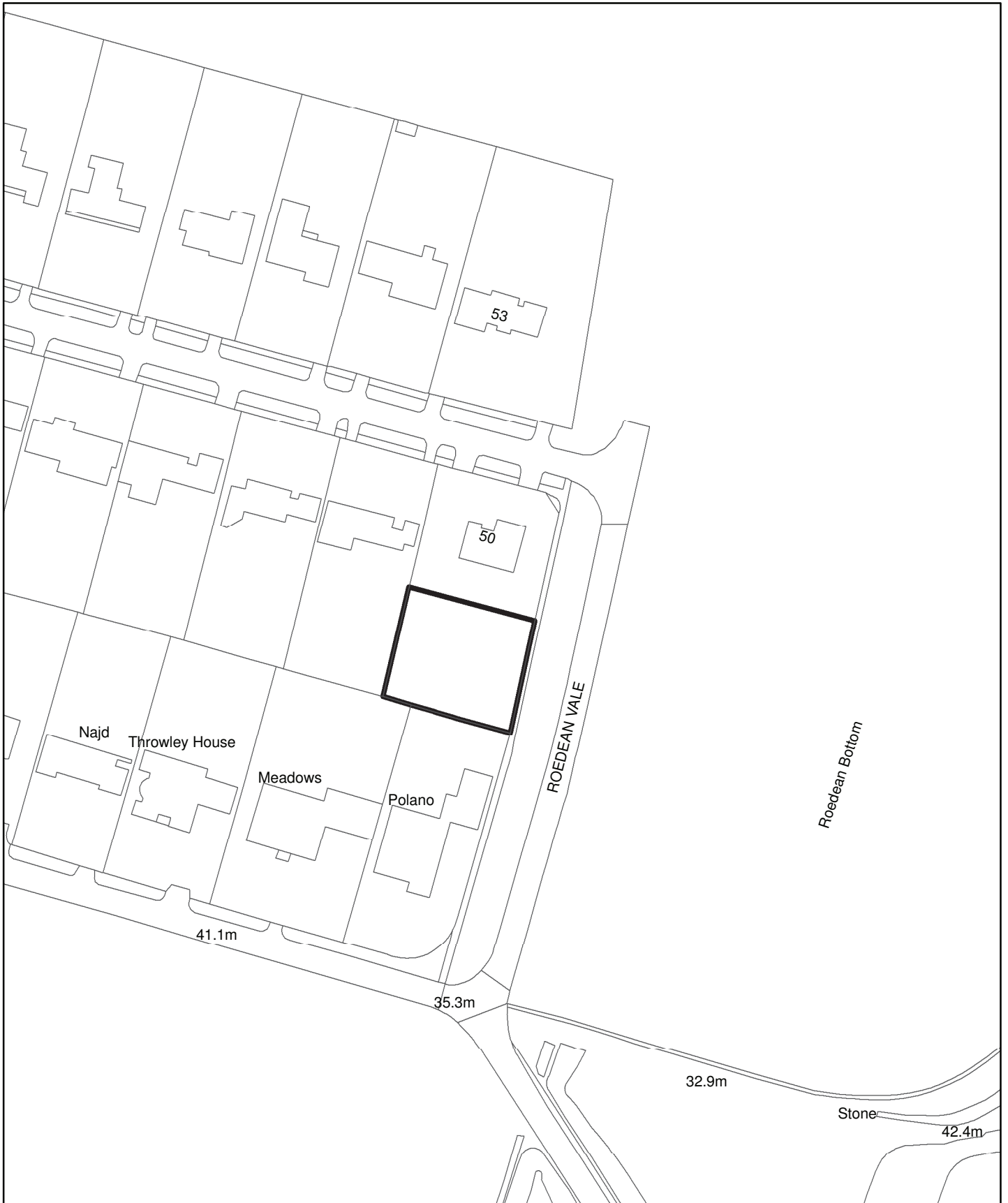
9 CONCLUSION

The proposal would make an effective and efficient use of the site without compromising the quality of the local environment. Subject to the compliance with the attached conditions no significant harm to neighbouring amenity would result and the scheme is acceptable with regard to sustainability measures and traffic issues.

10 EQUALITIES IMPLICATIONS

The proposed dwelling would need to comply with Lifetime Home Standards and Part M of the Building Regulations.

BH2011/01399 Trinity House, Roedean Vale



Scale: 1:1,250