

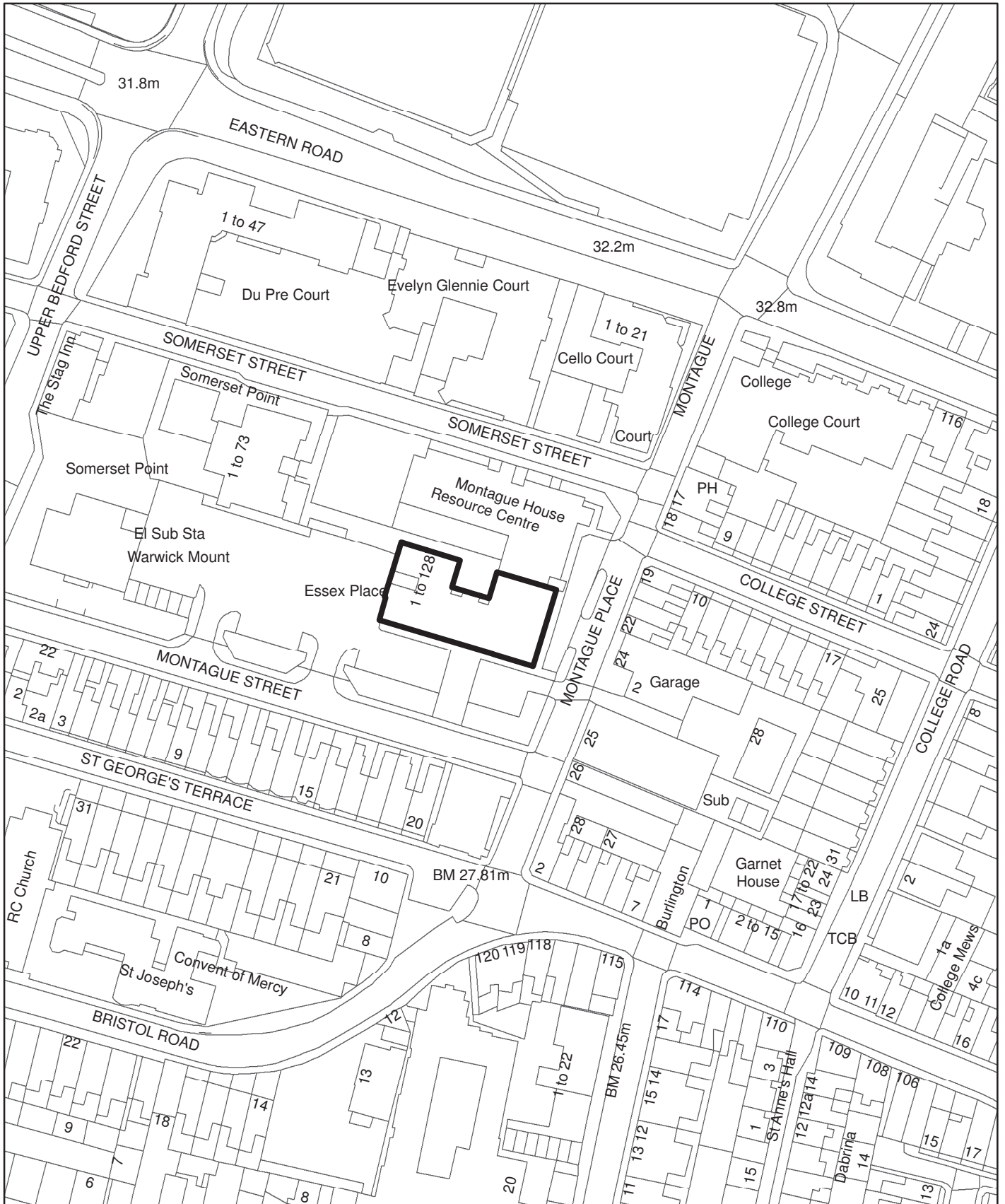
**PLANS LIST
ITEM C**

Essex Place, Montague Street, Brighton

**BH2013/01447
Full Planning**

07 AUGUST 2013

BH2013/01447 Essex Place, Montague Street, Brighton



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/01447	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Essex Place Montague Street Brighton		
<u>Proposal:</u>	Removal of brick balconies and enclosure with UPVC double glazed windows. Replacement of existing windows with UPVC double glazed windows to North and East elevations. Installation of insulated render cladding, new rising gas mains pipe work and associated external alterations.		
<u>Officer:</u>	Chris Swain Tel 292178	<u>Valid Date:</u>	23/05/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	18/07/2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	David Clarke Associates, 6 Moorfield Road, Orpington, BR6 0HQ		
<u>Applicant:</u>	Mears Group Plc, Mr Jason Paine, 7 Twisleton Court, West Hill, Dartford, DA1 2EN		

This report was deferred by Planning Committee to allow a site visit to take place and for sample floor plans to be submitted for clarification.

1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site relates to a 16 storey residential tower block located on the north west corner of the junction of Montague Street with Montague Place. The existing building is brick built with uPVC windows. The residential units with a southerly aspect have recessed balconies whilst the units to the remaining aspects have projecting balconies.
- 2.2 The building is the largest of 3 tower blocks which are located in close vicinity of each other. Somerset Point has recently been externally overclad whilst Warwick Mount is brick built. Other tower blocks within the local vicinity including Wiltshire House and Hereford Court, to the west have either been overclad or have received permission to be overclad.
- 2.3 The character of the area is mixed with residential dwellings to the north and south and commercial properties to the east.
- 2.4 The East Cliff Conservation Area is sited to the south and east of the site.

3 RELEVANT HISTORY

BH2012/04083 - Installation of gas risers and gas meters to all external elevations. Withdrawn by the applicant on 1 February 2013.

BH2012/02652 - Installation of insulated render cladding to all elevations, removal of brick balconies, and replacement with UPVC window system, replacement windows to the northern and eastern elevation, and associated external alterations. Approved on 26 October 2012.

BH1999/02639/FP Replace existing PVCu Windows with PVCu casement windows to all floor levels on the west, south and east elevations. Removal of brick slips to be replaced with continuous band of aggregate faced concrete panels to west, south and east elevations. Approved 23/12/1999

Wiltshire House

BH2008/03779 Application of render to exterior of building. Approved 3 March 2009.

Hereford Court

BH2012/02426 Installation of insulated render cladding to all elevations, renewal of roof and replacement of windows to East and North elevations. Associated renewal of vents, flues and services and other associated alterations. Approved 12/10/2012

4 THE APPLICATION

- 4.1 Planning permission is sought for the removal of brick balconies and the enclosure with UPVC double glazed windows, the replacement of existing windows with UPVC double glazed windows to the North and East elevations and the installation of insulated render cladding, new rising gas mains pipe work and associated external alterations. The internal layout of the flats is to be retained with no alterations proposed.

5 PUBLICITY & CONSULTATIONS

5.1 External

Neighbours: Five (5) letters of representation have been received from Nos. **80, 88, 99** and **127 Essex Place** and from **No.2 Rowan House** objecting to the application for the following reasons:

- The proposal would result in a loss of valuable amenity space for each property,
- The existing units have spacious internal dimensions and the enclosing of the balconies is unnecessary,
- The individual flats were not adequately consulted,
- Three surveys that were carried out on the building stated it was not losing significant heat and as such the works are unnecessary,
- The works will incur additional costs to leaseholders,
- Inadequate consultation by the freeholder with leaseholders to discuss proposed works.

6 MATERIAL CONSIDERATIONS

- 6.1 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."

- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

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
QD14	Extensions and alterations
QD27	Protection of Amenity
HO5	Provision of private amenity space in residential development
HE6	Development within or affecting the setting of conservation areas

Brighton & Hove City Plan Part One (submission document)

8 CONSIDERATIONS & ASSESSMENT

- 8.1 Issues relating to increased costs to leaseholders and also to the inadequate consultation of occupiers by the freeholder are not material planning considerations.

- 8.2 The main considerations relate to the impact of the development upon the character and appearance of the property and surrounding area and the impact upon existing residential and neighbouring amenity.

Design and Visual Amenity:

- 8.3 The current proposal follows a previous application for the installation of insulated render cladding to external elevations, the removal of brick balconies and replacement with enclosed UPVC window system, and replacement windows to the northern and eastern elevation, approved in October 2012.
- 8.4 The current application combines all these works in a single application.
- 8.5 Essex Place is one of a group of three multi storey residential blocks which are highly visible in the immediate surrounding townscape to the south of Eastern Road and north of Bristol Road. The site is located to the north and west of the East Cliff Conservation Area and due to its height visible from within.
- 8.6 The surrounding blocks are a mix of styles in terms of their elevational treatment, including brick, and rendered finish. Other blocks of flats within the vicinity including Somerset Point, Hereford Court and Wiltshire House have been granted permission for the installation of a rendered overclad system.
- 8.7 Whilst the loss of the brick exterior is regrettable the elevations would retain a coherent finish and would not significantly harm the appearance or character of the building or the character of the adjoining East Cliff Conservation Area.
- 8.8 The applicant has stated that the cladding would be an off white to match the adjoining building to the west, Somerset Point which has also been overclad. The exact colour can be secured by a suitably worded condition.
- 8.9 The application proposes the enclosure of the existing balconies to the property by way of the removal of the existing brick work finish and replacement with a uPVC panel system. The treatment to the balconies is consistent with the existing windows and as such is considered acceptable in design terms. It is prudent to ensure that if the works are commenced that all the balconies are enclosed to ensure the uniform appearance of the building.
- 8.10 The existing white uPVC windows are to be replaced on the east and north elevations with similar white uPVC windows. The uPVC windows to the south and west elevations have previously been replaced and the uniform appearance of the fenestration would be retained and would not harm the visual amenity of the building or the wider surrounding area.
- 8.11 Four external gas risers are proposed to the external elevations (two each on the northern and southern elevations). Whilst these pipes would result in additional clutter to the external elevations of the building they would be painted to match the external cladding and are not considered to result in any significant harm to the appearance or character of the building.

- 8.12 A number of further alterations are proposed; replacement rainwater goods, vent grilles a new insulated roof finish and new roof top hatches. These refurbishment works are considered to be minor in scope and are not considered to significantly harm the appearance or character of the building, subject to appropriate conditions in relation to details of the rainwater goods.
- 8.13 Overall, the proposed development is not considered to detract significantly from the appearance or character of the property or the wider surrounding area.

Impact on Residential Amenity:

- 8.14 The application proposes the loss of a small area of external amenity space which is to be incorporated into the internal floorspace of the units. The existing balconies are small in size and provide circa 2sqm of floorspace. The external floorspace provided is small in size providing restricted use and are of a poor quality. As such the enclosure of these balconies and provision of additional internal space is considered appropriate. In addition to this the existing balconies are minor in scale, are shaded by the balconies above and the loss of these amenity areas are considered to be offset by the improved thermal performance of the building and the additional internal space.
- 8.15 The residential amenity of neighbouring properties will not be affected by the change of fenestration or doors as the window and door openings themselves would remain unchanged. The applicant has confirmed that the method of opening is to remain the same. This may be controlled by a suitably worded condition.

Sustainability:

- 8.16 The proposal would result in increased insulation to the external elevations and would reduce the energy needs of the building. It is in accordance with policy SU2 which states that proposals should demonstrate, “the use of materials and methods to minimise overall energy and / or raw material inputs” and this is welcomed.

9 CONCLUSION

- 9.1 The proposed development is not considered to detract significantly from the appearance or character of the property or the surrounding area. The proposal is not considered to impact significantly on the residential amenity of neighbouring properties.

10 EQUALITIES

- 10.1 None

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 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.

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

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

Plan Type	Reference	Version	Date Received
Location and Site Plan	01		8 May 2013
Existing North Elevations & Returns	10		8 May 2013
Existing East & West Elevations	11		8 May 2013
Existing South Elevation	12		8 May 2013
Existing Roof Plan	13		8 May 2013
Proposed North Elevation & Returns	20	C	8 May 2013
Proposed East & West Elevations	21	B	8 May 2013
Proposed South Elevation	22	B	17 May 2013
Proposed Roof Plan	23		8 May 2013
Existing example floor plans	24	A	23 July 2013
Proposed example floor plans	25		23 July 2013
Window system	12-91 866W-O	C	17 May 2013
Window system	12-91 866W-Ox2	A	17 May 2013

- 3) No development shall take place until samples of the materials (including the joints between the render panels, the colour of render, paintwork and colourwash) to be used in external surfaces of the development and the proposed rainwater goods 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 policies QD1 & QD14 of the Brighton & Hove Local Plan.

- 4) The hereby permitted external gas pipes will be painted to match the external cladding and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 & QD14 of the Brighton & Hove Local Plan.

- 5) No cables, wires, aerials, pipework, meter boxes or flues, except those as existing, shall be fixed to the elevations of the building.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, HE6 and QD27 of the Brighton & Hove Local Plan.

- 6) The proposed replacement windows to the north and eastern elevations shall have the same method of opening as the existing windows. The windows to the eastern elevation shall be side hung and open outwards. The windows to the northern elevation shall be bottom hung and open inwards.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1, HE6 and QD27 of the Brighton & Hove Local Plan.

- 7) A timetable for the enclosure of all the balconies hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in strict accordance with the approved timetable. Reason: To ensure the satisfactory appearance of the building and to comply with policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, 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 proposed development is not considered to detract significantly from the appearance or character of the property or the surrounding area. The proposal is not considered to impact significantly on the residential amenity of neighbouring properties.

