

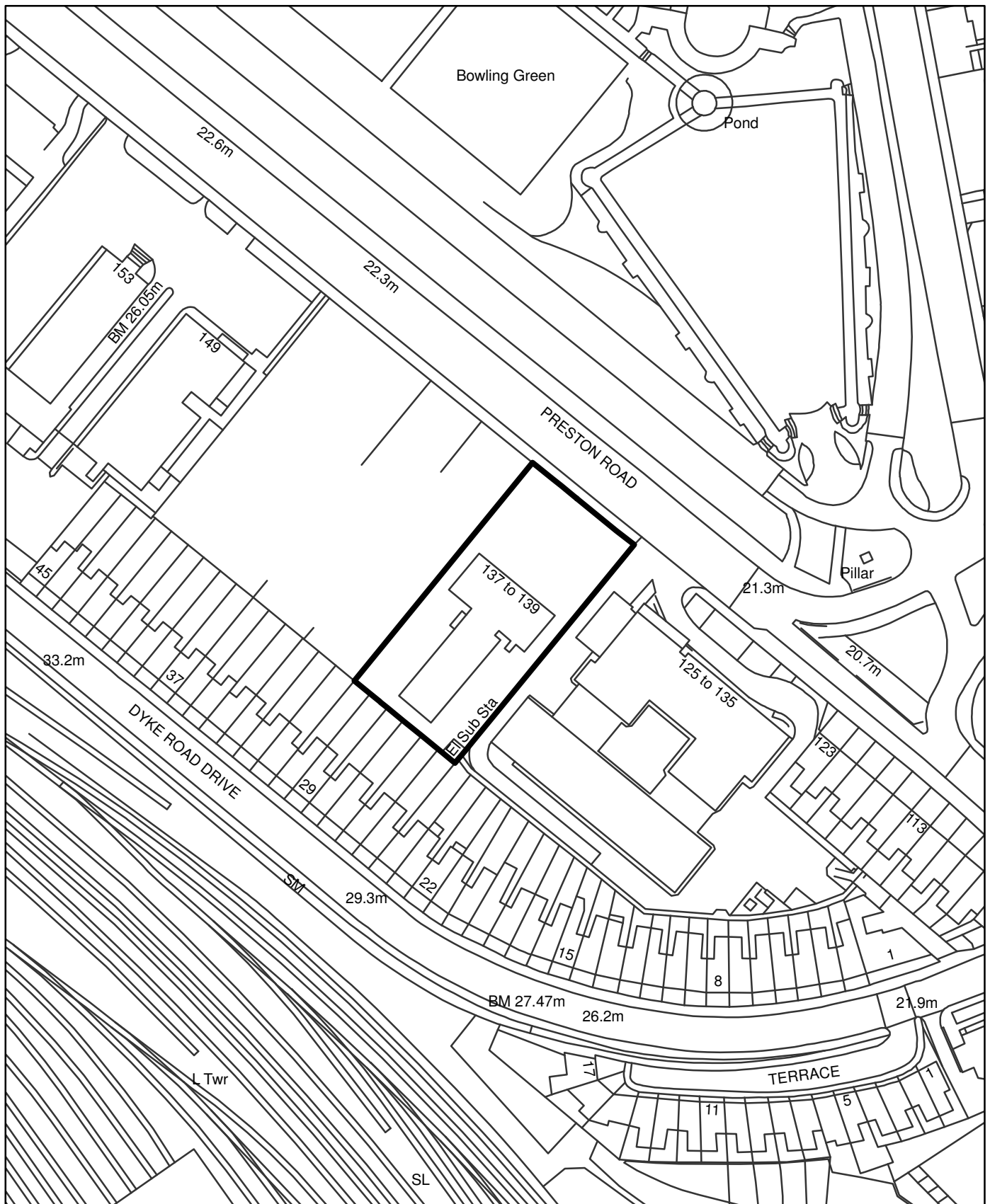
ITEM D

**Anston House, 137-139 Preston Road,
Brighton**

**BH2014/00596
Full planning**

04 JUNE 2014

BH2014/00596 Anston House, 137-139 Preston Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/00596	<u>Ward:</u>	PRESTON PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Anston House 137-139 Preston Road Brighton		
<u>Proposal:</u>	External alterations including new aluminium windows, enlarged window openings, creation of balconies and cladding to all elevations following prior approval application BH2013/02779 for change of use from offices (B1) to residential (C3) to form 44no residential units.		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	06 March 2014
<u>Con Area:</u>	Adj Preston Village	<u>Expiry Date:</u>	01 May 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Savills, 33 Margaret Street, London W1G 0JD		
<u>Applicant:</u>	Joint LPA Receivers Mr S Ray and Mr N Hitch, C/O Savills, 33 Margaret Street, London W1G 0JD		

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 the existing Anston House building which is located at the southern end of Preston Park on the West side of Preston Road. The plot is rectangular in shape and measures approximately 30m x 65m. The existing Anston House building is 9 storeys in height to the road frontage and steps down to 7 storeys to the rear. The building has been vacant for approximately 25 years having last been in use as offices.

3 RELEVANT HISTORY

- BH2013/04228-** Certificate of lawfulness for proposed change of use from offices (B1) to residential (C3) to form 44no residential units. Approved 13/03/2014
BH2013/02779- Prior approval for change of use from offices (B1) to residential (C3) to form 44no residential units. Prior Approval not required 17/09/2013

4 THE APPLICATION

- 4.1 Planning permission is sought for external works to the building to facilitate its conversion into 44 residential flats, as permitted under prior approval application BH2013/02779. The works include:
- The cladding of the building with a glazed terracotta tile
 - The enlargement of existing windows,
 - The addition of balconies to the front and side elevations
 - New window and door treatments
 - Landscaping works

- 4.2 During the course of the application amendments have been received to substitute the original black tile cladding with a cladding to reflect the adjacent brick buildings, to include obscure glazing to the existing rear facing windows, and screening to the rearmost balconies.

5 PUBLICITY & CONSULTATIONS

External

5.1 Neighbours:

Twenty Six (26) letters of representation have been received from **25 (x2), 26, 27 (x2), 28 & 35 Dyke Road Drive; 108 Beaconsfield Villas; 191 Surrenden Road; 46a Inwood Crescent; 162a Springfield Road; 8 West Hill Road; 240 Ditchling Road; 11 Stanford Court, Stanford Avenue; 16 Whistler Court, 26 Preston Park Avenue (x2); 46 Nestor Court, Grange Close; 4a Park View Terrace; 19 Withdean Crescent; 49 Denmark Villas; 42 Rugby Road; 10 Campbell Road; 35 Ryde Road; Flat 3, 2 Florence Road; 11 Walnut Close; and 5 Cornwall Gardens, objecting** to the proposed works on the following grounds:

- The larger windows and new balconies will result in loss of privacy and increased noise
- Overlooking from rear windows. They should be frosted
- The dark cladding is very oppressive and draws attention to the building rather than improving it, and has no place in an area of red brick buildings. There are no black buildings in the area
- The black tiles will be grim and unsightly, and totally out of keeping with the area
- The glazed finish would be foreign to the area
- Noise from the substation
- No details of refuse and recycling facilities have been provided
- Highway safety from the site entry/exit point
- Insufficient parking spaces

Three (3) letters of representation have been received from **35 Dyke Road Drive and 49 Mandalay Court, London Road (x2), supporting** the proposed works.

Internal

5.2 Heritage:

(Verbal comment) In this location, given the existing context, the terracotta tones would be a preferable palette of materials.

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:

PLANNING COMMITTEE LIST- 4 JUNE 2014

- 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) is a material consideration.
- 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:

- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD4 Design – strategic impact
- QD14 Extensions and alterations
- QD15 Landscape design
- QD16 Trees and hedgerows
- QD27 Protection of Amenity
- HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

- SPD06 Trees & Development Sites
- SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the external works on the appearance of the building, the setting of the adjacent Preston Village Conservation Area, and the amenities of adjacent occupiers. The principle of conversion to 44 residential flats has been established

by prior approval under application BH2013/02779. This application relates solely to the external works required to facilitate the conversion.

Design and Appearance:

- 8.2 The building as existing forms a vacant office unit in a poor state of repair such that it has a negative impact on the street scene and setting of the Preston Village Conservation Area opposite. The proposal seeks to improve its appearance through a number of external works. Principally, the application proposes to clad the exterior brickwork with a glazed terracotta tile across all floors, set in a staggered banding and punctuated by enlarged window openings and balconies. No new window openings are proposed. The plans detail that the cladding (as amended) would be of a similar colour and tone to the adjacent brick buildings, thereby ensuring a continuity of appearance. The reflective nature of the material and its staggered banding would both soften the appearance of the cladding and provide visual interest to the building. This, in combination with the enlarged windows with white reveals and the addition of balconies, is such that the building would have a distinctive appearance that would both complement and contribute positively to the variety of large scale office and medical buildings along the west side of Preston Road. An indicative sample of the proposed cladding has been submitted, with the final sample to be secured by condition.
- 8.3 Elsewhere on the building, the application proposes metal balconies, glass balustrades and aluminium windows. A sample board of these materials has been prepared and these materials and finishes are secured by condition.
- 8.4 Landscaping: As part of the refurbishment, new hardstanding and soft landscaping is proposed around the building, including new parking layouts. This arrangement is acceptable in principle however full details are sought by condition.

Impact on Amenity:

- 8.5 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.6 The main impact would be on the amenities of the properties to the rear along Dyke Road Drive, which are located on higher ground. The application proposes to retain rear facing windows that directly overlook the rear gardens to these properties, with new balconies to the side elevations that would introduce additional overlooking potential. The application has been amended to include screening to the rearmost balconies to minimise overlooking, and to introduce obscure glazing to the rear windows that would most impact on privacy. This would ensure that the residential occupation of the building would not have a significant amenity impact beyond that which would occur if the building was restored as offices. The adjacent buildings to the north and south are in office use and would not be otherwise affected to a significant or harmful degree. Subject to conditions to ensure the balconies are screened prior to occupation, the proposal would accord with policy QD27 of the Brighton & Hove Local Plan.

PLANNING COMMITTEE LIST- 4 JUNE 2014

- 8.7 Concern has been raised at potential noise disturbance from the electricity substation within the grounds of the site. This is an existing facility set below the levels of adjacent gardens for which no works are proposed, therefore it would not be reasonable to request noise surveys or acoustic attenuation in this instance. In the event the substation causes noise disturbance, such matters for an existing facility can be addressed under Environmental Health legislation.

9 CONCLUSION

- 9.1 The proposed development would not harm the appearance of the building, the setting of the Preston Village Conservation Area, or the amenities of adjacent occupiers, in accordance with development plan policies.

10 EQUALITIES

- 10.1 None identified

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.
- 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
Site plan	001	P03	08/05/2014
Existing floor plans	101	P02	21/02/2014
	102	P02	21/02/2014
Existing elevations	301	P02	21/02/2014
	302	P02	21/02/2014
Proposed ground floor	110	P03	06/03/2014
Proposed floor plans	111	P03	06/03/2014
	112	P03	06/03/2014
Proposed elevations	311	P06	16/05/2014
	312	P06	16/05/2014
Proposed window and door sections and elevations	614	P01	06/03/2014
	615	P01	06/03/2014
	616	P01	06/03/2014
	617	P01	06/03/2014
Indicative bay study	-	-	16/05/2014

- 3) The development hereby permitted shall be carried out in accordance with the material samples received [date to be inserted on late list], excluding the external tile cladding.

PLANNING COMMITTEE LIST- 4 JUNE 2014

- Reason:** To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 & HE6 of the Brighton & Hove Local Plan.
- 4) Prior to implementation, a final sample of the external cladding shall 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, QD2 & HE6 of the Brighton & Hove Local Plan.
- 5) Prior to implementation, a scheme for landscaping, which shall include hard surfacing, details of all boundary treatments, 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 shall have been submitted to and approved in writing by the Local Planning Authority.
- Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1, QD2, QD15 & HE6 of the Brighton & Hove Local Plan.
- 6) 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, QD2, QD15 & HE6 of the Brighton & Hove Local Plan.
- 7) Prior to their first occupation, the privacy screens to the rearmost balconies as detailed on drawing nos 311 P06 and 312 P06 received on 16 May 2014 shall be installed and retained in situ at all times.
- 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.

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

PLANNING COMMITTEE LIST- 4 JUNE 2014

- (ii) for the following reasons:-
The proposed development would not harm the appearance of the building, the setting of the Preston Village Conservation Area, or the amenities of adjacent occupiers, in accordance with development plan policies.
- 3. Notwithstanding the approved drawings, the application relates to operational development only for the external alterations and does not purport to grant planning permission for the change of use of the site to residential use.