

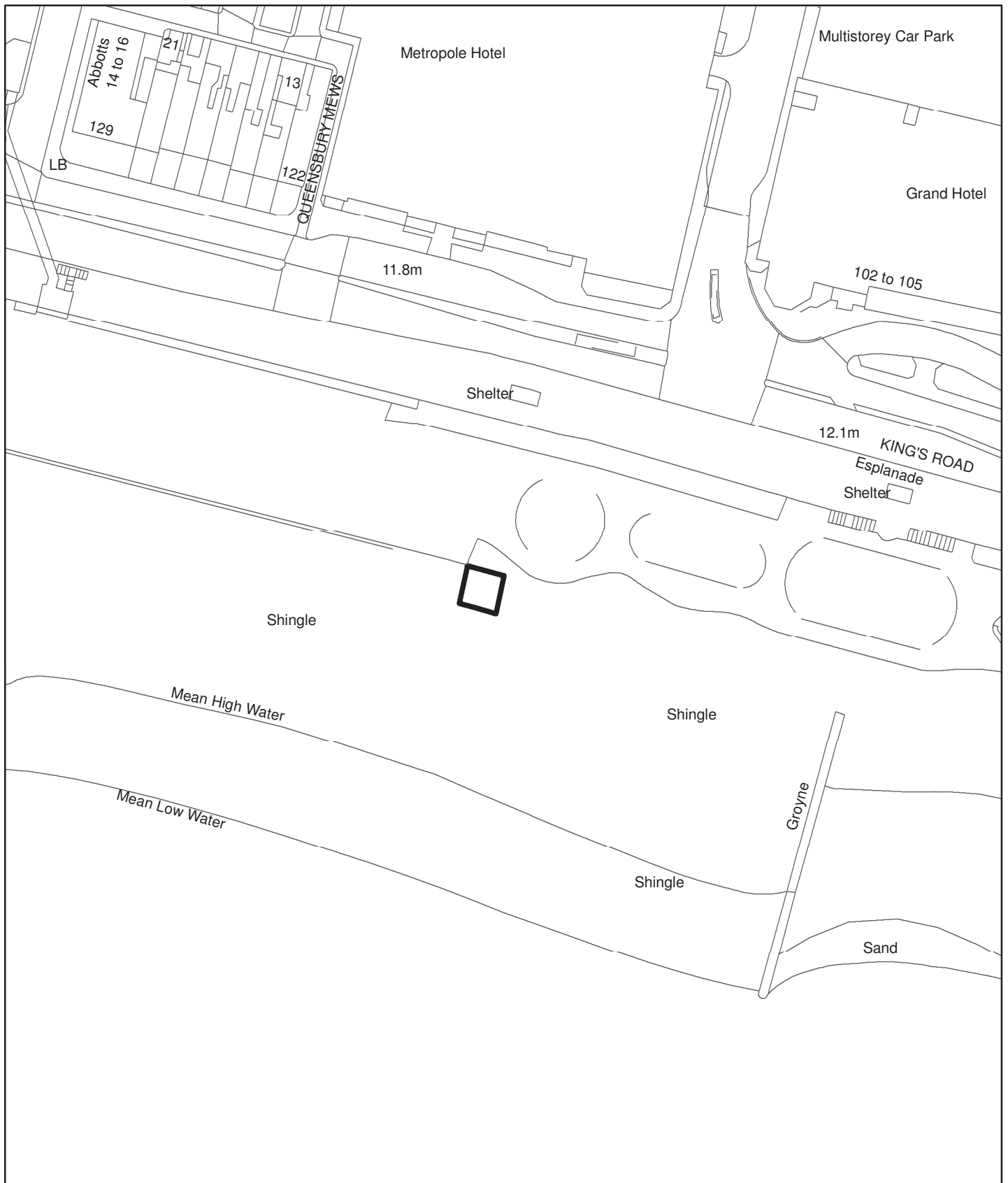
**PLANS LIST
ITEM G**

109-111 Kings Road Arches, Brighton

**BH2012/03477
Full planning consent**

03 APRIL 2013

BH2012/03477 109-11 Kings Road Arches, Brighton.



Scale: 1:1,250

<u>No:</u>	BH2012/03477	<u>Ward:</u>	REGENCY
<u>App Type:</u>	Full Planning		
<u>Address:</u>	109 - 111 Kings Road Arches, Brighton		
<u>Proposal:</u>	Demolition of timber building and erection of a single storey boat house.		
<u>Officer:</u>	Clare Gibbons Tel 292454	<u>Valid Date:</u>	21/11/2012
<u>Con Area:</u>	Regency Square	<u>Expiry Date:</u>	16/01/2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	N/A		
<u>Applicant:</u>	Mr Brian Rousell, 38 Saxon Road, Hove		

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 site is located on the shingle to the south of the lower seafront promenade and Kings Road Arches. It falls within the Regency Square Conservation Area and comprises a single storey building that is currently used as a boat house by the Brighton Sailing Club.

3 RELEVANT HISTORY

BH2012/03478: On 21st November 2012 an application seeking conservation area consent for the demolition of the existing structure was received. Currently undetermined.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing structure and provision of a larger replacement boat house. Since the initial submission, the footprint of the building has been reduced by two metres and the height has been reduced by one metre.
- 4.2 The proposed building would measure 7m by 9m with a maximum height of 3.5m to accommodate two boats, a storage area for safety equipment and safety lookout. It would be constructed with a concrete base, shiplap timber cladding and galvanised roller shutters to the south elevation that would serve the boat storage area and safety lookout with roof panels in goose wing grey. Recycled railway sleepers would be placed on the seawards side of the building to facilitate the manoeuvring of boats.

- 4.3 An application for conservation area consent has also been submitted (ref: **BH2012/03478**) and the report is also on this Agenda for determination.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours:** No response received.

5.2 **Conservation Advisory Group:**

Initial proposal: Recommend refusal on the grounds of the increase in size of the building, poor design and the fact that the building is located on the shingle should be temporary in nature.

Revised proposal: Recommend refusal on the grounds that it would be larger than the existing building and is of an unimaginative design.

- 5.3 **Environment Agency:** No comment.

5.4 **Seafront Development Manager:**

Initial proposal: Prior to the submission of this application, they had been approached by the applicants with a proposal for a two storey building and the Seafront Development Manager and Seafront Estates Surveyor had indicated that such a proposal would be unacceptable.

- 5.5 They have expressed concern about the increased footprint and particularly the increased height on the basis that it would be inappropriate for this location and block views of the sea for visitors and businesses on the lower promenade. Also that the proposal would conflict with the new landscape designs associated with the i360 development.

- 5.6 Revised proposal: No response received.

Internal:

5.7 **Heritage:**

Initial proposal: A reduction in height of the structure is required, along with further information on the proposed appearance and detailing of the roof.

Revised proposal: Requested further details of the solar panels to fully assess the proposal and a proposed roof plan.

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:

- The Regional Spatial Strategy, namely The South East Plan (6 May 2009);
- 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:

- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD4 Design – strategic impact
- QD27 Protection of Amenity
- SR17 Smaller scale sporting and recreational facilities
- SR18 Seafront recreation
- HE6 Development within or affecting the setting of a listed building
- HE8 Demolition in conservation areas

Brighton & Hove City Plan Part One (submission document)

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the expansion of the existing facilities and the impact on the character and appearance of the Regency Square Conservation Area.

Principle of Development:

- 8.2 Policy SR17 seeks to support the provision of new smaller scale sporting and recreational facilities providing that: they are near the communities that they serve, have good pedestrian and cycle links and are well served by public

transport; and would not have a harmful impact on the local environment. Policy SR18 states that new recreation facilities will be permitted on the seafront provided that they met certain criteria.

- 8.3 There is an existing single storey timber building that is currently used by Brighton Sailing Club to store a rescue boat. The proposal is to demolish the existing structure and provide a replacement structure that could accommodate two boats, safety lookout and storage area for safety equipment. To address concerns raised by the Seafront Development Manager, Conservation Advisory Group and Heritage Officer, the proposed building has been reduced in height by one metre and by two metres in footprint. The Conservation Advisory Group have raised objection to the proposal on the basis that it would be larger than the existing building and would not be a temporary structure. The Heritage Officer considers that whilst the increased footprint is not detrimental, the proposed height would increase the prominence of this building unduly. As revised the replacement boat house would have double the footprint of the existing building and be 0.5 metres higher on the south elevation but the same height on the north elevation. A letter has been submitted by Brighton Sailing Club, in support of the revised proposal, that outlines the storage of two safety boats would align their operating procedures with internationally accepted recommendations of the Royal Yachting Association and they are constrained by the length of the craft and amount of equipment that needs to be stored. It also states that the additional height on the southern elevation is necessary to enable views over people on the beach out to all craft on the water. Those manning the lookout are in constant contact with the safety boat by VHF radio and their principal signals are lights mounted inside the hut. Given the clear link between the proposed use and the sea, in this instance the additional building footprint on the beach and height is considered judicious and would maintain the importance of seafront.
- 8.4 The proposed increased footprint and height would not have a material impact upon the strategic views along the coastline or open nature of the beach or raise any significant issues in terms of nature conservation. The proposed building is a sufficient distance away from neighbouring buildings not to cause any significant loss of light. By the nature of the proposed use, it would not generate undue noise and disturbance or significant generation of car borne journeys nor additional pressure for car parking. The design implications are considered in the section below. Overall, the proposal complies with the criteria set out in policy SR18.

Design and appearance:

- 8.5 Policy SR18 requires that the development makes a considered response in its design to the visual and environmental character of the stretch of seafront to which it relates, supported by a design statement which addresses that character. Policy HE6 specifies that proposals that are likely to have an adverse impact on the character or appearance of a conservation area will not be permitted. Policy HE8 states that proposals should retain buildings, structures and features that make a positive contribution to the character or appearance of a conservation area and demolition will not be considered without acceptable detailed plans for the site's development.

- 8.6 The existing building is considered to be of no significant architectural or historic merit and so there is no objection to its demolition. The main consideration relates to the visual impact of the proposed building. The Conservation Advisory Group has also expressed concern that the proposed building is of an unimaginative design. The proposed building would have a functional design with a concrete base and shiplap timber cladding. The Design and Access Statement submitted in support of this application states that *'The design has been kept to a simple, honest, yet modern statement, reflecting its use, whilst utilising materials with a known record of low maintenance in this very exposed position and some resistance to general vandalism'*. The proposed appearance would be a similar approach to other structures found along the seafront including the 'Meeting Place Café' and the beach huts. The Heritage Officer considers that the use of shiplap is acceptable and queried the installation of solar panels that would have increased the bulk at roof level and requested a roof plan due to the clear visibility of this element. The applicant has subsequently confirmed that the proposal does not involve the provision of solar panels. The roof would comprise roof panels in goose wing grey. Overall, the proposed design is in harmony with other structures found along this part of the seafront and would not have a detrimental impact on the character or appearance of this part of the Regency Conservation Area, in line with policies SR18, HE6 and HE8.

Other considerations:

- 8.7 The Seafront Development Manager has expressed concern that the proposal would conflict with the landscape designs due to be undertaken in connection with the i360 development. The proposed development would be outside the identified landscaping area and so the proposal would not be incompatible with this future scheme which has commenced.

9 CONCLUSION

- 9.1 The proposal involves the demolition of the existing boat house and replacing it with a larger building to accommodate two boats, storage for emergency equipment and a safety outlook. Since the initial submission, the proposal has been revised to reduce the proposed footprint and height. The proposed building would have double the footprint of the existing building and the southern elevation would be 1m higher than the existing boathouse. In this instance, the proposal is considered acceptable as there is a clear link between the proposed building and a functioning seafront, in line with policies SR17 and SR18.
- 9.2 The existing boat house is considered to be of no significant architectural or historic interest. The proposed design is functional with timber cladding to complement other structures along the seafront and so would not appear as an incongruous addition in this part of the Regency Square Conservation Area. Therefore, the proposal complies with policies SR18, HE6 and HE8.

10 EQUALITIES

10.1 None identified.

11 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
Location Plan			21/11/2012
Location Plan		Rev 01	30/01/2013
Existing plan and elevations			21/11/2012
Sections, plan & contextual long section		Rev 01	30/01/2013
Elevations		Rev 01	30/01/2013
Roof Plan		Rev 0	18/03/2013
Kingspan product data sheet			18/03/2013

- 3) 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 HE6 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:-

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The replacement boat house would contribute to seafront/coastal activities and not raise any significant issues in respect of the amenity of neighbouring occupiers. There would not be an unacceptable impact on the visual amenity of the seafront or this part of the Regency Square Conservation Area.

