

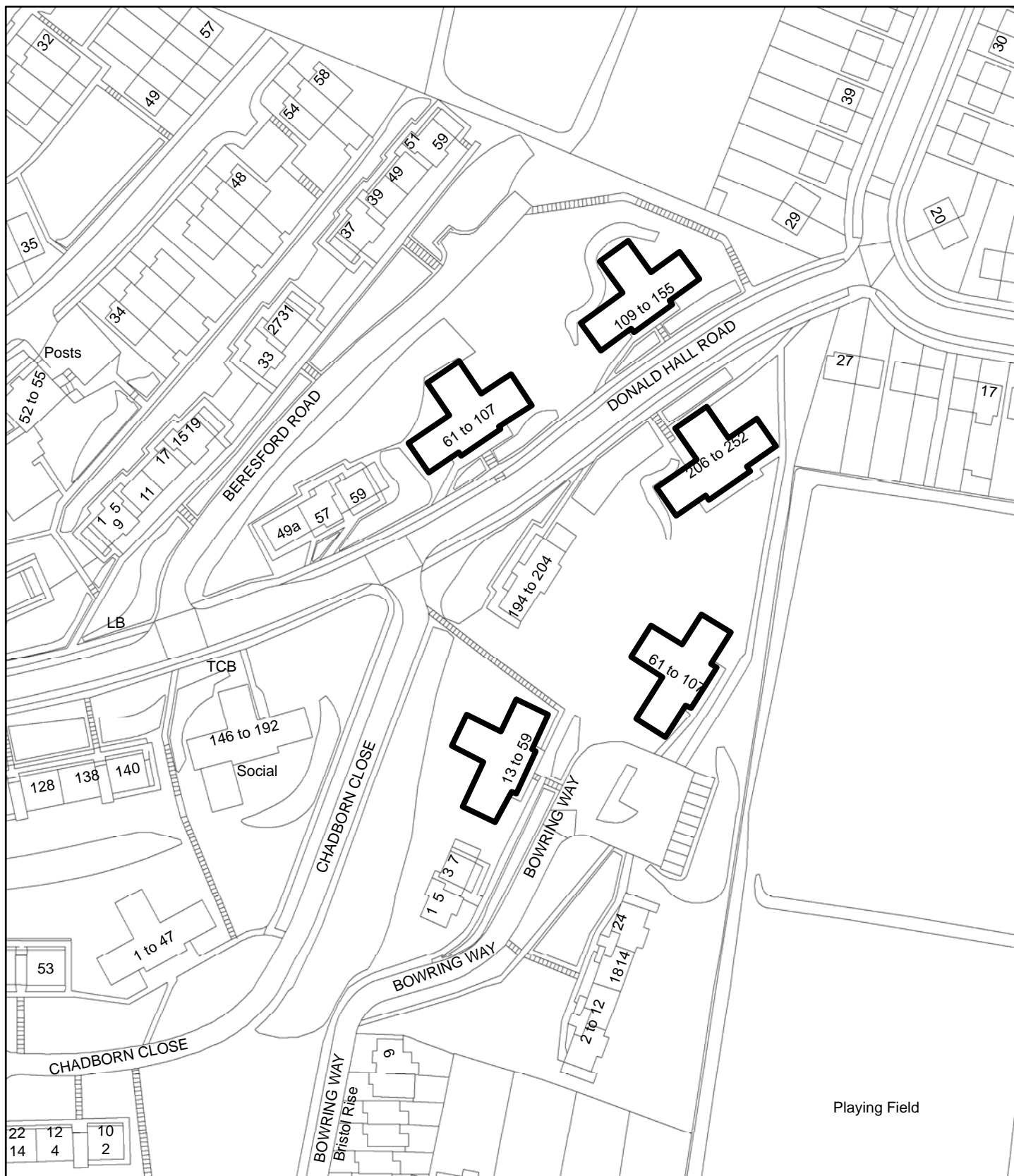
# **ITEM M**

**61-107, 109-155, 206-252 Donald Hall Road &  
13-59, 61-107 Bowring Way, Brighton**

**BH2013/03914  
Full planning**

**02 APRIL 2014**

# BH2013/03914 67-107, 109-155, 206-252 Donald Hall Road and 13-59, 61-107 Bowring Way, Brighton



Scale: 1:1,250

<b><u>No:</u></b>	<b>BH2013/03914</b>	<b><u>Ward:</u></b>	<b>EAST BRIGHTON</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>61-107, 109-155, 206-252 Donald Hall Road &amp; 13-59 &amp; 61-107 Bowring Way Brighton</b>		
<b><u>Proposal:</u></b>	<b>Installation of render to all elevations, replacement of existing windows and balcony doors with UPVC windows and balcony doors, new felt covering to roof and associated external alterations to 5no blocks of flats.</b>		
<b><u>Officer:</u></b>	Andrew Huntley Tel 292321	<b><u>Valid Date:</u></b>	25 November 2013
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	20 January 2014
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Pod LLP, Unit 1.3, 13 Leathermarket, London SE1 3ER		
<b><u>Applicant:</u></b>	Brighton & Hove City Council, John Currell, 1st Floor, Brighton & Hove Housing Centre , Unit 1 Fairway Trading Estate, Eastergate Road, Brighton BN2 4QL		

## 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 that it is **MINDED TO GRANT** planning permission subject to no further material considerations being raised by the expiry of the reconsultation period on 31<sup>st</sup> March 2014 to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site relates to a number of flatted tower blocks along Donald Hall Road and Bowring Way. The buildings which form part of this application include, Cherry, Viscaria, Calendula, Hollyhock Court and Damson. Each block is six stories in height with a flat roof and are finished in a buff brick. The site forms part of a wider development, the Bristol Estate.

## 3 RELEVANT HISTORY

None, however other blocks within the Bristol Estate have had applications for similar work. These are:

**BH2013/01924** - Installation of insulated render cladding to all elevations, replacement of existing windows with UPVC windows, new roof edge hand rails and roof coverings and associated alterations to 5no blocks of flats (Sorrell, Hazel, Jasmine, Meadowsweet and Allamanda). Approved 09/09/2013.

**BH2010/01805** - Installation of over-cladding with external insulation on 12 residential blocks of flats (Bluebell, Daisy, Stonecrop, Clematis, Magnolia,

Sunflower, Sundew, Saffron, Hyssop, Pennyroyal, Chervil and Thyme).  
Approved 29/12/2010.

**4 THE APPLICATION**

- 4.1 Planning permission is sought for the installation of render to all elevations, replacement of existing windows and balcony doors with UPVC windows and balcony doors, new felt covering to roof and associated external alterations to 5no blocks of flats. Reconsultation has been undertaken following amendments to the site red line boundary to include all of the blocks.

**5 PUBLICITY & CONSULTATIONS**

**External**

- 5.1 **Neighbours: Seven (7)** letters of representation have been received from flats **17, 23, 27, 31, 61, 79, 85 Bowring Way** objecting to the application for the following reasons:

- Would be a tragedy for the fair faced brick to be lost, which is in keeping with the existing architecture of the area.
- The ugly cladding would degenerate the ambience of the buildings, compromise the view of the area and increase cleaning costs.
- Insufficient quality of the proposed materials due to expected life span.
- Ground works would damage the natural environment, which homes slow worms.
- Disrupt traffic and parking issues and the ground works will cause disruption for public pathways and disabled access into buildings.
- The proposal will have a heavy carbon footprint.
- The cost of the proposed works on leaseholders.
- Residents have not been properly consulted.

- 5.2 **One (1)** letter of representation has been received from **131 Donald Hall Road** supporting the application. However, no reasons for the support are provided.

**Internal**

- 5.3 **Ecology:** Comments state that:

1 The development site is within 50 m of Whitehawk/Race Hill Local Nature Reserve (LNR); and within 15 m at the nearest point.

2 There are no records of reptiles from the development site itself. However, a lack of records does not necessarily mean a lack of interest and may simply reflect a lack of survey effort. There are records of reptiles (slow worms, common lizard, grass snake and adder) from the LNR and the neighbouring school.

3 The habitat around the buildings in questions comprises rough grassland, with some areas of scrub, hedges and trees, specifically around Damson, Calendula and Viscaria courts. This habitat has the potential to support reptiles, although it is sub-optimal. The majority of habitat around the site appears to be close cropped amenity grassland.

4 The proposed lowering of the ground to the rear of the properties where there is less than 150 mm between the damp proof course and the ground, will impact on this sub-optimal reptile habitat.

5 In the light of the above, and given the fact that there is reasonable connectivity between the sites and more optimal reptile habitat, it is not considered that reptile surveys are required, but it is recommended a precautionary approach with a method statement to address how harm to reptiles will be avoided.

## **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) 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:

- |      |   |
|------|---|
| SU2  | Efficiency of development in the use of energy, water and materials |
| SU13 | Minimisation and re-use of construction industry waste              |

## PLANNING COMMITTEE LIST- 02 APRIL 2014

QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD17	Protection and integration of nature conservation features
QD27	Protection of amenity

### Supplementary Planning Guidance:

SPGBH2 External Paint Finishes & Colours

### Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD12 Design Guide for Extensions and Alterations

### Brighton & Hove City Plan Part One (submission document)

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main consideration is whether the proposed development will detract from the appearance of the individual buildings or the visual amenities of the surrounding area, neighbouring amenity and the impact on the natural environment.

### **Design and Character**

- 8.2 This proposal follows on from approved applications BH2010/01805 and BH2013/01924, which were for the external cladding, new windows and doors and new roofs of neighbouring three and six storey buildings within this estate. Some of those works have been completed and this application seeks permission for the rendering of the exterior of the tower blocks in line with the works being undertaken with neighbouring three and six storey buildings.
- 8.3 The main visual alteration is that of the new rendered cladding. Although, no colour details of the render cladding have been provided within the application, it is considered that this could be conditioned to ensure that the colour(s) used tie in with the previously approved neighbouring blocks of flats. It is considered that this could improve the appearance of the buildings when compared to the existing brickwork.
- 8.4 The new uPVC windows will match the existing uPVC windows on the buildings in design and opening mechanisms and would not harm the character or appearance of the area. The insulation to the roofs would not be visible from public viewpoint and is considered acceptable in design terms. The liquid plastic coatings to the front entrance canopy and existing balconies would have a minimal impact in regard to the character and appearance of the existing blocks of flats.
- 8.5 Therefore, it is considered that the proposed development will not detract significantly from the appearance of the tower blocks or the visual amenities of the surrounding area, and would largely improve the appearance of the buildings in accordance with policies QD1, QD2 and QD14 of the Local Plan and SPD12 Design Guide for Extensions and Alterations.

### **Natural Environment**

- 8.6 Representations from neighbours have suggested that the proposals could have a detrimental impact on the natural environment on the basis that slowworms have been seen in the vicinity. The County Ecologist has therefore commented in this respect. The Ecologist has responded, stating that the proposed lowering of the ground to the rear of the properties where there is less than 150 mm between the damp proof course and the ground, will impact on this sub-optimal reptile habitat.
- 8.7 Given the fact that there is reasonable connectivity between the sites and more optimal reptile habitat surrounding the site, the County Ecologist does not consider that reptile surveys are required in this instance, but does recommend a precautionary approach with the submission of a method statement to address how harm to reptiles will be avoided. It is considered that a suitably worded condition could be attached to ensure that the proposal does not harm any reptiles that may be present.

### **Other Considerations**

- 8.8 The representations relating to the cost of the works to existing leaseholders and cleaning costs are not material planning considerations and therefore can not be taken into consideration in the determination of this application. Whilst it is accepted that the building works would result in disturbance to the residents and may result in additional highway pressures, given the scale of the development, it is not considered to warrant securing a CEMP and is considered acceptable.
- 8.9 The other objection raised is in relation to insufficient consultation with the residents in regard to the proposed works. However, consultation on the application has been undertaken in accordance with the adopted procedures and the consultation between the Council, as owner, and the residents is a separate matter to the planning process

## **9 CONCLUSION**

- 9.1 The proposed development will not detract from the appearance of the buildings or the visual amenities of the surrounding area. The proposal is considered to be 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.

PLANNING COMMITTEE LIST- 02 APRIL 2014

- 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	1108/OS	B	12.03.2014
Block Plan	1108/OS		18.11.2013
Existing Elevations & Roof	1108/VI/01		18.11.2013
Proposed Elevations and Roof	1108/VI/02		18.11.2013
Existing Elevations & Roof	1108/CA/03		18.11.2013
Proposed Elevations and Roof	1108/CA/04		18.11.2013
Existing Elevations & Roof	1108/HO/05		18.11.2013
Proposed Elevations and Roof	1108/HO/06		18.11.2013
Existing Elevations & Roof	1108/CH/07		18.11.2013
Proposed Elevations and Roof	1108/CH/08		18.11.2013
Existing Elevations & Roof	1108/DA/09		18.11.2013
Proposed Elevations and Roof	1108/DA/10		18.11.2013

- 3) No development shall take place until full details of the proposed colour of the render and new paintwork 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 policies QD1 and QD14 of the Brighton & Hove Local Plan.

- 4) No development shall commence until a method statement to address how harm to reptiles will be avoided has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

**Reason:** To mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11 Nature Conservation and Development.

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- 02 APRIL 2014

- (ii) for the following reasons:- The proposed development will not detract from the appearance of the buildings or the visual amenities of the surrounding area. The proposal is considered to be in accordance with development plan policies.