

<u>No:</u>	BH2019/03817	<u>Ward:</u>	Hove Park Ward
<u>App Type:</u>	Reserved Matters		
<u>Address:</u>	10 Shirley Drive Hove BN3 6UD		
<u>Proposal:</u>	Reserved Matters application pursuant to outline approval BH2017/02869 for approval of appearance and landscaping, relating to demolition of existing house and erection of 10no flats with associated parking (C3).		
<u>Officer:</u>	Sonia Gillam, tel: 292265	<u>Valid Date:</u>	07.01.2020
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	07.04.2020
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	Atelier Six Architects 177 Havelock Road Brighton BN1 6GN		
<u>Applicant:</u>	Mr B Packham And Rizzoni 10 Shirley Drive Hove BN3 6UD		

1. RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. 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 block plan	2017_02-P-201	A	7 January 2020
Proposed Drawing	2017_02-P-212	C	28 February 2020
Proposed Drawing	2017_02-P-213	B	28 February 2020
Proposed Drawing	2017_02-P-214	A	7 January 2020
Proposed Drawing	2017_02-P-215	A	7 January 2020
Proposed Drawing	2017_02-P-216	A	7 January 2020
Proposed Drawing	2017_02-P-217	C	28 February 2020
Proposed Drawing	2017_02-P-218	C	28 February 2020
Proposed Drawing	2017_02-P-219	D	28 February 2020
Proposed Drawing	2017_02-P-220	C	28 February 2020
Proposed Drawing	2017_02-P-303	B	28 February 2020
Proposed Drawing	Master Design	Landscaping design	23 December 2019
Proposed Drawing	2017/02-P-222		24 January 2020

2. The landscaping scheme detailed on drawing name: 'Master Design' received on 23rd December 2019 shall be carried out in the first planting and seeding season following the first occupation of the building hereby permitted or the completion of the development, whichever is the sooner. The planting and shingle shall be native species of local provenance as recommended in Annex 7 of SPD11. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One 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. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1 The application relates to a substantial detached property located on the western side of Shirley Drive, at the junction with The Droveway. The site slopes down from west to east. The surrounding out of town location is predominantly residential in character, generally characterised by large detached properties with good sized gardens.
- 2.2 Outline planning permission (BH2017/02869) for the principle of the demolition of the existing dwellinghouse and construction of 10 no. flats was allowed at appeal. This application seeks approval of the reserved matters, appearance and landscaping, pursuant to outline approval BH2017/02869.
- 2.3 Amended plans have been received during the course of the application which have addressed the comments from the Council's Urban Design officer.

3. RELEVANT HISTORY

BH2017/02869 Outline application with some matters reserved for the demolition of existing house and erection of 10no flats with associated parking (C3). Refused 25/07/2018. Allowed at appeal 29/03/2019. The Inspector concluded:

A 10 unit apartment block could be introduced to the appeal site without harming the character and appearance of the local area and without unduly compromising the living conditions of the occupiers of No. 12 Shirley Drive.

BH2006/02036 Single storey rear extension to accommodate hydrotherapy pool and alterations to basement. Approved 29.09.2006

BH2004/03602/FP Demolition of existing two storey side extension and construction of two storey side extension and garden wall. Approved 03.05.2005

BH1997/00424/FP Two storey extension and front dormer. Approved 17.07.1997.

4. REPRESENTATIONS

4.1 **One (1)** letter has been received objecting to the proposed development for the following reasons:

- Increased traffic
- Noise
- Detrimental Impact on property value

5. CONSULTATIONS

5.1 **Urban Designer:** No objection The proposals present a material and elevational composition which is not bland and appears as varied. However, the proposed materials palette does not respond well to the surrounding architectural context. Added to this, the elevational composition and fenestration present as contrived and generate verticality which is considered detrimental to the success of the scheme. There is also room for improvement to landscaping proposals with regard to materials, planted areas and biodiversity gain.

Amendments received: On balance, the scheme has been significantly improved and concerns about the balcony bays and contrived fenestration are outweighed by improvements to materiality, landscaping and potential for biodiversity gain.

5.2 **County Archaeologist:** No objection Confirm former advice (BH2017/02869) that no significant archaeological remains are likely to be affected by these proposals.

5.3 **Sustainable Transport:** No objection The appearance and landscaping proposed do not appear to have a significant impact on transport matters approved in BH2017/02869.

5.4 **Sussex Police:** No objection No major concerns identified with the proposals.

5.5 **County Ecologist:** No objection The proposal does not trigger the need for a bat survey. The original advice provided on 22 December 2017 therefore remains valid, the proposed development is unlikely to have any significant ecological impacts.

6. MATERIAL CONSIDERATIONS

- 6.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report
- 6.2 The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour Joint Action Area Plan (adopted October 2019).
- 6.3 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. **POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development
CP8 Sustainable buildings
CP10 Biodiversity
CP12 Urban design
CP13 Public streets and spaces

Brighton and Hove Local Plan (retained policies March 2016):

QD5 Design - street frontages
QD15 Landscape design
QD16 Trees and hedgerows
QD18 Species protection
QD27 Protection of amenity

Supplementary Planning Documents:

SPD06 Trees & Development Sites
SPD11 Nature Conservation & Development

8. **CONSIDERATIONS & ASSESSMENT**

- 8.1 The application is a reserved matters application pursuant to outline permission BH2017/02869 for the demolition of the existing house and the erection of 10 no. flats with associated parking (C3). Matters of design and landscaping are reserved.
- 8.2 The main considerations in the determination of this application therefore relate to the impact of the development upon the character and appearance of the site

and surrounding area. The neighbour objection with regard to the impact on property values is noted, however is not a material planning consideration.

8.3 Principle of Development:

The granting of the outline permission BH2017/02869 established the principle of the demolition of the existing house and the erection of 10 no. flats as acceptable.

8.4 Design and Appearance:

New development should respect its context and should be designed to emphasise and enhance the positive qualities of the local neighbourhood, taking into account the local characteristics in order to accord to design policies in the local plan. Successful higher density development will depend upon a 'design-led' approach that respects its local context and minimises impacts on its surroundings.

This section of Shirley Drive is not entirely uniform in appearance and there is a mix of styles, albeit mainly traditional two storey residential dwellings. However there are some common features such as hipped roofs with hipped or gable ended front projections. The material context of the surrounding area is predominantly comprised of red clay roof tiles, vertical clay tile hanging, white painted render and brown or red brick tones.

The proposed plans incorporate a two-storey building plus accommodation to the lower ground floor and inset roof level. The layout of the proposed building has been arranged with three flats on each floor and an inset penthouse unit on the top floor. The proposed design would have a contemporary feel in terms of design and materials, such as rock panel and porcelain wall cladding, grey aluminium fenestration, and rust effect cladding to the penthouse walls.

The Council seeks to support innovative, contemporary architectural proposals and it is considered that a contemporary design approach is appropriate on this site. The development includes a material palette that would relate well to the immediate built context and would provide textural qualities and warm tones. For example, the Corten steel effect proposed on the second floor penthouse references the adjacent red-clay tones and textures albeit in a contemporary manner. Additionally the green walls proposed would soften the cladding of the main body of the building.

Further to comments from the Council's Urban Design officer, the depth of roof to the projecting bays has been reduced so that they present a lighter appearance and the fenestration has been revised to address the dominant verticality on the south elevation.

On balance, the scheme has been significantly improved and the contemporary design marries successfully with a materials palette which would relate tonally and texturally to surrounding architectural context. It is considered that the development would fit in with local vernacular in terms of design and appearance.

8.5 *Landscaping:*

There are positive elements with regard to landscaping such as the inclusion of Cribblock planted walls to the sunken courtyards and additional tree planting.

Policy CP10 of CPP1 states that all development proposals should provide net gains for biodiversity wherever possible, taking account of the wider ecological context and local Biosphere objectives. The County Ecologist has advised that the proposed planting should consist of appropriate native species as outlined in Annex 7 of SPD11. Additionally, given the proposal to use shingle in the landscaping, there is potential to use native shingle species which are tolerant of dry conditions. It is considered that in this instance this can be secured by condition.

8.6 **Conclusion:**

Given that the principle of the development has been accepted including the quantum of residential units, and matters of access, layout and scale have been agreed, it is considered that the 'appearance' of the development and approach to 'landscaping' is acceptable. The design and palette of materials responds well to the built form and the local vernacular. The hard and soft landscaping areas would complement the development.

8.7 It is therefore considered that the details submitted in respect of the two remaining reserved matters are acceptable and accord with the principle of the outline planning permission. The conditions imposed by the Planning Inspector upon the outline planning permission still require approval of details.