

<b><u>No:</u></b>	<b>BH2018/02296</b>	<b><u>Ward:</u></b>	<b>Wish Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Wish Court, Muriel House, Sanders House And Jordan Court Ingram Crescent West Hove BN3 5NW</b>		
<b><u>Proposal:</u></b>	<b>Replacement of existing timber and metal balcony balustrading with metal balustrading (part retrospective)</b>		
<b><u>Officer:</u></b>	Jack Summers, 296744	tel: <b><u>Valid Date:</u></b>	08.08.2018
<b><u>Con Area:</u></b>	n/a	<b><u>Expiry Date:</u></b>	03.10.2018
<b><u>Listed Building Grade:</u></b>	n/a	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Miss Julia Shields Unit J307 The Biscuit Factory Drummond Road Southwark London SE16 4DG		
<b><u>Applicant:</u></b>	Brighton & Hove City Council 1st Floor Brighton & Hove Housing Fairway Trading Centre 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 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	1777-IC-D-01	A	8 August 2018
Block Plan	1777-IC-D-02	A	8 August 2018
Detail	1777-IC-DD-01	C	18 July 2018
Floor plans and elevations proposed	1777-IC-ER-01	-	18 July 2018
Floor plans and elevations proposed	1777-IC-ER-02	-	18 July 2018
Floor plans and elevations proposed	1777-IC-ER-03	-	18 July 2018

2. Within four weeks of its installation, the balustrading of each replacement balcony hereby permitted on Wish Court, Muriel House, Sanders House and the east and west elevations of Jordan Court shall be painted in RAL3009 and permanently retained as such.

**Reason:** To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

3. Within four weeks of its installation, the replacement balustrading on the balconies upon the north elevation of Jordan Court shall be painted black and shall be permanently retained as such.

**Reason:** To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 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 site relates to several blocks of residential flats on Ingram Crescent West, specifically Wish Court, Muriel House, Sanders House and Jordan Court. The site does not lie within a conservation area and, aside from the locally listed Hove Cemetery that lies to the north of the site, there are no other recognised heritage assets in the vicinity.

- 2.2 Planning permission is sought for the replacement of existing timber and metal balconies (of two separate designs) with metal units of similar size and scale to those they are replacing. The replacement metal units are desired due to defects and/or rot found in the existing balconies, and replacing them with metal will reduce the need for ongoing maintenance in the future. The balconies will each be painted a similar colour to the unit they are replacing so as to relate as well as possible to the host buildings.

Altogether, eighty-three timber balconies are to be replaced with metal. These are located on the east and west elevations of Jordan Court and Muriel House; the east, south and west elevations of Sanders House; and the east and south elevations of Wish Court.

Also to be replaced are the eighteen metal balconies on the south elevation of Jordan Court, which will feature new balustrading similar to what is in situ.

- 2.3 Several original balconies have already been replaced (but at the time of the site visit yet to be painted) but works have stopped whilst planning permission has been sought. At the time of submission it was proposed to retain a galvanised steel finish, however this has been amended so each balcony will now be painted.

## **3. RELEVANT HISTORY**

- 3.1 None

#### **4. CONSULTATIONS**

4.1 None

#### **5. REPRESENTATIONS**

5.1 One letter has been received from eight residents, objecting to the proposal on the following grounds:

- Some landscaping has been destroyed during the construction process
- Muriel and Sanders House are Senior/Sheltered Housing Schemes, and normal working hours are inappropriate.
- It is possible that the timber to be removed is contaminated.
- Most of the development site can be seen from a public highway
- The galvanised finish is bright silver rather than grey, as is stated in the Design & Access Statement
- The galvanised finish fails to complement the brown brickwork of the host buildings
- The existing timber balconies can be easily modified and maintained.
- A metal balcony will be too hot to touch in summer and too cold in winter for children or residents with Raynaud's Syndrome or Arthritic hands.
- A metal balcony will very reflective to sunlight, causing hazardous driving conditions and disturbing living conditions.
- The scaffolding that has been erected is conventional scaffolding rather than towers as specified
- Scaffolding is blocking emergency access to the ground floor flat at Sanders House.
- The height of 1.1m (down from 1.2m currently) is a hazard to elderly residents.
- The proposed balconies have a smaller area than the existing.
- Residents were initially told the new balconies would be like-for-like with a plastic brown powder coat.
- The proposed balconies will not be able to have bird netting or hanging baskets/flowers affixed.
- Works have begun prior to planning permission being granted.
- The proposal will be detrimental to the health and needs of residents.
- Loss of landscaping has led to security risks for ground floor flats.
- Not all of the balconies require replacement at present.

#### **5. MATERIAL CONSIDERATIONS**

5.1 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

5.2 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);

5.3 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.

## 6. RELEVANT POLICIES

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP12 Urban design

#### Brighton & Hove Local Plan (retained policies March 2016)

TR7 Safe Development

QD14 Extensions and alterations

QD27 Protection of amenity

## 7. CONSIDERATIONS & ASSESSMENT

7.1 The main considerations in the determination of this application relate to the impact of the proposal on the character and appearance of the host buildings and wider streetscene, as well as the impact on the amenities of local residents.

### 7.2 Design and Appearance:

The proposal includes two separate designs that will replace the two separate designs currently found across the development site. The majority of the balconies to be replaced are of a painted timber design that would be replaced with a similar metal design painted the same colour brown. The north and south elevations of Jordan Court feature internal balconies with black iron railings, which would be replaced with a design that is almost like-for-like and would be painted black. The original scheme did not include a painted finish to the balconies but it is considered that a bare galvanised finish would give a stark, utilitarian appearance and it has been negotiated to paint these balconies to match the originals and is secured by condition.

7.3 Concerns have been raised that a reduction in floor area of each balcony due to the new balustrading. However, both designs show a floor area of approximately 2.5m<sup>2</sup>. As such, the appearance of the blocks of flats would be similar to what is currently in place.

7.4 Several of the balconies on Wish Court, particularly those on its southern elevation, are highly visible from the public highway along Portland Road, however the majority of the alterations would not be highly visible from outside Ingram Crescent West and are unlikely to impact on the wider streetscene outside this enclosed area of residential properties.

7.5 The aforementioned proposed balconies on the east and south elevations of Wish Court, visible from Portland Road, would not significantly alter the visual appearance of the building or wider streetscene and is considered acceptable.

7.6 For these reasons the proposal is considered to be in accordance with policies QD14 of the Brighton and Hove Local Plan and CP12 of the City Plan Part One.

**7.7 Impact on Amenity:**

The proposal does not include any additional balconies and thus should not have any detrimental impact on the privacy of any local residents.

It is not considered that the use of metal as a material will cause a significant light nuisance (through reflection of sunlight and vehicle headlights) to local residents and it is considered to be in accordance with policy QD27 of the Brighton and Hove Local Plan.

**7.8 Other Considerations:**

A site visit has revealed that several of the existing balconies are aged and the replacement with robust metal units will return them to a safe standard of use for the occupants of the properties throughout Ingram Crescent West. The height of 1.1m for the balustrading of the proposed balconies is in accordance with national safety requirements and is considered acceptable.

7.9 Concerns have been raised with regards to the impact of the building process on the local environment, including the issue of scaffolding being erected in a disruptive manner and the loss of vegetation, however, these would be matters for the contractor and landowner to resolve and are not issues for the consideration of this application.

7.10 It has been clarified by the applicant that bird netting will be available for those residents who desire it. Flower baskets that do not need to be affixed to railings or balustrading are available and these will be permissible.

**8. EQUALITIES**

8.1 None identified

