

<b><u>No:</u></b>	<b>BH2018/01123</b>	<b><u>Ward:</u></b>	<b>Central Hove Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Hove Central Library 182 - 186 Church Road Hove BN3 2EG</b>		
<b><u>Proposal:</u></b>	<b>Alterations to rear garden area incorporating new steps, handrail and landing for use by children's day nursery.</b>		
<b><u>Officer:</u></b>	Nicola Van Wunnik, tel: 294251	<b><u>Valid Date:</u></b>	18.04.2018
<b><u>Con Area:</u></b>	Old Hove	<b><u>Expiry Date:</u></b>	13.06.2018
<b><u>Listed Building Grade:</u></b>	Listed	<b><u>EOT:</u></b>	
	Building Grade II		
<b><u>Agent:</u></b>	Mr Miles Broe 66 Haven Way Newhaven BN9 9TD		
<b><u>Applicant:</u></b>	Mr Mark Hyatt 12-18 Hove New Church Road Hove BN3 4JD		

## 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 and block plan	P02		10 April 2018
Existing Floor Plans and Elevations	01	D	10 April 2018
Floor plans and elevations proposed	P01	B	10 April 2018
Design and Access Statement			19 April 2018
Email	STATEMENT		15 May 2018

2. 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.
3. The existing brick pavers and concrete beneath the new decking shall not be removed and shall be retained in their existing positions.  
**Reason:** To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan and CP15 of the 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 Hove Library is a grade II listed building on Church Road and is located within the Old Hove Conservation Area. Its main decorative façade faces north on to Church Road. The plan form of the building combines a broadly rectangular front portion with a semi-circular section to the rear.
- 2.2 Internally, the main basement space in the southern portion of the building is formed by an almost semi-circular enclosed inner space with an outer ring of radiating cellular spaces, each with at least one window opening. This space is used for staff and storage and is linked to the main library areas by a staircase and modern lift in the easternmost quadrant.
- 2.3 The exterior of the rear portion of the building is more utilitarian in character than the front. The upper parts are seen in glimpsed views between houses on Vallance Road, and in longer views above these houses from Vallance Gardens.
- 2.4 Planning permission is sought for external alterations to the rear of the building, including construction of a new wall with balustrade and landscaping works.

## **3. RELEVANT HISTORY**

**BH2018/00469** – Listed Building Consent - Internal alterations to lower ground floor & external alterations to rear ground floor including construction of new wall with balustrade, landscaping & associated works to facilitate the conversion to children's day nursery (D1) - Under Consideration

**BH2017/03940** - Installation of ventilation grille to rear elevation. Internal alterations to layout to facilitate the creation of new staff work rooms at ground floor & first floor levels, new toilet facilities to lower ground floor and associated alterations including new surface mounted waste pipe to basement - Approved 20/03/2018

## **4. REPRESENTATIONS**

- 4.1 **Thirty (30)** letters of objection have been received raising the following points:
  - Noise to library users would be intolerable, particularly from the garden
  - Compromise to library space caused by moving staff facilities to the ground floor
  - Inappropriate use of public library which is intended for quiet reading and learning
  - The conversion of library space into offices is entirely self-defeating, further degrading the facilities and defiling the supposedly protected public space.

- A nursery does not fit in with running a library
- Difficulties with parking
- Loss of book shelving space on the ground floor diminishes the library and its radical shelving design
- Wrong location for a nursery
- Basement is unsuitable for use as a children's nursery
- Fire escape issues
- The library is an essential community asset

**4.2 Sixteen (16)** letters of support have been received raising the following points:

- An opportunity to revitalise the library
- Utilising the library for something more fitting to the local area would be better
- Create new jobs, regenerate the outside garden space and refurbish the lower ground floor
- Opening up the unutilised space would safeguard the future of a vital community service/the historic building
- Rooms of the library being used in a creative way
- The nursery will give the children more opportunities to learn and grow
- A boost for this part of Church Road and a good use of the library space
- Good addition to the neighbourhood
- Good for the local community.

**4.3 Councillor Moonan** has commented on the application calling the application to planning committee due to the sensitivity and public interest around this listed building.

## **5. CONSULTATIONS**

### **5.1 Environmental Health:**

#### **Original Comments Received 10/05/218**

Noise nuisance from the children playing outside could potentially be a problem for the residents at the rear of the library.

#### **Additional Comments Received 17/05/2018**

More information has been provided and as long as the outside space is used as proposed, I do not foresee any problems. Given the compact size of the outdoor space, there will only be small groups of children (for example 4-8 children) outside at any one time. The Learning Garden is unlikely to be used before 9/9:30am or after 5pm. Children will always be fully supervised at all times by an appropriate number of qualified staff members, as is required by law.

### **5.2 Heritage:**

During consideration of application BH2018/00469 for listed building consent for these works it was confirmed that laying the new decking will not require the removal of the existing external surfaces, and that the work will be reversible. A condition should be added requiring the retention of the existing surfaces beneath the new materials.

The proposed surfacing and other materials are considered acceptable and there is therefore no objection to the proposals for the rear outside space.

**5.3 Policy:** No comment.

**5.4 Transport:** No comments received.

**5.5 City Early Years Childcare and Play:** No comments received.

## **6. MATERIAL CONSIDERATIONS**

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

6.1 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);

6.2 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  
CP15 Heritage

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

QD14 Extensions and alterations  
QD27 Protection of amenity  
HE1 Listed buildings  
HE3 Development affecting the setting of a listed building  
HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD09 Architectural Features  
SPD12 Design Guide for Extensions and Alterations  
SPD14 Parking Standards

## **8. CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to whether the proposed alterations would have a detrimental impact on the

amenity, character, architectural setting and significance of the grade II listed building and the wider Old Hove Conservation Area.

## **8.2 Principle of Development**

The application proposes alterations to the rear garden area incorporating new steps, handrail and landing.

8.3 The lower ground floor of the library currently serves as ancillary office, staff and storage space. The proposed alterations are to facilitate the use of the lower ground floor and rear garden area as a children's day nursery. The external space is to be used as a learning garden where small groups of children will engage in focussed activities. The applicant has indicated that there will only be small groups of children (4-8) outside at any one time and the garden is unlikely to be used before 9/9.30am or after 5pm.

8.4 It is acknowledged that there have been a number of objections relating to the proposed nursery. However as the library and nursery are in the same use class (D1) there is no material change of use of the building and thus this application should only consider the physical works to the building as the nursery use in itself does not require planning permission in this instance.

8.5 Subject to the works being appropriate for a listed building and causing no harm to the wider area the principle of the works are therefore considered to be acceptable.

## **8.6 Design and Appearance:**

The rear garden area as existing has a footpath that curves around the outside wall of the building with steps leading up to an upper level that is a mixture of brick pavers and concrete. In addition there is a metal fire escape on a concrete base within the garden.

8.7 The proposal involves external alterations to create an outdoor play area including the erection of a new wall at the edge of the footpath with a metal balustrade which will form a decked play area at the upper level. The existing metal fire escape is to be screened with a 1.5m timber fence/gate and the installation of a bike rack and buggy store is also proposed.

8.8 Details of the external works and finishes have been provided and information on the proposed materials also submitted. The laying of the new decking will not require the removal of the existing surfaces, and the work will therefore be reversible. The proposed surfacing and other materials are considered acceptable and there is therefore no objection to the proposals for the rear outside space.

8.9 Accordingly, it is considered that the alterations are acceptable and that the proposed works would not harm the historic character or appearance of the grade II listed building or wider conservation area in accordance with policies HE1, HE4 and HE6 of the Brighton and Hove Local Plan and CP15 of the Brighton and Hove City Plan Part One.

**8.10 Impact on Amenity:**

The proposed external alterations are not considered to have any adverse impacts in terms of daylight, sunlight or privacy.

**9. EQUALITIES**

None identified.