

<u>No:</u>	BH2018/02525	<u>Ward:</u>	Westbourne Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	2 Sackville Gardens Hove BN3 4GH		
<u>Proposal:</u>	Demolition of existing garage and erection of 1no semi-detached three storey dwellinghouse (C3).		
<u>Officer:</u>	Michael Tucker, 292359	tel: <u>Valid Date:</u>	09.08.2018
<u>Con Area:</u>		<u>Expiry Date:</u>	04.10.2018
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Stewart Nicholson Ltd 34 Hill Drive Hove BN3 6QL		
<u>Applicant:</u>	Mr & Mrs Henderson & van Gils Henderson 2 Sackville Gardens Hove BN3 4GH		

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 **REFUSE** planning permission for the following reasons:

- The proposed development by reason of its constrained footprint and scale would fail to respect the context of the surrounding area and pattern of development. The dwelling fails to respect the uniformity and rhythm of the character of the street and is considered to represent an incongruous addition that would harm the Sackville Gardens Conservation Area, contrary to Policies HE6 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

Informatives:

- 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.
- This decision is based on the drawings received listed below:

Plan Type	Reference	Version	Date Received
Floor plans/elevations/sect proposed			9 August 2018
Location and block plan			9 August 2018

2. SITE LOCATION & APPLICATION DESCRIPTION

- The application relates to the site of a two-storey pair of semi-detached dwellinghouses on the western side of Sackville Gardens, adjacent to 189

Kingsway, the site of a recently approved 5-8 storey hotel. Planning permission is sought to demolish the existing flat roofed single-storey garage and erect a three-bedroom two-storey dwelling with accommodation in the roof adjoining the existing building at 2 Sackville Gardens.

3. RELEVANT HISTORY

PRE2017/00322 - Erection of 1no. three bedroom house (C3).

4. REPRESENTATIONS

4.1 Twelve (12) letters have been received, supporting the proposal for the following reasons:

- Design in keeping with conservation area
- family homes are in demand
- blocks the view of the block of flats to the rear
- improvement on the existing garage

4.2 One (1) letter has been received from Councillor Cobb, supporting the proposal and requesting it be presented to the planning committee. A copy of their representation is attached.

5. CONSULTATIONS

5.1 **Environmental Health:** No comment received

5.2 **Heritage:** Objection

The principle of a new two-storey dwelling in the proposed location is not supported. The proposal will negatively impact the important consistent rhythm and uniformity of the pairs of dwellings in the street and as such will cause harm to the streetscape and Sackville Gardens conservation area.

5.3 **Sustainable Transport:** No objection

Recommended approval subject to securing satisfactory cycle parking and car free housing by condition.

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

6.3 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 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.

- 6.4 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
CP1 Housing delivery
CP8 Sustainable buildings
CP9 Sustainable transport
CP12 Urban design
CP13 Public streets and spaces
CP14 Housing density
CP15 Heritage

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

TR7 Safe Development
TR14 Cycle access and parking
SU9 Pollution and nuisance control
SU10 Noise Nuisance
QD5 Design - street frontages
QD14 Extensions and alterations
QD27 Protection of amenity
HO5 Provision of private amenity space in residential development
HO13 Accessible housing and lifetime homes
HE6 Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
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 the principle of the development, the impact of the proposal on the Sackville Gardens conservation area and the standard of accommodation the proposed dwelling would provide. The impact on neighbouring amenity, transport and sustainability are also material considerations.
- 8.2 The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this

minimum housing requirement that the City's five year housing land supply position is assessed annually.

8.3 The Council's most recent land supply position was published in the 2017 SHLAA Update (February 2018) which showed a marginal surplus (5.0 years supply). However, the inspector for the recent planning appeal on Land south of Ovingdean Road (APP/Q1445/W/17/3177606) considered that the Council's delivery timescales for two sites were over-optimistic and concluded that there would be a five year supply shortfall of at least 200 dwellings. The Council's five year housing land supply figures are currently being updated as part of the annual monitoring process and an updated five year housing position will be published later this year. In the interim, when considering the planning balance in the determination of planning applications, increased weight should be given to housing delivery in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

8.4 Principle of Development:

Pre-application advice was previously given under PRE2017/00322. In the officer's response, it was stated that the principle of a dwelling in this location was unacceptable, due to the harm the proposed dwelling would cause to the Sackville Gardens conservation area, as well as the reduction in the separation between the historic buildings of the conservation area and the recently approved 5-8 storey building at 189 Kingsway. While there are some minor differences between the previously proposed dwelling and the current application, the massing of the proposed dwelling visible from the street is largely unchanged and is therefore still considered to be unacceptable in principle.

8.5 Impact on Sackville Gardens conservation area:

The existing buildings on the application site form a uniform semi-detached pair of buff coloured brick with large projecting gable, modest matching dormers, projecting bays and central entrances underneath a portico. This uniform pair makes a positive contribution to the street and conservation area with their retention of original architectural features.

8.6 Similarly to the existing buildings on the application site, the majority of the buildings on Sackville Gardens are uniform semi-detached pairs or substantial symmetrical single houses with gaps either side. This pattern of development is continued along Sackville Gardens with few exceptions and creates a continuous rhythm along the street. Due to its height, design and narrow footprint compared to other buildings on Sackville Gardens, the proposed dwelling would appear as a large side extension and would interrupt the important uniformity and rhythm of the semi-detached pairs in the street. The impact of this interruption would be significant and cause harm to the streetscape and surrounding Sackville Gardens conservation area contrary to Policy HE6 of the Brighton & Hove Local Plan.

8.7 The proposed dwelling is therefore, by reason of its height and constrained footprint, considered to represent an incongruous addition to the street that

would cause unacceptable harm to the Sackville Gardens conservation area, contrary to Policy HE6 of the Brighton & Hove Local Plan.

8.8 Standard of Accommodation:

While not adopted policy, the Government's Nationally Described Space Standards do provide a useful guide as to the suitability of the standard of accommodation provided by a proposed dwelling. The proposed three-level, three-bedroom dwelling would have approximately 140sqm of internal floorspace, with bedspaces for 6 people. This compares to a minimum of 108sqm for a dwelling of a similar scale, set out in the Space Standards. All habitable rooms would have access to sufficient outlook and natural light.

8.9 Approximately 51sqm of outdoor amenity space is proposed for the new dwelling. While this is judged to be an adequate amount for a dwelling of this scale, the closeness of the access route into the car park of the approved development at 189 Kingsway may affect the degree to which this space is useable.

8.10 If the proposal were otherwise acceptable then the standard of accommodation would be satisfactory, in line with Policies HO5 and QD27 of the Brighton & Hove Local Plan.

8.11 Impact on Amenity:

Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

8.12 There is not considered to be any significant detrimental impact on the existing building at 2 Sackville Gardens as a result of the proposal. The rear garden area, however, would be significantly overlooked by the approved 5-8 storey building at 189 Kingsway.

8.13 Sustainable Transport:

It is not anticipated that the proposed development would have a significant impact on the surrounding highways and transport network. While two cycle parking spaces are proposed in the rear garden, they are not in a convenient location. If the development were otherwise acceptable, details of satisfactory cycle parking would be secured by condition.

8.14 One car parking space is included in the proposal, which is in line with SPD14. The site is located within a CPZ and due to the permit uptake of the last 12 months it is considered appropriate to make the development car free. For this reason, if the development were otherwise acceptable this would be secured by condition.

8.15 Sustainability:

Policy CP8 of the Brighton & Hove City Plan Part One requires new development to demonstrate a high level of efficiency in the use of water and

energy. Policy CP8 also requires new development to achieve 19% above Part L for energy efficiency, and to meet the optional standard for water consumption. These measures could be secured via a suitably worded condition, if the proposal was otherwise acceptable.

9. EQUALITIES

9.1 None identified