

**PLANNING STATEMENT**  
**GOLDSTONE VALLEY NURSERY AND PRESCHOOL, HOVE**



<b>Whaleback Planning &amp; Design</b> The Old Bank 257 New Church Road Hove BN3 4EE 01273 234 354 www.whaleback.co.uk	<b>Site</b>	Goldstone Valley Nursery and Preschool, Edward Avenue, Hove, BN3 6WL
	<b>Project</b>	Wooden Cabin and Boundary Treatment
	<b>Applicant</b>	Ben Theobald
	<b>Our Ref</b>	W2403
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## Introduction

1. Whaleback Planning & Design is instructed by the applicant to prepare and submit a full planning application to Brighton & Hove City Council for the retrospective erection of a wooden cabin, boundary fencing and the proposed erection of a double gate.
2. This Planning Statement describes the application site and its surroundings, the development proposal, the planning history of the site and the relevant planning policy framework. A planning appraisal is provided to consider the merits of the application followed by a conclusion.

## Site and Surroundings

3. The application site comprises a former church hall building and wooden cabin in existing use as a nursery and preschool facility set within a spacious plot on the south-eastern side of Edward Avenue.



*Main Nursery Building – Goldstone Valley Nursery and Preschool*

4. The nursery facility started trading in July 2020 and since its opening last year has seen increased interest in and use of the nursery by the local community.

5. The main building has a facing brickwork finish, tiled gable roof and tile-hung gable end, whilst the cabin has a horizontal softwood boarded exterior and a felt roof with gable ends oriented towards Edward Avenue and 64 Mill Drive to the south-east.



*Wooden Cabin – Goldstone Valley Nursery and Preschool*

6. The site is not listed nor is it situated within a Conservation Area. The site is situated on a corner plot on the junction with Mill Drive and is bordered by a red brickwork and vertical wooden boarded fencing. There is a black iron double gate along the north-western boundary of the site which provides access to the application site.





*Existing Metal Gates – Goldstone Valley Nursery and Preschool*

7. There is a large area of hardstanding to the north-east of the main building and cabin which is regularly used by the nursery children as outside amenity space.
8. The property is situated on Edward Avenue, which has a steep topography sloping downwards to the south-west. The wider street scene is characterised by single storey and two-storey dwellings, with the prevailing vernacular one of clay-tiled pitched roofing, red brickwork façades and either wooden or brickwork boundary treatments. The general pattern of development within the wider area is one of small spacings between dwellings, especially along the north-western side of Edward Avenue.



*Property gap between 14 and 16 Edward Avenue*



*Property gap between 8 and 10 Edward Avenue*





*Wooden boundary fencing at 227 Goldstone Crescent (at junction between Edward Avenue and Golstone Crescent)*



*Wooden boundary fencing at 3 Edward Avenue*



## Development Proposal

9. The proposed development seeks part-retrospective planning permission for the erection of the log cabin, the wooden fencing bordering the site and for the proposed erection of a wooden gate to replace the existing metal gate.
10. The softwood cabin measures 5.5m wide by 9.15m long and would be used as a baby and toddler room separate from the main building and as small ancillary office space. The main building would be set aside as space for pre-school children and nursery staff.



*Wooden Cabin – Goldstone Valley Nursery and Preschool*

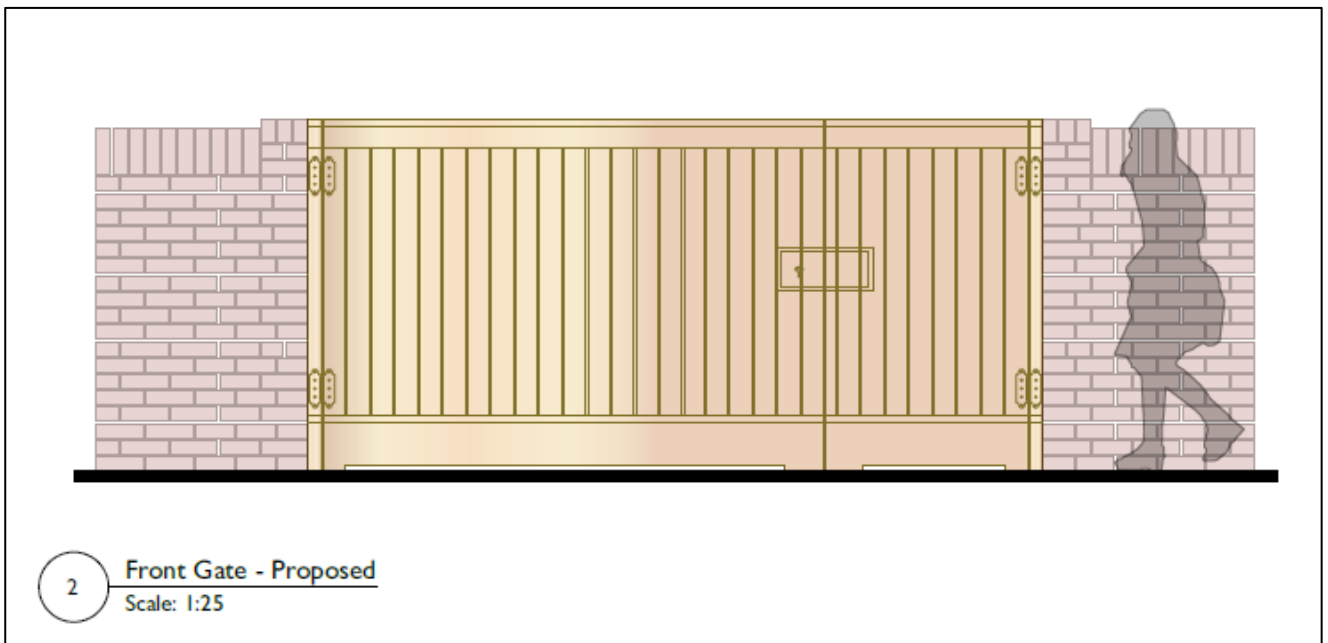
11. The wooden fencing is situated on top of the red brickwork boundary wall and measures approximately 0.6m high, stepping down as the brickwork wall descends with the sloping topography of Edward Avenue.





*Existing Boundary Fencing – Goldstone Valley Nursery and Pre-school*

12. The proposed double gate would be made from the same material as the existing wooden fencing bordering the site, with one of the gates measuring 100cm in width and the other measuring 230cm wide.



*Proposed Gates at Goldstone Valley Nursery and Pre-school*

## Relevant Planning & Enforcement History

13. **ENF2021/00157:** Unauthorised change of use at Goldstone Valley Nursery and Preschool. May 2021
14. **BH2013/00703:** Erection of a single storey front extension with associated external alterations including the creation of an access ramp. Approved 9th May 2013.

## Planning Policy Framework

15. Planning and Compulsory Purchase Act 2004 Section 38(6) requires local planning authorities to determine planning applications in accordance with the development plan, unless other material considerations indicate otherwise.
16. The Development Plan currently in force across the area relevant to the application site currently consists of the following adopted plans:
  - National Planning Policy Framework (2019)
  - Brighton & Hove City Plan Part 1 (2016)
  - Brighton & Hove Local Plan (2005)
  - Supplementary Planning Document 12: Updated Design Guide for Extensions and Alterations (SPD12) (2020)
  - Supplementary Planning Document 17: Urban Design Framework (2021)

### National Planning Policy Framework

17. A presumption in favour of sustainable development is found at the heart of the NPPF, for both plan-making and decision-taking, defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
18. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): economic, social and environment.
19. For decision-taking this means approving applications that accord with up-to-date policies without delay; or where policies are absent, silent or out-of-date, granting permission unless the Framework provides clear reasons for refusing a proposal in a particular location or any adverse impacts of permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
20. Paragraph 81 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

### Brighton and Hove Local Planning Policies



21. The development plan of Brighton and Hove City Council is currently out of date. A review of City Plan Part 1 (“CPPI”) carried out in March 2020 (as reported to the Tourism, Equalities, Communities and Culture Committee on 11<sup>th</sup> March 2020) concluded that due to changes which have occurred at national level (changes to the NPPF, changes to the Use Classes Order and changes to permitted development legislation), and changes to the calculation of housing targets which have seen the annual housing target raise from 660 homes per year to 1250 homes per year from June 2021, CPPI is out of date.
22. A review of CPPI is scheduled for 2025 or later which leaves the current development out of date and relevant weight in the planning balance must be attributed accordingly.
23. The emerging City Plan Part 2 was submitted to the Secretary of State for formal examination and approval on the 13<sup>th</sup> May 2021. The policies within the proposed plan cannot be attributed full statutory weight until the plan is formally adopted.
24. In the absence of any up-to-date policies, the relevant policies of the BHLP and CPPI are listed below.

Brighton & Hove Local Plan (2005)

25. BHLP policies relevant to the application proposal are as follows:

**Policy QD27** states that planning permission for development will not be granted where it would cause a material loss of amenity to proposed, existing and / or adjacent users, residents or occupiers.

Brighton & Hove City Plan Part 1

26. CPPI policies relevant to the application proposal are as follows:

**Policy SSI** – Presumption in Favour of sustainable development;

**Policy CP2** – states that the Council will positively and proactively encourage sustainable economic growth.

**Policy CPI2** – Urban Design sets out strategic objectives to raise the standard of architecture and design in the city.

Supplementary Planning Guidance

27. Supplementary Planning Document 12: Updated Design Guide for Extensions and Alterations (SPD12) (2020) provides detailed guidance on relating to extensions and alterations.
28. Regarding outbuildings, this guidance sets out that:
  - the siting, location, scale, materials and design should have a minimal visual impact and should be comfortably accommodated within the plot;
  - outbuildings should be restricted to single storey so that they do not harm the amenity of neighbouring homes and gardens;
  - the intended use of the outbuilding will be considered to ensure the development respects the use and character of the area.

29. Regarding boundary treatments, this guidance sets out that:
- differing boundary treatments along a street scan result in a cluttered and disordered appearance, especially in streets of terraced or semi-detached dwellings;
  - front boundary fences will need to be constructed from sympathetic materials in relation to the main building or surrounding area;
  - the design and height of gates should relate to the character of the surrounding area, especially if of a uniform character.
30. SPD17: Urban Design Framework (SPD17) (2021) provides detailed guidance on good design to support the vision, objectives and planning policies as set out in CPP1 and CPP2, in particular policy CP12 within CPP1.

## **Planning Appraisal**

31. The main considerations relating to the application are the design and appearance of the proposed works, its visual impact on the wider street scene and its impact on neighbouring amenity.

### Principle and Visual Amenity

32. The wooden cabin has a smaller overall built footprint than the main building, with a sympathetic pitched roof visibly lower than the ridgeline of the main property, and set back from the building frontage. This results in a subservient and proportionate outbuilding that relates well to the scale, size and form of the main building and ensures that the host property remains the dominant structure within the application site.
33. The north-western gable end of the cabin faces towards Edward Avenue to match the orientation of the main building and ensures that the cabin has a consistent and sympathetic appearance when viewed in comparison to the host property.
34. The siting of the log cabin to the immediate north-east of the host property avoids a structure that would otherwise appear isolated if located elsewhere within the spacious plot. As a result, the outbuilding has a strong visual relationship with the main building which reflects the general spacing arrangements between properties as seen within the wider area.
35. The wider area is residential in character and the unstained softwood finish of the cabin mirrors the appearance of typical outbuildings found within residential areas. That being said, the applicant is willing to paint / stain the wood or use an alternative cladding material if deemed essential by the Council during the course of the application, which can be conditioned by the Council if necessary.
36. The sloping topography of Edward Avenue, in combination with the newly-installed boundary fencing, shields the majority of the cabin from most public vantage points and ensures that the outbuilding has an appropriate visual impact on the wider street scene. The introduction of a gate that would be higher and of a more solid construction than the existing metal gates would further mitigate against wider views of the cabin.





*Existing cabin as viewed at the junction between Edward Avenue and Mill Drive*



*Existing cabin as viewed from the north along Edward Avenue*



*Application site as viewed from Mill Drive with existing cabin largely shielded from view*

37. The introduction of wooden boundary fencing and access gate reflects the fencing seen within the wider residential area, which is of a varied and non-uniform character, but can be stained to closer match the dark finish of the brickwork wall if deemed essential by the Council.
38. The cabin helps to support a new nursery facility that is heavily relied upon by the local community and provides a much-needed separate space for the appropriate age grouping of children to aid in their early development. The principle for the cabin and its necessity for the expansion of a new local business should be given great weight when considering the acceptability of the outbuilding, as stated within paragraph 81 of the NPPF. Nonetheless, the subservient and sympathetic form of the outbuilding ensures that the original character of the main building is conserved and its siting follows the general grain of development in the wider area, with public views of the cabin largely limited. The development therefore accords with policy CPI2 of the City Plan Part 1 (2012) and the guidance within SPD12

#### Residential Amenity

39. 64 Mill Drive to the south-east of the application site is the closest neighbour to the proposed works. As demonstrated below, the single storey cabin sits almost entirely behind the existing brickwork wall along the south-eastern boundary of the application site and would therefore not cause any harm to the residential amenity of these neighbours in terms of loss of daylight/sunlight, outlook or a sense of enclosure. The cabin's windows and doors are oriented to the north-east and north-west, facing away from no. 64 Mill Drive, and as such there is no increased overlooking as a result of the development.





*Red circle indicates where existing cabin sits entirely behind existing brickwork wall along south-eastern boundary of application site.*

- 40. The proposed gate and existing picket fencing border the north-eastern and north-western boundaries of the site. They are considerably distanced from neighbouring properties and would not cause harm to the residential amenity of these neighbours
- 41. Overall, the development does not cause a material loss of amenity to adjacent residents and therefore accords with policy QD27 of the Brighton & Hove Local Plan (2005) and the guidance within SPD 12

**Conclusion**

- 42. The wooden cabin would have an appropriate visual impact on the main building and wider street scene, by virtue of its visual subservience to the host property, appropriate orientation and sympathetic pitched roof form. Its siting would reflect the general pattern of development within the wider street scene.
- 43. The existing fencing and proposed gate reflect typical boundary treatments as are commonplace within residential areas, and as seen in the wider area, and there are no neighbouring amenity concerns as a result of the development.

44. For these reasons, the development is in accordance with policy QD27 of the Brighton & Hove Local Plan (2005), policy CP2 and CP12 of the City Plan Part I (2016) and the guidance within SPD17, as well as paragraph 81 of the NPPF.
45. The Local Planning Authority is therefore respectfully asked to grant permission without delay.

### **Engagement with the Local Planning Authority**

46. This planning statement has been prepared to assist the Local Planning Authority in the determination of the application with regard to national and local planning policy. However, in the event that the Local Planning Authority should wish to discuss any element of the scheme, including potential amendments, the applicants would welcome a discussion prior to the determination of the application. Correspondence can be sent to Whaleback Ltd via the contact details set out below.

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