

<u>No:</u>	BH2018/00995	<u>Ward:</u>	South Portslade Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	5B Station Road Portslade BN41 1GA		
<u>Proposal:</u>	Demolition of warehouse/workshop and erection of three storey building comprising 4no flats incorporating parking, access form Vale Road and associated works.		
<u>Officer:</u>	Joanne Doyle, tel: 292198	<u>Valid Date:</u>	17.04.2018
<u>Con Area:</u>		<u>Expiry Date:</u>	12.06.2018
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	PLD Architects Wessex House Upper Market Street Eastleigh SO50 9FD		
<u>Applicant:</u>	Mr R Cook 375 Ditchling Road Brighton BN1 6JU		

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	P401	-	12 April 2019
Proposed Drawing	P4011	G	23 April 2019
Proposed Drawing	P4012	C	23 April 2019
Proposed Drawing	P4013	B	23 April 2019
Report/Statement	(Daylight Sunlight Report)	-	9 May 2019
Report/Statement	(Preliminary Contaminated land Risk Assessment)	Part 01-08	4 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 development hereby permitted shall not commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning

Authority. The development shall then be implemented in accordance with the approved level details.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policy QD27 of the Brighton and Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

4. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

5. None of the new build residential units hereby approved shall be occupied until each unit as built has achieved an energy efficiency standard of a minimum of 19% CO₂ improvement over Building Regulations requirements Part L 2013 (TER Baseline).

Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with policy CP8 of the Brighton and Hove City Plan Part One.

6. None of the new build residential units hereby approved shall be occupied until each new build residential unit built has achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.

Reason: To ensure that the development is sustainable and makes efficient use of water to comply with policy CP8 of the Brighton and Hove City Plan Part One.

7. No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of render and roof material
- b) details of all hard surfacing materials
- c) details of the proposed window, door and balcony treatments,
- d) details of all other materials to be used externally,
- e) a schedule outlining all of relevant materials and external details

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD14 of the Brighton & Hove Local Plan and CP12 of the Brighton and Hove City Plan Part One.

8. The ground floor unit hereby approved shall be completed in compliance with Building Regulations Optional Requirement M4(3)(2b) (wheelchair user dwellings) prior to first occupation and shall be retained as such thereafter.

Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

9. The windows in the eastern and western side elevations of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

10. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One.

11. Access to the flat roofs of the development hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan policy CP12 of the Brighton & Hove City Plan Part One.

12. Prior to occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:

- a. details of all hard and soft surfacing to include type, position, design, dimensions and materials and any sustainable drainage system used;
- b. a schedule detailing sizes and numbers/densities of all proposed trees/plants including details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
- c. details of all boundary treatments to include type, position, design, dimensions and materials;

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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.

13. Prior to first occupation of the development hereby permitted, double glazing shall be installed throughout the new and converted buildings providing a minimum laboratory tested sound insulation performance of R_w 31dB +Ctr 27dB to provide a comfortable noise environment within the buildings.

Reason: to protect the amenity of nearby and adjacent occupiers in accordance with Policy QD27 of the Brighton and Hove Local Plan.

14. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying and assessing the risk and proposing remediation measures, together with a programme for such works, shall be submitted to the Local Planning Authority for approval in writing. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

15. Prior to first occupation of the development hereby permitted, a footpath / footway layout plan shall have been submitted to and approved in writing by the Local Planning Authority. This should include details of materials, dimensions, gradients, length of gradients, lighting and provision for the mobility and visually impaired (for example turning circles, radius dimensions and tactile paving). The layout plan should also include justification for any steps proposed. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure the development provides for the needs of all occupants and visitors to the site and to ensure the provision of satisfactory facilities for pedestrians and the mobility and visually impaired to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One.

16. The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy CP9 of the City Plan Part One.

17. Prior to first occupation of the development hereby permitted, details of external lighting shall have been submitted to and approved in writing by the

Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.

18. Prior to commencement of the development hereby permitted a plan detailing the positions, height, design, materials, type and construction method including of any mechanisms that might make them temporary and movable or temporary and removable of all existing and proposed boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to first occupation of the development and shall thereafter be retained at all times.

Reason: In the interests of highway safety and to enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies TR7 the Brighton & Hove Local Plan and CP9 of the City Plan Part One and 1980 Highways Act.

19. Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

20. Prior to first occupation of the development hereby permitted, the removal of asbestos containing materials shall be carried out.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

21.

1. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:

- (a) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

2. The development hereby permitted shall not be occupied or brought into use until there has been submitted to, and approved in writing by, the local planning authority a written verification report by a competent person approved under the provisions of condition (1)c that any

remediation scheme required and approved under the provisions of condition (1)c has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority the verification report shall comprise:

- a) built drawings of the implemented scheme;
- b) photographs of the remediation works in progress;
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

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. In order to be in line with Policy HO13 Accessible Housing and Lifetime Homes of the Brighton & Hove Local Plan 2005 and CP9 Sustainable Transport of City Plan Part One footpaths / footways must be safe, convenient (minimum of 1.2m wide), have gradients in preference to steps for the impaired and waste disposal operatives (the steeper the gradient the shorter its length should be), have handrails where appropriate (average height 900mm to 1000mm and a lower rail if necessary set at 550mm to 650mm to aid and stop children and anyone else from falling through), be made of appropriate materials to appropriate methods and standards, well-lit and where appropriate well signed. It should also be noted that if steps are proposed then the 'going' should preferably be 300mm and the 'rising' should preferably be 100mm. For further information consult the Department for Transport Inclusive Mobility and Manual for Streets documents. Also if footways are proposed to be adopted, to adoptable standards and/or are on the adopted (public) highway then they will need to be designed and constructed to a licence from the Highway Authority. The applicant must contact the Council's Streetworks Team (permit.admin@brighton-hove.gov.uk 01273 290729) at their earliest convenience to avoid any delay and prior to any works commencing on the adopted (public) highway.
3. The applicant is advised that the details of external lighting required by the condition above should comply with the recommendations of the Institution of Lighting Engineers (ILE) 'Guidance Notes for the Reduction of Light Pollution (2011)' for Zone E or similar guidance recognised by the council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) should be submitted with the details. Please contact the Case Officer named above at your earliest convenience to avoid delay for the contact details of who in the Council now advises and deals with this issue.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The application site relates to a disused warehouse and garages to the northern end of a yard located behind no's 5 - 7A Station Road. The yard is bordered by the rear properties of Boundary Road to the east and Panorama House to the west. Panorama House to the west comprises a complex of mixed residential flats and to the east the properties no's 3-9 Station Road consisting of commercial at ground floor and residential above. The northern boundary abuts the garden behind no. 4 Station road. The site is occupied by three garages, a disused warehouse/workshop on the northern boundary and an outbuilding on the south-eastern corner. The garages on the southern boundary are located outside the site. Access to the site is from a ramped access drive from Vale Road to the south.
- 2.2. Planning permission is sought for demolition of warehouse/workshop and erection of three storey building comprising 4no flats incorporating parking, access from Vale Road and associated works.
- 2.3. During the course of the application the balconies have been removed from the scheme and replaced with Juliet balconies and a Daylight/Sunlight report has been submitted.

3. RELEVANT HISTORY

Application Site

- 3.1. **PRE2017/00232-** Demolition of a warehouse and three garages. Construction of five flats on one and two storeys above undercroft parking. Conversion of an outbuilding to secure cycle and refuse storage. Closed 09.01.2018.
- 3.2. **BH2015/01299-** (5 and 5A Station Road) Removal of existing external metal staircase and alterations to ground floor retail unit to facilitate new entrance door and enclosed staircase to flat above. Approved 18/08/2015.
- 3.3. **BH2012/02475-** (5B Station Road) Conversion of existing storage premises (B8) to form 3no two bedroom flats with associated alterations including raising the ridge height with a hip to mansard roof extension to facilitate the creation of an additional floor and erection of a three storey extension incorporating balconies. Withdrawn.
- 3.4. **BH2007/00390-** Conversion of first floor of building at rear of no. 5 Station Road to selfcontained flat, including raised roof, and ground floor extension with first floor roof terrace above. Refused 19/04/2007.
- 3.5. **BH2002/02192/FP-** Formation of flat at first floor level in building at rear of no. 5 Station Road, to include raised roof. Approved 23/01/2003.

Panorama House

- 3.6. **BH2013/03840** Prior approval for change of use of offices (B1) to residential (C3) to form 42 units - Prior Approval Required Refused 07/01/2014.

4. REPRESENTATIONS

- 4.1. **One (1)** letter of representation has been received commenting that:

- Support the regeneration and development of South Portslade
- Concern over possible overshadowing and loss of privacy
- Concern over potential loss of sunlight
- Possible damage to Panorama House during the construction phase
- Increased traffic
- Plans unclear on the reality of the development

- 4.2. **Eleven (11)** letters of representation have been received objecting to the proposal for the following reasons:

- Overdevelopment
- Cramped form of development
- Overshadowing
- Loss of light and sunlight
- Loss of sky view
- Overlooking and loss of privacy
- Noise and disturbance
- Traffic issues
- Disturbance from access
- Damage to Panorama House
- Asbestos disturbance
- The plans are inaccurate
- Emergency vehicles would be restricted
- Building work disruption
- Reduce property value
- The access road is inadequate
- Dangerous access road
- No disabled access
- Refuse issues
- Demand for commercial properties within area is high

5. CONSULTATIONS

- 5.1. **Sustainable Transport:**

Following receipt of further information No objection subject to conditions

- 5.2. **Policy:** Comment

Further marketing information is required to demonstrate the premises have been marketed for a continuous period of 12 months. The provision of four residential units would be a windfall development and would make a useful contribution to the housing figures.

- 5.3. **Economic Development:** No objection

There will be a loss of 77sq m of B1c light industrial which City Regeneration finds regrettable. However it is understood that the building is in a state of disrepair without its own electricity and water supply and will therefore take considerable investment to make good. Under permitted development the City is losing a lot of B1-8 light industrial/office space to housing, whilst City Regeneration understand there is a need for more housing it is becoming at the expense of losing employment land which may cause issues for the future.

5.4. **Environmental Health** Comment- 20.04.2018

The land is potentially contaminated and an expert report is required. There is a busy road and railway line and station nearby. There are existing commercial units that will contribute to the challenging noise climate in terms of plant, machinery and deliveries.

No objection- 09.08.2019

- 5.5. The contaminated land information reveals that the preliminary desk top is complete and the SHA report concludes that further work is required. A condition is required for a remedial scheme.

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 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.

- 6.3. 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
CP1	Housing delivery
CP3	Employment Land
CP7	Infrastructure and developer contributions

CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP14	Housing density
CP16	Open space
CP19	Housing mix

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

TR4	Travel plans
TR7	Safe Development
TR14	Cycle access and parking
SU9	Pollution and nuisance control
SU10	Noise Nuisance
QD5	Design - street frontages
QD15	Landscape design
QD27	Protection of amenity
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development
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 design and appearance of the building and wider streetscene, the effect on the amenity of neighbouring residential occupiers, the standard of proposed accommodation, and transport and sustainability issues.
- 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 housing land supply position is published in the SHLAA Update 2018 (February 2019). The figures presented in the SHLAA reflect the results of the Government's 2018 Housing Delivery Test which was published in February 2019. The Housing Delivery Test shows that housing delivery in Brighton & Hove over the past three years (2015-2018) has totalled only 77% of the City Plan annualised housing target. Since housing delivery has been below 85%, the NPPF requires that a 20% buffer is applied to the five year housing supply figures. This results in a five year

housing shortfall of 576 net dwellings (4.5 years supply). In this situation, 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).

Principle of development

- 8.4. The provision of four residential units would constitute a windfall development and would make a small but useful contribution towards the city's housing supply as set out in City Plan Policy CP1. The proposed housing mix is considered appropriate for the location in compliance with City Plan Policy CP19.

Loss of Existing Use

- 8.5. Policy CP3 of the City Plan Part One sets out criteria for the consideration of loss of unallocated employment sites. The policy states that the loss of unallocated sites or premises in, or whose last use was, employment use (Use Classes B1-B8) will only be permitted where the site or premises can be demonstrated to be redundant and incapable of meeting the needs of alternative employment uses (Use Classes B1-B8).

- 8.6. The existing warehouse/workshop set to be demolished has been vacant for a number of years. It appears that part of the existing warehouse/workshop on site was previously in use for furniture removal and storage (B8 use). Therefore policy CP3 of the City Plan One would apply. Marketing information has been provided from Oakley Estate Agents, in the form of marketing activities, advertisements and a timeline log, which confirms that a flexible marketing campaign has been undertaken between July 2013 and August 2015. Whilst it is regrettable the premise has not been marketed up to the current year and this is not in accordance with policy. The current state of the building is also a consideration. The building is in a state of disrepair without its own electricity and water supply and to bring the building to a suitable standard would require substantial investment. Paragraph 4.30 of the supporting text states: 'redundancy and unsuitability for modern employment uses of unallocated sites or premises in employment uses will be determined by considering' a number of criteria including quality of the buildings; cost of demolition/refurbishment set against its future value for employment uses. Given this, whilst the marketing information is dated, it is considered acceptable in this instance and the loss of employment on this site for these reasons is supported.

Design and appearance

- 8.7. Good design will take the opportunities available for improving the character and quality of an area and respond to local character and history. City Plan Part One Policy CP14 requires development to make full, efficient and sustainable use of land.
- 8.8. The site is currently occupied by three garages, a disused warehouse/workshop and is bounded by commercial/residential development and in close proximity to a railway line. The site is accessed by a ramped

access drive from Vale Road to the south. The proposal seeks to demolish the garages and disused warehouse/workshop and erect a part two part three storey block consisting of 4no flats.

- 8.9. The site is used for access to existing neighbouring residential flats and other commercial garages. The proposed development provides suitable shared space access arrangements of these uses which are outside of the application site boundary.
- 8.10. The building proposed would be of block form with flat roof and varying heights and projections. The footprint would be L-shaped with the first floor level protruding toward the east of the site, with the ground and second floor more central toward the western boundary. The footprint and scale of the development has been reduced following the pre-application advice and this has shaped the design of the proposed building.
- 8.11. The external appearance of the building lacks architectural merit and with expanses of rendered walls however the placement of fenestration, Juliet balcony detailing and the staggered massing provides visual interest. Given the location of the building with the constraints of the site the building would not be readily visible in streetscene views, with only glimpsing views via the access road from Vale Road to the south. The building is comparable to the design and appearance to the larger scale Panorama House to the west. In respect of materials the building would consist of white rendered walls with aluminium and timber fenestration. This palette of materials would be appropriate within the context of the site, which sits adjacent Panorama House which exhibits white render and aluminium fenestration.
- 8.12. Whilst the design lacks architectural merit, given the backland nature of the site, the comparable development adjacent, the design of the scheme is acceptable within this setting.

Landscaping

- 8.13. Soft landscaping is proposed to the south eastern corner of the site adjacent the pedestrian footpath. No detailed plans have been submitted and therefore landscaping plans will be sought via condition.

Standard of accommodation:

- 8.14. The 'Nationally Described Space Standards' (NDSS) were introduced by the Department for Communities and Local Government in 2015 to establish acceptable minimum floor space for new build developments. Although these space standards have not been formally adopted into the Brighton and Hove City Plan, Draft City Plan Part 2 proposes to adopt them and indicates a direction of travel on behalf of the LPA. The NDSS provide a useful guideline on acceptable room sizes that would offer occupants useable floor space once the usual furniture has been installed. The NDSS identifies a minimum floor space that should be achieved for a single bedroom as measuring at least 7.5sqm and a double bedroom as measuring 11.5sqm. All units meet or exceed this guidance with functional layouts and adequate light and outlook.

- 8.15. Policy HO5 requires the provision of private useable amenity space for occupiers, appropriate to the scale and character of the development. The ground floor flat has access to a small walled garden space which is considered sufficient to serve the flat. Whilst the upper flats do not benefit from outdoor amenity space, of which two are larger units, this is acceptable given the close proximity to accessible open spaces.
- 8.16. Policy HO13 requires all new residential dwellings to be built to Lifetime Homes standards whereby they can be adapted to meet people with disabilities without major structural alterations. In terms of Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) the upper floor flats have stepped access and therefore only the ground floor flat will be conditioned to comply with requirement M4(2).

Impact on Amenity:

- 8.17. 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.
- 8.18. To the north of the site is the rear garden of no. 4 Station Road. To the east of the development lies the rear elevations of no's no's 3-9 Station Road consisting of commercial at ground floor and residential above. To the west of the site is the residential housing development Panorama House.
- 8.19. The application site has single storey garages and warehouse located adjacent the western boundary of the site. The development would broadly sit upon the footprint of the existing warehouse which is proposed to be demolished.
- 8.20. The proposed building would be approximately 1.1m higher than the existing warehouse and therefore overshadowing toward the garden space of no. 4 Station Road would be minimal given this marginal difference to the existing arrangement.
- 8.21. The windows to the western side elevation are proposed to be obscure glazed and this will be secured via condition. The windows to the eastern elevation serve non-habitable rooms and therefore these windows will also be obscured and fixed shut via condition. The northern windows are high level and therefore it is not considered necessary to obscure these windows via condition. Any views from the high level kitchen window on the northern elevation serving the studio flat would not be direct given the kitchen furnishings within the room.
- 8.22. Given the constraints of the site in close proximity with surrounding development the proposed balconies have been omitted from the scheme and replaced with Juliet balconies.

- 8.23. Direct views would not be achievable toward the properties of Station Road to the east from the windows upon the southern elevation of the building. There would be some views from the upper floor windows on the southern elevation toward a courtyard area of Panorama House and ground floor window openings facing north toward the courtyard, however these views would be oblique and not direct and therefore no significant harm would result.
- 8.24. As part of the application a Daylight and Sunlight Report has been submitted which assesses the impact of the proposal on Panorama House and no's 4-8 Station Road.
- 8.25. In terms of the impact on 4- 8 Station Road, the analysis concludes that the habitable rooms would be fully compliant with the BRE guidelines. The report identifies that none of the windows assessed would achieve less than 27% Vertical Sky Component (VSC).
- 8.26. In terms of the impact on Panorama House, the analysis concludes that the habitable rooms would be fully compliant with the BRE guidelines. The report identifies that none of the windows assessed would achieve less than 27% Vertical Sky Component (VSC). The results show that the rooms would receive more than 25% Annual Probable Sunlight Hours (APSH). The BRE impact criteria for the Annual Probable Sunlight Hours has been met.

Sustainability:

- 8.27. City Plan Part One policy CP8 requires new residential development demonstrate efficiency in the use of water and energy, setting standards that mirror the national technical standard for water and energy consumption. Therefore conditions will be attached to ensure the development meets the standards set out in policy CP8.
- 8.28. Two bins per flat will provide for refuse and recycling which is considered sufficient and this will be secured via condition.

Sustainable Transport:

- 8.29. There is not forecast to be a significant increase in vehicle trip generation as a result of these proposals therefore any impact on carriageways will be minimal and within their capacity.
- 8.30. The application is proposing changes to pedestrian and vehicle access arrangements onto the adopted (public) highway which is acceptable. A Boundary Treatment condition is attached to seek remotely operated gates in the access road that open into the site approximately a metre or two from the location of and as a replacement for the proposed speed ramp feature. This should make the access road safer and with pedestrians and cyclists having their own access to the site.
- 8.31. The proposed level of car parking of 4 spaces is in line with the maximum standards. The proposal will reduce in number the amount of legal and illegal parking on site with the removal of three garages and informal parking area.

- 8.32. The Highway Authority seeks to include appropriate lighting of the access road, hardstanding and cycle parking area to enhance personal safety and security. The External Lighting condition is attached.
- 8.33. For this development a minimum cycle parking standards is 4 cycle spaces. Cycle parking is proposed in the form of a shelter however full details of this have not been included. There is also concern that the some proposed cycle parking does not meet the accessible and convenient requirements as set out in policy TR14. Therefore, a condition will be attached to secure details of secure cycle parking in line with policy TR14 as considered within the Highways Authority consultation response.

Land Contamination:

- 8.34. The land is potentially contaminated. A Preliminary Contaminated Land Report has been submitted which concludes that further work is required. A condition is attached for a remedial scheme.

Other Matters:

- 8.35. The submitted plans detail a lightwell situated at Panorama House. This is a courtyard used by some of the ground floor flats at Panorama House. This has not affected the full assessment of the application.

9. EQUALITIES

- 9.1. The ground floor flat can provide for wheelchair accessible homes.

