

<b><u>No:</u></b>	<b>BH2019/01577</b>	<b><u>Ward:</u></b>	<b>North Portslade Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>20 Rowan Close Portslade BN41 2PT</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing dwelling and erection of 5no dwellings (C3) comprising 2no pairs of semi-detached three bedroom houses and 1no detached four bedroom house, including solar and water harvesting systems.</b>		
<b><u>Officer:</u></b>	Emily Stanbridge, tel: 293311	<b><u>Valid Date:</u></b>	03.06.2019
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	29.07.2019
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	The Alexander Partnership Campbell House 21 Campbell Road Brighton BN1 4QD		
<b><u>Applicant:</u></b>	Deller Holdings Ltd 20 Rowan Close Portslade BN41 2TP		

## 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>
Proposed Drawing	31		12 August 2019
Proposed Drawing	22		28 May 2019
Proposed Drawing	23	A	12 August 2019
Proposed Drawing	24	A	12 August 2019
Proposed Drawing	25		28 May 2019
Proposed Drawing	26		28 May 2019
Proposed Drawing	27		28 May 2019
Block Plan			3 June 2019
Proposed Drawing	28		28 May 2019
Proposed Drawing	17	A	12 August 2019
Proposed Drawing	29	A	12 August 2019
Location Plan			28 May 2019
Proposed Drawing	07	A	12 August 2019
Proposed Drawing	09	A	12 August 2019
Proposed Drawing	11	A	12 August 2019
Proposed Drawing	13		28 May 2019
Proposed Drawing	14		28 May 2019

Proposed Drawing	16		28 May 2019
Proposed Drawing	17	A	12 August 2019
Proposed Drawing	18		28 May 2019
Proposed Drawing	19		28 May 2019
Proposed Drawing	20	A	12 August 2019
Proposed Drawing	21	A	12 August 2019

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. No development shall 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. No extension, enlargement, alteration of the dwellinghouses or provision of buildings etc incidental to the enjoyment of the dwellinghouse within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.  
**Reason:** The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.
  
5. 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 all brick and tiling
  - b) samples of all hard surfacing materials
  - c) details of the proposed window, door and balcony treatments
  - d) samples of all other materials to be used externally
Development shall be carried out in accordance with the approved 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 & Hove City Plan Part One.

6. The windows in the western and eastern elevations of the development hereby permitted shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

**Reason:** To safeguard the privacy of the occupiers of the adjoining property and to comply with policy QD27 of the Brighton & Hove Local Plan and policy CP12 of the Brighton & Hove City Plan Part One.

7. Prior to first occupation of the development hereby permitted, pedestrian crossing improvements (dropped kerbs with paving and tactile paving) shall have been installed requested just north of the nearest northbound bus stop and across Mile Oak Road between number 60 'Toad Hall' and number 63.

**Reason:** To ensure that suitable footway provision is provided to and from the development and to comply with policies TR7, TR11 and TR12 of the Brighton & Hove Local Plan & CP9 of the Brighton & Hove City Plan Part One.

8. 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, methods of construction, location, levels, gradients, length of gradients, lighting, handrails 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 construction of the development and shall thereafter be retained for use at all times.

**Reason:** To ensure the development provides for the needs of construction workers and 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 and TR12 of the Brighton & Hove Local Plan and CP9, CP12 and CP13 of the Brighton & Hove City Plan Part One.

9. No development above ground floor slab level of any part of the development hereby permitted shall take place until 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 the existing and proposed boundary treatments, including the proposed bollards to the entrance of the site, 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, TR14, QD15 and QD27 of the Brighton & Hove Local Plan and CP9, CP12 and CP13 of the Brighton & Hove City Plan Part One.

10. 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.
11. Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.  
**Reason:** To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policy QD27 of the Brighton & Hove Local Plan.
12. 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 and CP11 of the Brighton & Hove City Plan Part One.
13. None of the residential units hereby approved shall be occupied until each residential unit 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 & Hove City Plan Part One
14. None of the residential units hereby approved shall be occupied until each 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 & Hove City Plan Part One.
15. The dwelling hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable 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.

16. 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.

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. The planning permission granted includes an obligation upon the applicant to carry out small scale footway improvements on the adopted (public) highway that is owned by the Highway Authority (in this case Brighton & Hove City Council). Previously the applicant would have been conditioned to enter into a bespoke legal agreement and pay a contribution towards these works being carried out for the benefit of the development but to amongst other reasons reduce the costs of these works for all parties concerned the council is now obligating the applicant to carry out these works. The applicant or their representative is advised to contact the Council's Streetworks team (permit.admin@brighton-hove.gov.uk 01273 290729) who will provide information and if approved, a licence (instead of a bespoke legal agreement) for what, when & where work can be done, who will be permitted to carry out the works, possible contractor contact details to place orders with, design advice, material advice and will check that the footway improvements are

built satisfactorily. The emphasis where possible is on minimising what needs to be done to build a satisfactory footway improvement for the benefit of the applicant, future occupants and visitors of the site and the community as a whole, and in particular the mobility and visually impaired of those respective groups. Finally be advised that the applicant or their representative must obtain all necessary highway approval from the Highway Authority prior to any works commencing on the adopted (public) to satisfy the law and requirements of condition 7.

3. 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.
4. The applicant is advised to contact the Council's Streetworks team (permit.admin@brightonhove.gov.uk or 01273 290729) at their earliest convenience to avoid delay and obtain all necessary highway approval including design, materials and construction method from the Highway Authority prior to any works commencing on and adjacent to the adopted (public) highway to satisfy the law and requirements of Condition 9.

## **2. SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1. This application relates to an existing property situated on the northern side of Rowan Close which is residential in character. The existing plot comprises of a single detached dwelling positioned towards the north of the site towards the rear boundary with Brasslands Drive. The site is accessed via a narrow access road between No.22 Rowan Close and Rowan House. The existing property is not readily visible from within the streetscene.
- 2.2. Planning permission is sought for the demolition of the existing dwelling and the erection of 5no. new dwellings.

## **3. RELEVANT HISTORY**

- 3.1. PRE2018/00353: Demolition of the existing dwelling and erection of 7no terraced houses. Written response issued 14th February 2019.
- 3.2. BH2000/02974/FP: Demolition of existing garage and erection of two bedroom detached house. Approved February 2001.

#### 4. CONSULTATIONS

- 4.1. **Sustainable Transport:** No objection subject to condition
- Pedestrian crossing improvements
  - Footway layout plan
  - Hard surfaces to be constructed from porous materials
  - Boundary treatments
  - Cycle parking
- 4.2. **Arboriculture** No objection subject to condition  
Have not received the tree survey details, along with an arboricultural impact assessment) and an arboricultural method statement (refs. 0434, version 1 dated 12 March 2019), produced by The Arboricultural Consultancy Limited; no tree protection plan (TPP) has been submitted to provide a visual representation of post-planning site context. The documents are comprehensive and in accordance with the recommendations set out within BS5837:2012.
- 4.3. The site does not comprise any excessively large or prominent trees, and so the principle of removing each of them on their own merits is acceptable. However, there appears to be a disproportionately large number of category 'U' trees for such a small site, and some of the remaining life expectancy assessments, although subjective, appear to be low; one example is that of the blue cedar (T18) which has been assessed to have only 10-20 years of life remaining.
- 4.4. Removal of all of the trees will have a significant detrimental impact on the current arboricultural character of the site on a collective basis, and will lead to the site being opened up to the surrounding residents. The screening the existing trees provide, which is that of a continuous low-to-mid-level screen of foliage as opposed to a number of significantly-sized individual specimens, can be replaced relatively quickly by utilising a comprehensive mitigation planting plan. Unfortunately such a plan has not been submitted with the application documents. If you are minded to accept the proposals, I would strongly suggest that a landscape plan is secured by planning condition as the replacement plants will eventually mitigate the loss of screening following establishment. However from experience, replacement tree planting is best located outside of private rear gardens to give it the highest likelihood of successful establishment, although it is accepted that this will be difficult to achieve on this site given its proposed layout.
- 4.5. On balance, the arboricultural team are satisfied that the long-term character of the site can be preserved subject to post-planning landscaping.

## **5. REPRESENTATIONS**

5.1. **Sixteen (16)** letters of representation has been received objecting to the proposed development on the following grounds:

- Additional traffic
- Noise
- Overshadowing
- Restriction of view
- Overlooking
- Lack of infrastructure
- Overdevelopment
- Problems with construction traffic
- Overbearing development
- Rowan Close is already heavily congested by parked vehicles
- The road has already seen a number of new build developments
- Construction of the development would be difficult given narrow driveway
- Difficult for refuse Lorries to access the site
- Development will put a strain on drainage systems
- The development is in an impractical location
- Damage to trees
- Concerns of future boundary treatments
- Development is too close to neighbouring boundaries
- Loss of light
- Devalue neighbouring homes
- Potential disruption to wildlife
- Noise disturbance during construction
- The site should allow for allow for vehicle access and parking

5.2. **One (1)** letter of comment has been received in relation to the proposed development raising the following points:

- New homes are needed
- Parking could be tricky as there are limited spaces now

## **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, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);



- 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. RELEVANT 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
CP11	Flood risk
CP12	Urban design
CP13	Public streets and spaces
CP14	Housing density
CP19	Housing mix

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

TR7	Safe Development
TR11	Safe routes to school and school safety zones
TR12	Helping the independent movement of children
TR14	Cycle access and parking
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of amenity
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

## 8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to the principle of the development, the character and appearance of the development, impact on neighbouring amenity, the standard of accommodation proposed, highways 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. This application seeks the demolition of the existing dwelling and the erection of 5no. dwellings. As a principle of development, residential development on a residential site would be appropriate, however the specific impacts of a dwelling on this plot must be considered as to whether the development is appropriate on the land and whether visual harm and/or harm to neighbouring amenity would occur. This detailed assessment is set out below.

**Design and Appearance**

- 8.5. The Brighton and Hove City Plan Part One encourages the effective use of land and allows for densities to be increased providing that no harm results to the character of the area and that the scheme overall represents good design.
- 8.6. The proposed development makes an attempt to mimic the layout of the terraces to the west (34-52 (even) Rowan Close) and to the east (1-5 Hillcourt Mews). The key difference between the application site and the adjacent terraces however, is that both neighbouring developments face onto a street frontage.
- 8.7. When looking at a representative selection of existing plot sizes in the area, the proposed development results in a density similar to that existing elsewhere within Rowan Close. The average resultant plot size within the application site measures 150sqm. Furthermore the level of plot coverage is considered commensurate to those neighbouring properties to the east and west. A representative example of plot coverage across the application site is 41%.
- 8.8. Plot coverage to the north and west of the site varies between 33% and 36% whilst the recent development at Hill Court Mews approved under application BH2013/00380 features plot coverage of 47%. Whilst it is acknowledged that lower densities are within the vicinity of the site, higher density flatted development was approved at 1-8 Rowan House in BH2012/04084. Additionally application BH2017/00750 allowed for greater site coverage than typically seen elsewhere within the context of Rowan Close at the land rear of 2-8 Rowan Close. As such it is considered the density and plot coverage of the development is in keeping with the character of the area.
- 8.9. In this setting the proposed scale of development would not appear unduly dominant or incongruous. The specific design of the dwellings proposed is fairly low key and unobtrusive and this in combination with the distance of the site from the public highway reduces the overall visual impact of the development. The front curtilage of the properties features soft landscaping

with front gardens which retains a sense of spaciousness. In addition vegetation which has been retained where possible in order to retain the leafy back land character of the site. As a result the visual spacing of the proposed dwellings to adjoining properties is considered acceptable.

- 8.10. Amendments have been received during the lifetime to alter the material of the proposed dwellings so that they are now finished in face brickwork rather than the render originally proposed. This is considered to be more in keeping with existing neighbouring properties.
- 8.11. It is considered that the proposed development would result in suitable addition to the site and is in accordance with Policy CP12 of the Brighton and Hove City Plan Part One.

**Standard of accommodation**

- 8.12. 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.
- 8.13. The proposed development would result in 4no semi-detached three bedroom houses for 5 people and 1no detached four bedroom house suitable for up to 8 people.
- 8.14. The semi-detached properties would provide 92sqm of internal living space over two floors. This is in line with the government's national space standards. The properties would comprise of a living room to the front of the property with a WC and kitchen/dining room to the rear with doors to the rear garden. At first floor level the properties would comprise of a family bathroom and three bedrooms, all of which meet or exceed the national standard for bedroom sizes. The plans submitted demonstrate a furnished layout to the properties which demonstrates acceptable circulation space for future occupiers. Furthermore each property benefits from acceptable levels of light, outlook and ventilation.
- 8.15. The detached property positioned to the east of the site would provide 166sqm of internal living space over two floors. This property would comprise of a living room and study to the front of the property, a shower room, utility room and an open plan kitchen/ dining area to the rear of the property with doors onto the garden. At first floor level the property would comprise of two bathrooms and four bedrooms. Each of the proposed bedrooms would exceed the 11.5sqm as stated within the national space standards. It is considered that the rooms proposed would provide sufficient space for furniture items and adequate circulation and space for future occupiers.

Furthermore each room would receive acceptable levels of light, outlook and ventilation.

- 8.16. Policy HO5 requires the provision of private useable amenity space in new residential development. Each property benefits from both a front and rear garden. The rear gardens to each property measure approximately 60sqm and are considered to be commensurate to the size of the properties proposed.
- 8.17. 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. Given that level access is proposed into the new dwellings a condition ensuring that the development complies with Requirement M4(2) of the optional requirements in Part M of the Building Regulations and therefore in this case a condition to secure these measures is sought.
- 8.18. The proposed standard of accommodation provided is therefore considered acceptable and in accordance with Policy QD27 of the Brighton and Hove Local Plan.

#### **Impact on Amenity**

- 8.19. Whilst it is acknowledged that the back-to-back relationship of the proposed properties and the neighbouring properties to the north is fairly tight, this is considered comparable to that of the terraces on either side (Hill Court Mews to the east and 34-40 Rowan Close to the west) and their respective neighbours.
- 8.20. The development will retain a distance of between 8.3m and 9.7m from the rear wall of the dwellings proposed to the 2m high boundary treatment to those properties on Brasslands Drive. This separation distance is comparable to existing properties. The proposed new dwellings are located 2.5m south of the rear wall of 34 Rowan Close and 5.3m south of the eastern neighbour, 83 Mile Oak Road.
- 8.21. The neighbouring properties to the north on Brasslands Drive are positioned on a higher land level than the application site by approximately 1m. Whilst the new dwellings would feature rear facing first floor windows to serve the bedrooms of those properties, views of neighbouring properties are partially obscured by the boundary treatment. The existing property on site is positioned adjacent to the northern boundary and is highly visible from the rear of 16-18 Brasslands Drive in particular. The proposed development would allow for a greater separation distance between the properties. Whilst there would perhaps be a perception of overlooking for adjoining residents it is not considered that this would cause such harm that would warrant refusal of the application, especially when weighed against the benefit of 4 additional new dwellings.
- 8.22. The proposed properties would be a sufficient distance, in excess of 14.5 metres, from window openings to adjoining properties on Brasslands Drive

and Rowan Close. This distance is sufficient to prevent any harmful loss of light or outlook to these properties. In addition the properties would be appropriately located within the plot retaining a separation distance of 4.5m to the eastern boundary and 2m to the western boundary. These distances are considered sufficient as to not cause loss of light or outlook to these adjacent neighbours. Given the retained separation distances, the proposal would not result in loss of light to gardens of properties on Rowan Close which are to the south of the application site.

- 8.23. The western semi-detached property features only one upper floor window to the western flank elevation of the property to serve a landing. This window will face towards No.34 Rowan Close and a condition is recommended for it to be fixed shut and obscurely glazed. No windows are proposed to the eastern flank elevation of the semi-detached pairs. There is also a single upper floor window to the detached property to the eastern elevation to serve the family bathroom. A condition is recommended to ensure this window is fixed shut below 1.7m and retained as obscurely glazed. This would be sufficient to prevent overlooking to neighbouring properties.
- 8.24. A condition is also recommended to remove permitted development rights for classes A and B which would prevent further extensions to the properties and also new windows being inserted into the flank elevations of the properties proposed. This is considered appropriate to protect the amenity of neighbouring properties.
- 8.25. The application site is within a predominantly residential area where normal domestic use of the proposed dwelling houses would not be expected to cause harmful levels of noise or disturbance. Given that there is no vehicle access on the site and the access to the property is pedestrian only, it is not considered that the introduction of additional housing to this 'back land' site would cause significant harm to the amenities of neighbouring properties.

### **Sustainable Transport**

#### Pedestrian Access

- 8.26. The applicant is not proposing changes to pedestrian access arrangements onto the adopted (public) highway and for this development this is deemed acceptable. The proposed footpaths on-site all appear to be of a similar narrow width therefore a condition is attached to secure a footpath layout plan.
- 8.27. Although footways in the vicinity of the site have been improved over the years by developer contributions, obligations and government funds there are still bus stops along Mile Oak Road that for the applicants and future occupants benefit need footway improvements (dropped kerbs in particular).
- 8.28. As such a condition is recommended to install dropped kerbs with paving and tactile paving just north of the nearest northbound bus stop and across Mile Oak Road between number 60 'Toad Hall' and number 63. This is primarily to create access to the nearest southbound bus stop from the site to the City Centre and other bus and train services, employment, education, medical

services, retail and leisure facilities that the City has to offer as well as the nearby local shops, offices and schools.

#### Cycle Parking

- 8.29. For this development of 5 residential units with 3 and 4 beds the minimum cycle parking standard is 11 cycle parking spaces in total (10 for residential units and 1 visitor space). Therefore a condition is sought to secure cycle parking.

#### Vehicular Access

- 8.30. The existing vehicle access is about 3m wide, the application does not propose for cars to park or turn around within the site. The existing vehicle access for the current single dwelling will become a pedestrian and cyclist access for the 5 dwellings and when necessary refuse and recycling bins will be moved from their storage down to the vehicle access frontage for collection.
- 8.31. There is an existing locked gate at the entrance of 20 Rowan Close near the adopted public highway, any vehicle getting to this point would have to blindly reverse out and therefore the Highway Authority seeks bollards to be installed at the frontage of the access road onto the site. These bollards will need to be moved in case of emergency to allow for emergency vehicle access.
- 8.32. Alternative options were explored to include vehicle access onto the site however the Highways Officer considered that this would not be possible on highway safety grounds given the length and width of the access route. It was deemed that the width of the existing access would not be sufficient for both vehicles and pedestrians and that a designated footway for pedestrians as a result could not be provided. In addition the access road would not be wide enough for two cars to pass and views of oncoming traffic in either direction would be limited. As a result traffic approaching the site from Rowan Close may have to reverse onto the adopted highway and cause traffic to be held on the adopted road whilst waiting for vehicles to exit the site. As such it was deemed most appropriate for the site to be pedestrian access only.
- 8.33. Furthermore it is considered that the intensified use of the vehicle access for 5 dwellings would cause unacceptable levels of harm to the amenities of the properties adjacent to the access route, most notably Rowan House and No.22 Rowan Close due to the number of vehicle movements and associated noise disturbance which would occur in close proximity to residential gardens. As such proposals for vehicle access would not be supported.

#### Car Parking

- 8.34. The applicant is proposing 0 car parking spaces for each 3 and 4 bedroom property within the Outer Area. Therefore the proposed level of car parking (zero space) is in line with the maximum standards and is therefore deemed acceptable in this case.

- 8.35. With regards to on-street parking management, overspill, permits and car-free housing, Rowan Close is located outside of any managed Controlled Parking Zone (CPZ) in the city so any overspill cannot be controlled. Therefore it's not appropriate to prevent residents from obtaining parking permits in the future.

Vehicle trip generation

- 8.36. 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 so the application is deemed acceptable and developer contributions for carriageway related improvements will not be sought.

**Sustainability**

- 8.37. Policy CP8 of the Brighton and Hove City Plan Part One require new development to demonstrate a high level of efficiency in the use of water and energy. Policy CP8 requires new development to achieve 19% above Part L for energy efficiency, and to meet the optional standard for water consumption. These measures can be secured via a suitably worded condition.

**9. EQUALITIES**

- 9.1. It is recommended that access standards as required by Policy H013 be secured by planning condition.

