

<u>No:</u>	BH2023/02647	<u>Ward:</u>	North Portslade Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Rowan House 12 Rowan Close Portslade BN41 2PT		
<u>Proposal:</u>	Erection of additional storey to provide 2no two-bedroom flats (C3) with associated alterations to ground level external refuse and cycle provision.		
<u>Officer:</u>	Helen Hobbs, tel: 290585	<u>Valid Date:</u>	03.10.2023
<u>Con Area:</u>		<u>Expiry Date:</u>	28.11.2023
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Appleby Architects Elsewhere Crowborough TN6 3HF		
<u>Applicant:</u>	Rowan House (BN41) Limited 50 Tuan Road London SE18 2QU		

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 Plan	001	P1	29 September 2023
Proposed Drawing	002	P2	28 November 2023
Proposed Drawing	011	P1	29 September 2023
Proposed Drawing	012	P1	29 September 2023
Proposed Drawing	013	P1	29 September 2023
Proposed Drawing	021	P1	29 September 2023
Proposed Drawing	022	P1	29 September 2023
Proposed Drawing	023	P1	29 September 2023
Proposed Drawing	024	P1	29 September 2023

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 be occupied until a scheme for the storage of refuse and recycling has been submitted to and approved in writing

by the Local Planning Authority. The scheme shall be carried out and provided in full in accordance with the approved details 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 Policies DM18 and DM21 of Brighton & Hove City Plan Part 2, policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.

4. Access to the flat roof areas, other than the terrace areas as shown on drawing no. 22312 012 P1 hereby approved shall be for maintenance or emergency purposes only and the flat roof 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 DM20 and DM21 of Brighton & Hove City Plan Part 2.

5. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development 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 DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

6. 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 and shall be maintained so as to ensure their availability for such use at all times.

Reason: To ensure that adequate parking provision is retained and to comply with policy CP9 of the Brighton & Hove City Plan Part One, policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

7. The development hereby approved should achieve a minimum Energy Performance Certificate (EPC) rating 'B' for new build residential.

Reason: To improve the energy cost efficiency of existing and new development and help reduce energy costs to comply with policy DM44 of the Brighton & Hove City Plan Part Two.

8. None of the residential units hereby approved shall be occupied until each residential unit built has achieved as a minimum, a water efficiency standard of 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.

9. At least one bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

10. The development hereby permitted shall incorporate at least four (4) swift bricks/boxes within the external walls of the development and shall be retained thereafter.

Reason: To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. SITE LOCATION

- 2.1. The application relates to a former light industrial unit that was converted into nine flats (see Relevant History below). It is a two storey flat-roofed block with a two storey pitched roof front projecting element. It has the appearance of a modern building with white rendered elevations and grey windows and detailing. The building is located on the north side of Rowan Avenue and is located within a predominantly residential area, with two storey dwellings either side, two and three storey dwellings behind and residential garage plots opposite. The site contains 10 car parking spaces currently.

3. RELEVANT HISTORY

- 3.1. **PRE2023/00020** Construction of a single storey rooftop extension to an existing two storey residential development to provide 2 no two bed units. The response was issued on 04.05.2023 and a summary of the advice is listed below:
- 3.2. The principle of an existing storey, which is set in from the edges of the building to minimise its visibility is considered acceptable in terms of its design and visual impact on the existing building and the surrounding area. The materials used should closely match the existing. Consideration should be given to the arrangement of windows to ensure no harmful overlooking occurs. Further consideration should be given to the car parking layout, soft landscaping and impact on existing trees on site as well as whether the site can provide any roof terraces to provide outdoor amenity space for the units that would not impact on neighbouring amenity.

- 3.3. **BH2014/03663** Outline application for erection of 4no semi-detached houses. Refused 22.12.2014.
- 3.4. **BH2013/03077** Outline application for erection of 4no semi-detached houses. Refused 06.11.2013.
- 3.5. **BH2012/04084** Conversion of existing building to form 8no flats and 1no maisonette with associated alterations including partial demolition of existing building, revised and additional fenestration, creation of balconies and additional parking. Approved 26.03.2013.

4. APPLICATION DESCRIPTION

- 4.1. The application seeks permission for the erection of an additional storey to the building to provide 2 no. two bedroom flats.

5. REPRESENTATIONS

- 5.1. Twelve (12) letters have been received objecting to the proposed development for the following reasons:
- Overdevelopment
 - Out of character
 - Pressure on local services such as schools, GPs and other community amenities
 - Increase in parking
 - Road safety
 - Increase in noise and disturbance
 - Environmental impact from construction process
 - Structural concerns
 - Impact on sewerage
 - Property value
 - Overshadowing
 - Loss of privacy
 - Additional bins causing smells

6. CONSULTATIONS

Internal:

- 6.1. **Private Sector Housing:** No comment

- 6.2. **Sustainable Transport:** Comment

Amended plans have been received which address the initial objection from the Transport Officer. These amendments show that the on street parking bays that were being proposed by the applicant have been removed from the plans.

- 6.3. Conditions should be attached relating to the retention of the existing car parking area and cycle parking.

External:

- 6.4. **Southern Water: Comment**

The location of the existing foul sewer within the site should be determined by the applicant in consultation with Southern Water. A formal application is required by the applicant for connection to the public sewer, to be made by the applicant or the developer.

7. MATERIAL CONSIDERATIONS

- 7.1. 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.

- 7.2. The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016);
- Brighton & Hove City Plan Part Two (adopted October 2022);
- 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);
- Shoreham Harbour JAAP (adopted October 2019).

8. RELEVANT POLICIES & GUIDANCE

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
CP10	Biodiversity
CP12	Urban design

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM22	Landscape Design and Trees
DM33	Safe, sustainable and active travel
DM36	Parking and servicing
DM44	Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relates to the impact on the character and appearance of the site, streetscene and the surrounding area, impact on neighbouring amenity, impact on highways, standard of accommodation and biodiversity issues.

Principle of the Development:

- 9.2. Policy CP1 in City Plan Part One sets a minimum housing provision target of 13,200 new homes for the city up to 2030. However, on 24 March 2021 the City Plan Part One reached five years since adoption. National planning policy states that where strategic policies are more than five years old, local housing need calculated using the Government's standard method should be used in place of the local plan housing requirement.
- 9.3. The local housing need figure for Brighton & Hove using the standard method is 2,328 homes per year. This includes a 35% uplift applied as one of the top 20 urban centres nationally. The council's most recent housing land supply position is published in the SHLAA Update 2022 which shows a five-year housing supply shortfall of 7,711 (equivalent to 1.8 years of housing supply).
- 9.4. The net increase of two additional residential units on the site would therefore make a small but positive contribution to the City's housing target.
- 9.5. City Plan Policies CP14 and DM19 encourage effective use of sites and there is no objection in principle to increasing the density on this site.

Design and Appearance:

- 9.6. City Plan Policies CP12 and DM18 expect all new development to raise the standard of architecture and design in the city, establish a strong sense of place by respecting the character of existing neighbourhoods and achieve excellence in sustainable building design and construction.
- 9.7. The additional storey would have a maximum height of approximately 2.9m with a flat roof and would be set in from the edges of the main building below. It would be constructed using grey cladding on the elevations and grey roofing felt with the fenestration detailing to closely match the appearance of the windows and doors on the existing building. Balustrading would be positioned around the perimeter of the roof and constructed from aluminium uprights and hand rails with glazed infill panels.
- 9.8. Whilst the majority of neighbouring development is two storey in height, it is somewhat varied in character and appearance, and there are examples of three-storey development (in Hillcourt Mews behind the site). The existing building is

already an anomaly due to its scale, spacious plot and its nature as a block of flats. A further modest extension to the building would therefore be considered acceptable and would not result in an overdevelopment of the site.

- 9.9. The proposed additional storey, due to it having a flat roof and being set in from the edges of the building, would remain a subservient addition and would not appear overly dominant within the streetscene. The proposed materials and appearance would closely match the style and design of the building below which helps to integrate the additional massing above roof level. Even when viewed from long views from the eastern end of Rowan Close and around the junction with Mile oak Road, the proposed development would not appear overly dominant.
- 9.10. The glazed balustrading, due to its positioning around the perimeter of the building, would be visible from the streetscene, however given its height and visually unobtrusive materials, it would not form an overly prominent feature.
- 9.11. The proposal is therefore considered to accord with relevant policies.

Impact on Amenity:

- 9.12. Policy DM20 of City Plan Part 2 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.
- 9.13. The site is bordered by a number of residential properties to the north, east and west of the site. The closest property is no. 22 Rowan Close, which is located alongside the western boundary of the site. The additional storey would be set in by approximately 3.5m from the edge of the main building. The separation distance and spacing between the two plots would ensure that the proposal would not be unduly overbearing or result in any significant loss of light or outlook to No. 22 or its rear garden area.
- 9.14. To the north, the proposed extension would be set back from the edges of the block and the closest part of the extension would be separated from the residential dwellings by over 16m, and the main application site is set lower. To the east the separation distances are greater with over 24m as well as being separated by the on-site car park and a row of single storey domestic garages. The scale and massing of the extension is therefore unlikely to significantly impact on these adjoining properties, in terms of loss of outlook, light or overshadowing.
- 9.15. Window openings would be positioned in all elevations of the extension. Due to the separation distances to the north, south and east, these openings would not result in any significant loss of privacy or overlooking and would provide a similar outlook to the windows on the elevations below.
- 9.16. There would be two new window openings facing west, towards No. 22 Rowan Close, but these would be set back 3.5m from the roof edge so any views largely be over the flat roof of Rowan House.

- 9.17. To further protect the amenity of adjoining properties, a condition will be attached to ensure that access to the external flat roof areas, apart from the modest south facing terrace areas, are for maintenance only and do not form additional outdoor amenity spaces.
- 9.18. Overall, it is considered that the development would not result in any significant harm to neighbouring amenity, in compliance with policy DM20.

Standard of Accommodation:

- 9.19. Policy DM20 of the CPP2 seeks to ensure a good standard of amenity for future occupiers of the proposed development and this requirement is one of the core planning principles of the NPPF. Indeed, the updated NPPF requires that all developments provide a 'high' standard of amenity for future occupiers, which is a high bar that goes beyond amenity being merely 'adequate' or 'acceptable'. Policy DM1 sets out Nationally Described Space Standards (NDSS) for dwellings.
- 9.20. The flats would measure 98m² and 94m² and would both provide two bedrooms for up to four people. The size of the units exceed the minimum space standard as outlined in policy DM1. Both flats would have a good layout and all rooms would be provided with satisfactory levels of light and outlook.
- 9.21. Small outdoor terrace areas are positioned on the southern side of the building, and provide welcome external amenity space in line with policy DM1. The scale and positioning of these terraces are considered acceptable and proportionate for the size of the residential units. Furthermore, if larger terraces were provided they would be likely to adversely impact on neighbouring properties.
- 9.22. Refuse/ recycling facilities have been shown on the plans. However further information is required and a condition will be attached to secure these details.

Landscaping:

- 9.23. The existing site does not contain a lot of planting or greenery. It is proposed to retain the areas of planting at the front of the site and alongside the access into the car parking area. Towards the rear of the car parking area, a small area of planting is to be lost to allow the additional refuse and recycling facilities and the larger cycle store. This area contains one small acer tree which was planted as part of the approved landscaping scheme in 2015 under the application BH2012/04084 which approved the conversion of the main building. Whilst it is regrettable to lose this area and newly planted tree, it is not considered so harmful to the visual amenity of the site to warrant refusal on this basis.

Sustainable Transport:

- 9.24. City Plan policies seek to ensure highway safety and seek to encourage use of sustainable modes of transport. Parking standards are set out on SPD14.
- 9.25. The proposals would not alter the existing access into the site. The existing car parking area contains 10 car parking spaces including 1 disabled parking bay.

No alterations to the parking layout are proposed. A condition will be attached to ensure that the car park is retained.

- 9.26. The application does include redesigning the existing cycle store to provide an addition 2 spaces, and is located next to the redesigned refuse store. The transport officer has raised some concerns about the feasibility of the re design of these areas due to the space constraints on site. Further details will therefore be secured by condition for both the refuse and recycling store and the cycling store, to ensure that they are both acceptable.
- 9.27. The proposal would result in a slight increase in trips to and from the site, however the increase is not considered significant.
- 9.28. The site is not located within a Controlled Parking Zone. The applicant has provided a parking survey to determine on-street capacity. The parking beat data shows that there would be sufficient capacity on Rowan Close and Mile Oak Road to accommodate 2-3 additional cars that may be generated by the proposed development.

Sustainability:

- 9.29. Energy and water efficiency standards in accordance with Policy CP8 and Policy DM44 can be secured through suitably worded recommended conditions.

Other Considerations

- 9.30. A condition requiring at least one bee brick and swift brick/boxes has been attached to improve ecology outcomes on the site in accordance with City Plan Policies CP10 and DM37 and Supplementary Planning Document SPD11 Nature Conservation and Development.

10. COMMUNITY INFRASTRUCTURE LEVY

- 10.1. Under the Regulations of the Community Infrastructure Levy (CIL) 2010 (as amended), Brighton & Hove City Council adopted its CIL on 23 July 2020 and began charging on all CIL liable planning applications on and from the 5 October 2020. The exact amount will be confirmed in the CIL liability notice which will be issued as soon as it practicable after the issuing of planning permission.

11. EQUALITIES

- 11.1. During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality Act 2010 in terms of the implications for those with protected characteristics namely age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There is no indication that those with any of these protected characteristics would be disadvantaged by this development.

- 11.2. There would be no lift access to the proposed flats, however, given the proposal is an extension to an existing building which has no lift and is thus constrained, this is acceptable.