

<b><u>No:</u></b>	<b>BH2024/01946</b>	<b><u>Ward:</u></b>	<b>Whitehawk &amp; Marina Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Roedean House 14 Roedean Way Brighton BN2 5RJ</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing house and erection of a new three storey house (C3) with associated landscaping.</b>		
<b><u>Officer:</u></b>	Michael Tucker, tel: 292359	<b><u>Valid Date:</u></b>	04.09.2024
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	30.10.2024
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b>Agent:</b>	John Pardey Architects Beck Farm Studio St Leonards Road East End Lymington SO41 5SR		
<b>Applicant:</b>	Mr Declan Reddington 14 Roedean House Roedean Way Brighton BN2 5RJ		

## 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>
Report/Statement	ENERGY & SUSTAINABILITY APPRAISAL		6 August 2024
Report/Statement	LANDSCAPING REPORT		6 August 2024
Report/Statement	PRELIMINARY ECOLOGICAL APPRAISAL		6 August 2024
Proposed Drawing	0349-RW-0001 P02		6 August 2024
Proposed Drawing	0349-RW-1001 P02		6 August 2024
Proposed Drawing	0349-RW-3001 P02		6 August 2024
Proposed Drawing	0349-RW-3002 P02		6 August 2024
Proposed Drawing	0349-RW-3003 P02		6 August 2024
Proposed Drawing	0349-RW-4001 P02		6 August 2024
Proposed Drawing	0349-RW-9000 P02		6 August 2024
Location and block plan	2402_100		6 August 2024
Proposed Drawing	2402_101		6 August 2024
Proposed Drawing	2402_201	A	15 October 2024
Proposed Drawing	2402_301		6 August 2024

Proposed Drawing	2402_401	A	15 October 2024
Proposed Drawing	2402_402		6 August 2024
Proposed Drawing	2402_405		6 August 2024

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 take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.  
**Reason:** To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policies DM31 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.
  
4. The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority for approval in writing within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in advance and in writing with the Local Planning Authority.  
**Reason:** To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policies DM31 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.
  
5. Notwithstanding any details shown on the approved plans, no development above ground floor slab level of any part of the development hereby permitted shall take place (other than demolition) until details 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) Details of all brick to be used
  - b) Details of all cladding to be used, including details of their treatment to protect against weathering
  - c) Details of all hard surfacing materials
  - d) Details of the proposed window, door and balcony treatments
  - e) Details 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 DM18 of Brighton & Hove City Plan Part 2 and CP12 of the Brighton & Hove City Plan Part One.
  
6. No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The

roofs shall then be constructed in accordance with the approved details and shall be retained as such thereafter.

**Reason:** To ensure that the development contributes to ecological enhancement and sustainability on the site and in accordance with Policy DM37 of Brighton & Hove City Plan Part 2, Policies CP8 and CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

7. The landscaping scheme detailed on drawing nos. 0349-RW-1001 P02, 0349-RW-3001 P02, 0349-RW-3002 P02, 0349-RW-3003 P02 and 0349-RW-4001 P02, all received on 6th August 2024, shall be carried out in the first planting and seeding season following the first occupation of the building hereby permitted or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
**Reason:** To enhance the appearance of the development in the interest of the visual amenities of the area and to provide ecological and sustainability benefits, to comply with policies DM22 and DM37 of Brighton & Hove City Plan Part 2, and CP8, CP10, CP12 and CP13 of the Brighton & Hove City Plan Part One.
8. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development 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.
9. 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 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.
10. 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

11. The development hereby approved should achieve a minimum Energy Performance Certificate (EPC) rating 'B'.  
**Reason:** To improve the energy cost efficiency of existing and new development and help reduce energy costs and enhance sustainability, to comply with policies DM44 of the Brighton & Hove City Plan Part Two and CP8 of the Brighton & Hove City Plan Part One.
12. The dwelling hereby approved shall not be occupied until it 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.
13. 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.
14. The development hereby permitted shall incorporate at least three (3) swift bricks/boxes within the external walls which 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.
15. The first-floor window in the western elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window 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 DM20 and DM21 of Brighton & Hove City Plan Part 2
16. Other than those areas labelled as '16' (TERRACE) on the approved plans, access to the areas of flat roof hereby approved shall be for maintenance or emergency purposes only and these areas of 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.
17. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain Assessment received 6th August 2024 and Biodiversity Net Gain Metric received 4th September 2024, both prepared by Phlorum.  
**Reason:** To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act, 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.

18. Prior to the commencement of the development hereby permitted, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall accord with the Biodiversity Gain Plan and include:
- i) A non-technical summary
  - ii) The roles and responsibilities of the people or organisations delivering the HMMP
  - iii) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan
  - iv) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first [occupation or use] of the development
  - v) The monitoring methodology and frequency in respect of the created or enhanced habitat
  - vi) Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.

The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed and maintained in accordance with the approved HMMP.

**Reason:** To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act, 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.

19. Prior to the first occupation of the development hereby permitted, a completion report, evidencing the completed habitat enhancements set out in the approved Habitat Management and Monitoring Plan, shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act, 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.

20. Habitat monitoring reports shall be submitted to and approved in writing by the Local Planning Authority in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan.

The reports shall include (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) any contingencies and/or remedial action for agreement. Any agreed contingencies or remedial action shall thereafter be implemented in accordance with the approved details.

**Reason:** To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act, 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.

21. All ecological measures and/or works shall be carried out in accordance with the details and recommendations identified within the Preliminary Ecological Appraisal (Phlorum, received 6th August 2024) and Bat Survey (Batscan, received 6th August 2024).

**Reason:** To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, and to provide a net gain for biodiversity as required by paragraphs 174 and 180 of the National Planning Policy Framework, Section 40 of the Natural Environment and Rural Communities Act 2006 and Policy CP10 and DM37 of Brighton & Hove City Council's City Plan Part One and Part Two, respectively.

22. The development hereby permitted shall not be occupied until the dwelling hereby permitted has been completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) and shall be retained in compliance with such requirement 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 DM1 of Brighton & Hove City Plan Part 2.

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 applicant is advised to contact the East Sussex County Archaeologist to establish the scope for the Written Scheme of Archaeological Investigation as required by the archaeology condition(s).
3. The applicant is advised that Part L - Conservation of Fuel and Power of the Building Regulations 2022 now requires each residential unit built to have achieved a 31% reduction in carbon emissions against Part L 2013.
4. The water efficiency standard required is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC; 8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg washing machine; or (b)

using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

5. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level and preferably adjacent to pollinator friendly plants.
6. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height of approximately 5 metres above ground level, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place where appropriate.

### **Biodiversity Net Gain**

Based on the information available, this permission will require the approval of a Biodiversity Gain Plan by the local planning authority before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

The effect of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission granted for the development is deemed to have been granted subject to the condition ("the biodiversity condition") that development may not begin unless:

- i) A Biodiversity Gain Plan has been submitted to the planning authority, and
- ii) The planning authority has approved the plan.

The planning authority is Brighton & Hove City Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found in the legislation.

The Biodiversity Gain Plan must relate to development for which planning permission is granted, and specify the following matters:

- i) Information about the steps taken or to be taken to minimise the adverse effect of the development on biodiversity,
- ii) The pre-development biodiversity value of the onsite habitat,
- iii) The post-development biodiversity value of the onsite habitat,
- iv) Any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
- v) Any biodiversity credits purchased for the development.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

## 2. SITE LOCATION

- 2.1. The application relates to a detached two-storey dwelling on the northern side of Roedean Way. The area is characterised by substantial detached dwellings of differing ages and architectural styles, set in spacious plots. Beyond the built-up area the land is generally open, with sloping grassland and the Roedean pitch and putt course to the south, and East Brighton Golf Course, Cattle Hill and Roedean School to the west, north and east. Land levels fall gently to the east and more steeply to the south.
- 2.2. A significant number of dwellings on both Roedean Way and Roedean Crescent have been rebuilt in recent years, resulting in a varied and eclectic streetscene with more traditional two-storey hipped roof dwellings often lying side by side with larger contemporary dwellings. This includes the plot adjoining the site to the west (no. 13) which has recently been rebuilt under planning permission reference BH2021/00216.
- 2.3. The site is located within an Archaeological Notification Area (ANA) and is visible from the South Downs National Park (SDNP) some 160m to the east.

## 3. RELEVANT HISTORY

- 3.1. **BH2002/02574/FP** - Rear extension at first floor level, minor alterations to ground floor (rear). Approved 30/10/2002

## 4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the demolition of the existing building and the erection of a three-storey five-bedroom dwelling (C3) with associated landscaping.
- 4.2. The proposed dwelling would be three-storeys in scale with flat roofs throughout. The third storey would be recessed to the front and east with an overhanging roof. There would be a projecting front garage on the western side of the frontage, and two single-storey rear volumes, the eastern projection being longer. The dwelling would be finished in a light tone brick, with areas of timber panels to the terraces and metal cladding to the recessed third storey. Fenestration would be in bronze aluminium.
- 4.3. The plans have been amended since the initial submission to reduce the area of rooftop terrace at second floor.

## 5. REPRESENTATIONS

- 5.1. **Five (5)** letters of objection have been received, summarised as follows:
  - Too high, comes forwards of the existing building line



- Footprint of the proposed building substantially greater than the existing building
- Top floor terrace would result in overlooking towards neighbours
- Outdoor machinery could be noisy

5.2. Full details of representations received can be found online on the planning register.

## 6. CONSULTATIONS

6.1. **Arboriculture:** No comment received

6.2. **Brighton & Hove Archaeological Society:** No objection  
The above application lies within an area of intense archaeological sensitivity.

The Brighton and Hove Archaeological Society would suggest that the Local Planning Authority contact the County Archaeologist for their recommendations.

6.3. **County Archaeology:** No comment received

6.4. **Environmental Health:** No comment received

6.5. **Sustainable Transport:** No comment received

6.6. **Urban Design:** Verbal comment - no objection  
The design is of high quality, with a level of detail that exceeds similar new redevelopments in the area. It is a clean and modern design, contributing positively to the environment.

## 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 Joint Area Action Plan (adopted October 2019).

## 8. POLICIES

## The National Planning Policy Framework (NPPF)

### Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP15	Heritage

### Brighton & Hove City Plan Part Two

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM22	Landscape Design and Trees
DM31	Archaeological Interest
DM33	Safe, Sustainable and Active Travel
DM36	Parking and servicing
DM37	Green Infrastructure and Nature Conservation
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

### Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development
SPD14	Parking Standards
SPD17	Urban Design Framework

## **9. CONSIDERATIONS & ASSESSMENT**

- 9.1. The main considerations in the determination of this application relate to the principle of development, design and appearance of the proposals, landscaping, the impact upon neighbouring amenity, standard of accommodation, sustainable transport, sustainability, ecology and archaeology.

### **Principle of Development:**

- 9.2. There is no objection to the principle of constructing a replacement dwellinghouse with a larger footprint and greater internal floorspace than the existing building.

### **Design and Appearance:**

- 9.3. The proposed dwelling would be of a substantially greater size than the existing building, with a greater height, bulk, width and depth. The proposed building would also be set slightly further forwards of the existing footprint, with the main bulk aligned with the existing front extension, and the proposed garage then projecting further southwards.

- 9.4. It is however considered that the plot is of a sufficiently generous size to accommodate these increases without appearing cramped or overdeveloped. The height of the main two-storey element would remain between that of the (rebuilt) neighbour to the west (which is on higher ground) and the neighbour to the east (on lower ground), thereby continuing the pattern of development scale. The height of the recessed third-storey element would similarly be set lower than that of the western neighbour. A separation of 3.1m (building to building) would be retained to the eastern side, with a greater distance of more than 9m to the west. It is acknowledged that the building would extend further southwards (forwards) than the existing footprint, but there is already variance in the southern building line and it is considered that the proposal would remain at a comfortable distance from the street.
- 9.5. The proposal would contribute to the eclectic mix of designs and juxtapositions between properties already evident on Roedean Way. Given the wide variety of designs present in the area, it is considered that this proposal would not adversely affect the diverse character and appearance of the wider street scene. Moreover, this area is not subject to any special protection. Views of the proposal from within the SDNP would be within this context and no harm in this respect is anticipated.
- 9.6. It is considered that the proposal represents a high standard of design and would be in accordance with Policy CP12 of the City Plan Part One and Policy DM18 of the City Plan Part Two. Final details of the external materials to be used will be secured by condition to ensure a high-quality finish.

**Landscaping:**

- 9.7. The application includes detailed landscaping proposals, which include a wildflower meadow to the southern front garden area, and a courtyard garden and lawn to the rear. Forty new trees and 62m of hedges would be planted throughout, including on the site boundaries, with species chosen to be suitable for coastal conditions. Hard surfacing would be limited to the vehicle access and parking area to the front, and the courtyard areas to the rear. The proposal includes rebuilding the front boundary wall to a relatively modest height of between 1.1m - 1.6m, with a timber slatted access gate set back from the street.
- 9.8. The proposed landscaping proposals are considered to be acceptable, with the verdant character of the existing site retained and enhanced. The architect has confirmed that the proposed trees to the side boundaries have been specifically chosen so as to be suitable for such close proximity to the buildings.
- 9.9. Hard and soft landscaping details will be secured by planning condition.

**Impact on Amenity:**

- 9.10. Policy DM20 of the City Plan Part Two 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.

- 9.11. To the eastern side, the proposed building would extend 1.6m closer to the boundary than the existing building, with 1.2m of spacing retained. The proposal would rise 1.9m above the existing eaves, with the third storey set significantly back from this side. There would be 3.1m distance between the proposal and the neighbouring dwelling itself, and 4.7m to the main building.
- 9.12. On the western side, the proposal would extend 5.2m closer to the boundary, with a spacing of 3.4m retained. There is only a minimal recess for the third storey on this side, which would rise 4.5m above the existing eaves. The distance between buildings would be over 9m.
- 9.13. The overall height of the proposal would be 2.2m higher than the existing ridge line.
- 9.14. In terms of depth, the main volume of the proposed building would be 7.8m deep, which is approximately 1m greater than the depth of the existing building. This is however set slightly forwards of the existing building. This also does not include the sizeable existing or proposed single-storey rear projections, however these elements are set into the rising hillside.
- 9.15. It is therefore clear that the proposed building would be substantially greater in height, bulk and width than the existing building, and would be modestly greater in depth.
- 9.16. The neighbours that would be most affected by the proposed development are those to either side at nos. 13 and 15 Roedean Way. Numbers 38, 40 and 42 Roedean Crescent to the rear would also be affected but to a lesser degree.
- 9.17. The relationship of the proposed building with no.13 (to the west) is considered acceptable. This neighbour is on higher ground but is four-storeys in height, with the ground floor excavated into the hillside. There are several side-facing windows but these are either secondary windows or serve non-habitable spaces. It is considered that there would be a comfortable separation distance between the two buildings relative to the heights of the buildings, and that this would be sufficient to avoid a significantly harmful impact in terms of overshadowing, sense of enclosure or overbearing impact.
- 9.18. The relationship with no. 15 (to the east) is closer and less comfortable, but is nevertheless still considered acceptable. The only side-facing fenestration at No.15 that would be affected is a dual-aspect corner window that primarily affords southwards sea views. This would suffer some increased enclosure and loss of daylight, however this is considered not to be to a significant degree. '45-degree' guidelines would not be breached for the primary southward element of this window. The lengthy rear projection to the eastern side of the site would be set away from the actual boundary and would be softened by the proposed boundary planting.
- 9.19. In terms of overlooking, the only proposed windows that face west are a doorway at ground floor and a secondary bedroom at first floor. Obscure glazing for this first-floor window is recommended to be secured by condition. High-level

windows at ground floor are proposed to the eastern side. These would be unlikely to afford meaningful views eastwards due to their height within the walls and the existing and proposed boundary treatments.

- 9.20. There are two proposed terraces - one at first floor facing south and a larger terrace at second floor wrapping around to the eastern side of the rooftop. Officers raised concerns regarding the potential impact of this larger terrace in terms of overlooking towards the eastern and northern neighbours, and the proposal has since been amended to reduce the size of this terrace by approximately 1/3rd. As amended, it would be set back by 2.5m from the rear edge and 1.2m from the side edge, with a green roof from the omitted areas. On this basis it is considered that the terrace would be unlikely to result in a significant impact in terms of noise disturbance or overlooking towards neighbours.

**Standard of Accommodation:**

- 9.21. The proposal would provide a generous internal living environment, well in excess of the Nationally Described Space Standard (NDSS). Habitable rooms would be well proportioned, with space for furniture and circulation and access to natural light and outlook. The site would provide substantial private outdoor amenity space.

**Sustainable Transport:**

- 9.22. The proposal is unlikely to result in a significant uplift in trip generation.
- 9.23. The proposals retain the existing vehicle access which is considered acceptable.
- 9.24. There would be space for two cars to park at the proposed dwelling.. This is above SPD14 maximum standards but is no greater than the existing arrangement and accordingly is not considered to be objectionable.
- 9.25. Secure, covered, convenient cycle parking for residents and visitors is indicated on the plans as being available within the front garage.
- 9.26. There is space on-site for refuse and recycling bins to be stored.

**Sustainability:**

- 9.27. The application includes an Energy and Sustainability Statement identifying that the proposal will achieve over a 60% reduction in expected CO2 emissions due to the incorporation of sustainability measures such as an air source heat pump (ASHP) and photovoltaic panels. This exceeds the building regulations requirement of a 31% reduction. The proposal also targets a water efficiency standard of 105 litres/person/day which is in excess of the local requirement of 110 l/p/d.
- 9.28. This document also details how the choices of building fabric and the design of the dwelling in terms of window sizes and orientations have been informed by the aim of maximising the sustainability credentials of the project.

- 9.29. These measures are welcomed in accordance with Policy CP8 of the City Plan Part One and Policy DM44 of the City Plan Part Two.
- 9.30. It is regrettable that more of the material of the existing dwelling would not be re-used, however it is noted that a Site Waste Management Plan will be prepared with a commitment to divert at least 90% of all construction/demolition waste away from landfill, noting that this is highly likely to be achieved, given the financial benefit of recycling rather than disposing of waste.

**Ecology:**

- 9.31. The application includes a Preliminary Ecological Appraisal (PEA) and Bat Survey which found that the proposed development would not directly impact any statutory or non-statutory site designated for nature conservation, and that no bats were seen emerging from the house. Some bats were however observed making occasional passes.
- 9.32. The proposal includes a Biodiversity Net Gain (BNG) assessment indicating that a BNG of greater than 10% will be achieved on site, in accordance with national requirements. This is primarily a result of the landscaping proposals, but other proposed ecological enhancements include bat and bird boxes.
- 9.33. Conditions requiring compliance with the precautionary measures identified within the PEA and bat survey, as well as requiring the inclusion of bee and swift bricks, are recommended to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development, as well as section 7A of the Town and Country Planning Act in terms of securing Biodiversity Net Gain.

**Archaeology:**

- 9.34. The proposed development is located within an Archaeological Notification Area (ANA) and a number of notable finds have been discovered within Roedean including burials dating from the Neolithic and Early Bronze Age periods, a Roman coffin burial and an Early Bronze Age burial.
- 9.35. The proposal would involve extensive ground works to facilitate the replacement dwelling and, in the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss. A suitably worded pre-commencement condition is recommended.

**Other Considerations:**

- 9.36. The proposal includes a number of proposed green roofs. A condition is recommended to secure details of these elements, including build-up and future maintenance.

## **10. CONCLUSION:**

- 10.1. No objection is raised to the principle of the development. The proposal is considered to be a high-quality design that would make a positive contribution to the varied architectural character of the area. No significant concerns are held regarding any impact on neighbouring amenity on the basis of the amended plans. The ecological benefits and the sustainability credentials of the proposed dwelling are noted. Accordingly the application is recommended for approval, subject to conditions.

## **11. COMMUNITY INFRASTRUCTURE LEVY**

- 11.1. 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.

## **12. EQUALITIES**

- 12.1. Section 149(1) of the Equality Act 2010 provides:
- 1) A public authority must, in the exercise of its functions, have due regard to the need to—
    - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 12.2. Officers considered the information provided by the applicant, together with the responses from consultees (and any representations made by third parties) and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics.
- 12.3. A planning condition securing compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) will be added to any planning permission.

