

<u>No:</u>	BH2025/00293	<u>Ward:</u>	Rottingdean & West Saltdean Ward
<u>App Type:</u>	Outline Application Some Matter Reserved		
<u>Address:</u>	Land Adjacent To Westfield Rise Saltdean Brighton BN2 8HR		
<u>Proposal:</u>	Outline application for erection of 9no houses (C3) with all matters reserved apart from access.		
<u>Officer:</u>	Ben Daines, tel: 01273 295783	<u>Valid Date:</u>	14.03.2025
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	09.05.2025
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	05.09.2025
<u>Agent:</u>	Lewis And Co Planning 2 Port Hall Road Brighton BN1 5PD		
<u>Applicant:</u>	Springbird Sussex Ltd C/o Lewis And Co Planning 2 Port Hall Road Brighton BN1 5PD		

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 be **MINDED TO GRANT** planning permission subject to a S106 agreement on the Heads of Terms set out below and the following Conditions and Informatives as set out hereunder, **SAVE THAT** should the S106 Planning Obligation not be completed or significantly advanced, on or before the 25 November 2026 the Head of Planning is hereby authorised to refuse planning permission for the reasons set out at the end of this report:

S106 Agreement Heads of Terms:

- Contribution to Affordable Housing (£110,936)
- Requirement to produce an Updated Viability Review upon the occupation of six of the proposed dwellings, and
- Contribution to monitoring obligations in relation to Biodiversity Net Gain (£6,643.68).

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
Proposed Drawing	SP-0450.05	G	09-Mar-26
Proposed Drawing	SP-0450.02	H	13-Feb-26
Report/Statement	EcIA		11-Dec-25
Report/Statement	IMS		11-Dec-25
Report/Statement	BNG		08-Sep-25

	ASSESSMENT		
Report/Statement	BNG METRIC		08-Sep-25
Report/Statement	PEA		08-Sep-25

2. The development hereby permitted must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions

- 3.
- a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - (i) layout;
 - (ii) scale;
 - (iii) appearance;
 - (iv) and landscaping.
 - b) The reserved matters shall be carried out as approved.
 - c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

4. The buildings within the reserved matters submission shall not exceed two storeys in height.

Reason: To ensure the development integrates effectively with its surroundings including the setting of the South Downs National Park and to comply with policies, SA4, SA5 CP12, H2 and DM18 of the Brighton and Hove City Plan.

5. The development hereby permitted shall not commence until full details of existing and proposed ground levels (referenced as Above 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 Policies DM18 and DM20 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 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/details of all brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples/details of all hard surfacing materials
- d) samples/details of the proposed window, door and balcony treatments
- e) samples/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 on the setting of the South Downs National Park, and to comply with policies SA4, SA5, DM18 and CP12 of the Brighton & Hove City Plan Part One.

7. No extension, enlargement or other alteration of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A, B, C and E 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 character of the area including the setting of the South Downs National Park, and for this reason would wish to control any future development to comply with policies SA4, SA5 CP12, H2 and DM18 of the Brighton and Hove City Plan.

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

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One and DM42 and DM43 of the Brighton & Hove City Plan Part Two and SPD16: Sustainable Drainage.

9. The vehicle parking areas 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.

10. Notwithstanding the plans hereby permitted, no development shall commence until a scheme detailing the design of the proposed street and spaces has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The submitted scheme shall include full details of the following where changes occur:

1. Geometry and layout, including dimensions;
2. Vehicle Swept Path Analysis (VSPA) drawings for a standard size fire engine, large ambulance and standard size waste disposal vehicle;
3. Pavement materials, constructions and surfacing, kerbs and edge restraints, levels and gradients;
4. Lighting;
5. Drainage;

Reason: In the interest of highway safety, and to comply with policies CP9 of the Brighton & Hove City Plan Part One, and DM33 of Brighton & Hove City Plan Part Two.

11. The development hereby permitted shall not be first 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.

12. The development hereby permitted shall not be first 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.

13. The residential units hereby approved shall not be occupied until they have 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.

14. 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 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.

15. No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP:

Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) risk assessment of potentially damaging construction activities;
- b) identification of "biodiversity protection zones";
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) the location and timing of sensitive works to avoid harm to biodiversity features;
- e) the times during construction when specialist ecologists need to be present on site to oversee works;
- f) responsible persons and lines of communication;
- g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To ensure that any adverse environmental impacts of development activities are mitigated and in accordance with policies H2 and DM37 of the Brighton and Hove City Plan Part 2 and CP10 of the Brighton and Hove City Plan Part One

16. Prior to occupation, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and badgers that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the planning authority.

Reason: The introduction of artificial light might mean such species are disturbed and /or discouraged from using their breeding and resting places, established flyways or foraging areas, to protect biodiversity in accordance with policies H2 and DM37 of the Brighton and Hove City Plan Part 2 and CP10 of the Brighton and Hove City Plan Part One

17. No development shall take place until an ecological design strategy (EDS) in general accordance with the Preliminary Ecological Appraisal (Urban Edge, September 2025) and Ecological Impact Assessment (Urban Edge, December 2025) and including a minimum of 18No. swift nesting cavities, 9No. bee bricks, bat boxes and habitat piles has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) purpose and conservation objectives for the proposed works;
- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;
- j) details for disposal of any wastes arising from works;

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities on habitats and species can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this and in accordance with policies H2 and DM37 of the Brighton and Hove City Plan Part 2 and CP10 of the Brighton and Hove City Plan Part One

18. Prior to the commencement of any development hereby permitted a Mitigation Strategy and programme of works for the creation of a receptor site for reptiles (including surveys to confirm carrying capacity) and the creation of scrapes for chalk grassland invertebrates within Coombe Farm Local Wildlife Site, in general accordance with the Ecological Impact Assessment (Urban Edge, December 2025) and Invertebrate Mitigation Strategy (Urban Edge, December 2025), shall be submitted to and approved in writing by the local planning authority. The content of the Mitigation Strategy shall include:
 - a) purpose and objectives for the proposed works;
 - b) evidence that the HGBI (1998) requirements for receptor sites have been followed;
 - c) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, construction method including machinery, type and source of materials to be used including seed);
 - d) extent and location of proposed works shown on appropriate scale maps and plans;
 - e) consideration of other matters such as archaeology, balancing requirements for both reptiles and invertebrates, potential presence of notable plants such as red star-thistle etc.;
 - f) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - g) persons responsible for implementing the works;
 - h) initial aftercare and long-term maintenance of receptor site and scrapes (including an annual work plan);
 - i) disposal of any wastes arising from the works.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To protect species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended. And in accordance with policies H2 and DM37 of the Brighton and Hove City Plan Part 2 and CP10 of the Brighton and Hove City Plan Part One

19. No development shall take place, including any site preparation works involving machinery, breaking of ground, demolition and vegetation clearance, until an updated survey for the presence of badgers has been undertaken, in accordance with best practice and including all land outside the site but within 30m of the red line boundary. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure existing species and habitats are adequately protected and in accordance with policies H2 and DM37 of the Brighton and Hove City Plan Part 2 and CP10 of the Brighton and Hove City Plan Part One

20. No development above ground floor slab level of any part of the development hereby permitted shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods have been submitted to and approved in writing by the Local Planning Authority. This shall include management and maintenance details. The development shall subsequently be implemented, managed and maintained in accordance with the approved scheme.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to comply with policies DM42 and DM43 of the Brighton & Hove City Plan Part Two and CP11 of the Brighton & Hove City Plan Part One and SPD16: Sustainable Drainage.

21. No development above ground floor slab level of any part of the development hereby permitted shall take place until a drainage strategy detailing the proposed means of foul water disposal and an implementation timetable, has been submitted to and approved in writing by, the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure adequate foul sewage drainage/treatment is available prior to development commencing and to comply with policy DM42 of Brighton & Hove City Plan Part 2.

22. No development, including demolition and excavation, shall commence until a Site Waste Management Plan setting out how waste to landfill will be minimised has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: To maximise the sustainable management of waste and to minimise the need for landfill capacity and to comply with policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

23. The development hereby permitted shall not be occupied until the dwellings hereby permitted have 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.

24. Deemed Biodiversity Gain Plan Condition:
No development (including any demolition, site clearance or enabling works) shall take place until:

- (a) A Biodiversity Gain Plan (BGP) has been prepared in broad accordance with the EclA dated December 2025, PEA, BNG Assessment and BNG Metric, dated September 2025 prepared by Urban Edge Environmental Consulting; and
- (b) The BGP has been submitted to and approved in writing by the Local Planning Authority.

Reason: 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"). Also 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.

25. The development hereby permitted shall not be first occupied until a Completion Report, evidencing the habitat enhancements set out in the approved Biodiversity Gain Plan and Habitat Management and Monitoring Plan, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development delivers biodiversity net gain 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.

26. No development shall take place until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall accord with the approved Biodiversity Gain Plan (BGP) 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 BGP for a period of 30 years from practical completion (unless otherwise agreed) 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/enhanced habitat specified in the approved BGP shall be provided and thereafter managed and maintained in accordance with the approved HMMP. The habitat monitoring 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.

Reason: To ensure the development delivers biodiversity net gain 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.

27. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- (i) Timescales for the Proposed Development including the forecasted completion date;
- (ii) Details of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
- (iii) Measures to minimise disturbance to neighbours regarding issues such as noise and dust management, vibration, site traffic, and deliveries to and from the site;
- (iv) Measures to prevent mud/dust from tracking onto the highway;
- (v) Details of hours of construction including all associated vehicular movements
- (vi) Details of the construction compound including plant and material storage and manoeuvring areas;
- (vii) A plan showing construction traffic routes

The construction of the development shall be carried out in full compliance with the approved CEMP.

Reason: As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works and to comply with policies DM20, DM33 and DM40 of Brighton & Hove City Plan Part 2, policy CP8 of the Brighton & Hove City Plan Part One, and WMP3d of the East

Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

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

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policies DM20, DM40 and DM41 of the Brighton & Hove City Plan Part 2.

29. No development shall take place until the applicant has undertaken the following:

- (i) Submitted a desk-based archaeological assessment to be approved the Local Planning Authority
- (ii) Following approval of the desk-based assessment, 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.

30. 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.

31. Prior to first 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 the 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 food-bearing plants, and 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 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.

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 Biodiversity Gain Plan must relate to development for which planning permission is granted, and specify as a minimum the following matters:
 - i) Information about the steps taken or to be taken to minimise the adverse effect of the development on biodiversity,
 - ii) A completed Metric tool calculation
 - iii) The pre-development biodiversity value of the onsite habitat (shown on scaled plans),
 - iv) The post-development biodiversity value of the onsite habitat (shown on scaled plans),
 - v) Any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
 - vi) Any biodiversity credits purchased for the development.
 - vii) Any such other matters as the Secretary of State may by regulations specify including the requirements of Article 37 C of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

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.

3. In order to be in line with Policy DM33 of the Brighton & Hove City Plan Part Two cycle parking must be secure, convenient, accessible, well-lit, and sheltered. Also, the Highway Authority's preference is for secure 'Sheffield' type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22.
4. The water efficiency standard required by condition 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. 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.
6. Buildings/structures and vegetation within and in proximity to the site offer potential habitat for nesting birds. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use of being built. Planning consent for a development does not provide a defence against prosecution under this Act.
7. The applicant is advised under Part S of the Building Regulations that new dwellings providing a parking space now require an EV charging point.
8. The applicant is advised that Part O of Building Regulations 2022 has been introduced. This standard is aimed at designing out the need for mechanical air conditioning systems in dwellings that would otherwise be prone to overheating and limiting unwanted solar gains. There are optional methods to demonstrate compliance through the Building Regulations.

2. SITE LOCATION

- 2.1. The application site is a parcel of land located to the north-east of the houses on Westfield Rise and Coombe Meadow and adjacent to the Coombe Farm housing development in Saltdean. The land is outside the current settlement boundary but also outside the South Downs National Park.
- 2.2. The site lies outside the defined built-up area boundary but is allocated as an Urban Fringe site (Site 48a) in Policy H2 of the City Plan Part Two, having previously been identified as having the potential for redevelopment in the Urban Fringe Assessment (UFA) studies in 2014 and 2015. It forms part of a larger housing allocation (Sites 48, 48a, 48b and 48c Cluster at Coombe Farm and Saltdean Boarding Kennels).
- 2.3. As part of the Coombe Farm development, six new houses have recently been completed on the land between the application site and Westfield Avenue North. A new retaining wall has recently been constructed on the rear boundary of these properties.
- 2.4. The application site is mostly grassland and slopes upwards to the south-east. A band of scrub vegetation and trees is located further up the slope, outside of the application site boundary. There is a footpath which runs along the rear boundary of the site which provides public access to the South Downs National Park from Coombe Vale.

3. RELEVANT HISTORY

- 3.1. **PRE2024/00064** Pre application advice sought for 9 houses and associated works- advice issued 24th April 2024

4. RELEVANT HISTORY AT OTHER SITES

Saltdean Boarding Kennels, Westfield Avenue North, Saltdean

- 4.1. **BH2024/00260** Outline application with all matters reserved apart from access, for the demolition of former kennels and erection of 3no four bedroom houses, 2no three bedroom houses and 2no two bedroom houses with associated car and cycle parking provision. Approved 24.04.2025

Coombe Farm Westfield Avenue North

- 4.2. **BH2020/00002** Demolition of existing buildings and erection of 72 dwelling houses with associated parking and landscaping. Approved 23.4.2021.

5. APPLICATION DESCRIPTION

- 5.1. The application seeks outline planning permission for the erection of 9 houses (C3) with all matters reserved apart from access. Matters of access will therefore be assessed as part of this application, with matters of appearance, landscaping, layout and scale reserved for full assessment under a further application at a later date.
- 5.2. Access would be formed by an extension to the existing vehicular access of Westfield Rise / Coombe Meadow.
- 5.3. The indicative site layout plan shows 8 semi-detached houses and 1 detached house, partially set into the slope of the land. All properties would have rear gardens which would rise up to address the slope of the site.
- 5.4. Amendments to the application have been made during the consideration process including an amended location plan to include the access leading to the site, an amended certificate of ownership to include owners of the private access road leading to the site, and a revised site layout plan to reduce the length of the rear gardens in order to create a landscaped native hedgerow buffer along the rear of the site. Further information has also been submitted in the form of additional Ecology information and a Technical Transport Note.

6. REPRESENTATIONS

- 6.1. **Twenty five (25)** representations have been received objecting to the application on the following grounds:

Transport and Access

- Coombe Meadow is an unadopted road
- Access is dangerous, narrow, steep with a blind bend/ access road is unsuitable
- Heavy construction vehicles
- Existing highway safety concern would be made worse
- Access was originally refused and this should be upheld
- Loss of car parking on the road
- Westfield Avenue North should be used for access
- Adoption of Coombe Meadow was previously rejected by the council as it was not built to adequate standards
- Would cause highway obstruction to emergency vehicle and refuse vehicles, and
- Neighbouring bus stops should be improved

Designs Concerns

- Design and visual impact including impact on South Downs National Park
- Huge amount of excavation required
- Landscape Impacts
- Overdevelopment of the site and collective impact, and
- Visually imposing

Community Concerns

- Damage to road surface through construction
- Local infrastructure and services cannot cope
- Concerns over lack of foot path access
- Disruption of water and power supply
- Local traffic impacts and air pollution, and
- Impact on property value

Residential Amenity

- Restriction of view
- Overshadowing
- Noise and disturbance, and
- Visually imposing and elevated over other properties

Environmental Impacts

- Biodiversity impacts, and cumulative impact of the Coombe Farm development
- BNG calculations ignore the existing hedge which would be lost by the access route
- Light pollution and impact on the South Downs National Park
- Flooding
- Land slippage and surface run off issues
- Impact on nature conservation, and
- Pollution, dust, noise, and traffic through construction

Procedural issues with the planning application

- Inaccuracies in the Design and Access statement

- Greed and lack of consideration of developers, and
 - Concerns over consultation and clarity of the address of the site
- 6.2. Full details of consultation responses received can be found online on the planning register.

7. CONSULTATIONS

Internal:

7.1. **Ecologist** No Objection

The impact of the development on ecology can be adequately assessed from the information submitted. Ecology conditions are required in relation to updated habitat surveys, relocation, ecology design strategies and biodiversity.

7.2. **Sustainable Drainage Consultant** No objection

Further details required regarding surface and foul water drainage. This information may be reserved by planning conditions.

7.3. **Transport** No Objection

In terms of access, a safe and accessible design is achievable. Scoping for a Transport Assessment should be undertaken looking at the cumulative impacts of recent development in the vicinity of the site. Conditions are required in respect of street design, cycle parking, and car parking. Highway works under s278 are sought for bus stop improvements and works to facilitate the access route

External

7.4. **South Downs National Park Authority (SDNPA)** Comment

Any development within the setting of the Park should positively contribute to landscape, ecosystem services and Biodiversity Net Gain (BNG). New planting should all be native and locally characteristic in order to offer meaningful benefits to wildlife and positively contribute to landscape character.

- 7.5. Consideration also be given to dark night skies, which are a special quality of the National Park. The South Downs National Park is a designated International Dark Sky Reserve. The use of timed black out blinds and/or low transmission glazing should be secured via condition.

7.6. **Southern Water** No Objection

No objection to the planning application, provided that the drainage strategy and design explicitly exclude the use of deep bore soakaways. Southern Water will require a formal application for a connection to the public sewer to be made by the applicant or developer.

8. MATERIAL CONSIDERATIONS

- 8.1. 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.

- 8.2. 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 updates October 2024);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour JAAP (adopted October 2019)
 - West Saltdean Neighbourhood Area

9. **RELEVANT POLICIES & GUIDANCE**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
SA4	Urban Fringe
SA5	Setting of the South Downs National Park
CP1	Housing delivery
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP13	Public streets and spaces
CP14	Housing density
CP19	Housing mix

Brighton & Hove City Plan Part Two:

H2	Housing Sites- Urban Fringe
DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM26	Conservation Areas
DM33	Safe, sustainable and active travel
DM36	Parking and servicing
DM37	Green Infrastructure and Nature Conservation
DM40	Protection of the Environment and Health - Pollution and Nuisance
DM42	Protecting the Water Environment
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

West Saltdean Neighbourhood Plan

WS1	Achieving High Quality Design
WS3	Affordable Housing
WS5	Adaptable Housing

WS7	Incorporating Sustainable Drainage and Water Efficiency Measures
WS10	Parking
WS12	Enhancing local green spaces, biodiversity and wildlife

Waste & Minerals Plan Policy

WMP3e	Waste Management in New Development
WMP3d	Site Waste Management Plan

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD11	Nature Conservation & Development
SPD14	Parking Standards
SPD16	Sustainable Drainage
SPD17	Urban Design Framework

Other Documents

2014	Urban Fringe Assessment
2015	Urban Fringe Assessment Study

10. CONSIDERATIONS & ASSESSMENT

- 10.1. The main considerations relating to the determination of this application are the principle of the proposed development of nine house on the site and the access arrangement to the site. Matters of appearance, landscaping, layout and scale are reserved. However, this report does also give some consideration to affordable housing, design, appearance, landscape and visual impact (whilst acknowledging that design appearance and landscaping is a reserved matter), standard of accommodation, impact on neighbouring amenity, ecology, sustainability and drainage.

Principle of the Development:

Housing supply

- 10.2. Policy CP1 in City Plan Part One (CPP1) 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. The local housing need figure for Brighton & Hove using the standard method is 2,498 homes per year. A 20% buffer is applied to this figure to reflect the most recent Housing Delivery Test measurement (published in December 2024) for the council being less than 85%.
- 10.3. The council's most recent housing land supply position is published in the SHLAA Update 2025 which shows a five-year housing supply shortfall of 10,442. This is equivalent to 1.5 years of housing supply

- 10.4. As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

Housing Sites - Urban Fringe

The development of the site for residential purposes is considered acceptable, given its allocation as an urban fringe site in both CPP1 and CPP2.

- 10.5. The site falls within a designated Urban Fringe allocation known as *Cluster at Coombe Farm and Saltdean Boarding Kennels, Westfield Avenue North, Saltdean* Within the Brighton & Hove Urban Fringe Assessment (UFA), the cluster comprising sites 48, 48a, 48b, and 48c was assigned a combined capacity limit of 55 dwellings across a developable area of roughly 2.1 hectares, averaging an overall low-density framework of 25 dwellings per hectare, with specific localized portions noted for potential medium-density consideration at 50 dwellings per hectare. The UFA has been incorporated into Urban Fringe Housing allocation in CPP2 Policy H2. Therefore, the principle of residential development on the site has been established through the development plan and is acceptable.
- 10.6. Policy H2 now sets the indicative number of units for the combined cluster as 65 units. The north-western part of the 48a designation is currently being developed under Coombe Farm approval (see planning history) with access from Westfield Avenue North. It is noted that the Coombe Farm development exceeds this indicative amount of 65 dwellings and has consent for 72 dwellings. This current proposal for 9 houses would be a further addition to the indicative baseline number. Nevertheless, the number of dwellings proposed in the urban fringe allocations schedule are indicative, showing what might reasonably be achieved on each site. The amount housing which can be delivered is dependent on the site characteristics.
- 10.7. It is noted that Policy H2 requires that particular regard is given to Policies SA4 Urban Fringe and SA5 The Setting of the South Downs National Park and also requires development proposals to address specific site considerations and indicative development requirements listed in criteria a) to i) of policy H2 Table 7 (which sets indicative requirements and key site considerations for each allocated site). These requirements include:
- Provision for 50% family sized dwellings (3+ bedrooms)
 - Opportunities to secure additional and/or improved public open space.
 - Green infrastructure and local food growing opportunities.
 - Improved linkages and access to SDNP and surrounding areas.
 - Appropriate regard given to local community facilities and renewable energy.
 - Provision for a proportion of serviced plots for self and/ custom build dwellings
 - unless this would make the scheme unviable.

- 10.8. The proposed housing development, with 9 units, would contribute towards the city's housing targets through development on an allocated housing site and therefore the principle of the development is supported. Other considerations are outlined below.

Urban Fringe Policy

- 10.9. Policy SA4 sets five objectives for the use and management of land on the urban fringe. These relate to protection and enhancement of wider landscape; better management and environmental improvements; enhancement of the green network; protection of groundwater source protection zones; and the creation of 'gateway' facilities for the National Park. More specifically Policy SA4 states that development within the urban fringe will not be permitted, except where:
- a) a site has been allocated for development in a development plan document; or
 - b) a countryside location can be justified; and where it can be clearly demonstrated that:
 - c) the proposal has had regard to the downland landscape setting of the city;
 - d) any adverse impacts of development are minimised and appropriately mitigated and/or compensated for; and
 - e) where appropriate, the proposal helps to achieve the policy objectives set out above.
- 10.10. Policy SA5 sets specific requirements for development within the setting of the SDNP including that it must respect and not significantly harm the National Park and its setting. The above criteria are assessed in the following sections of the report

Housing density and mix

- 10.11. Policy CP14 sets a general requirement for new residential development to achieve a minimum net density of 50 dwellings/ha. This is a city-wide figure and not often achievable or appropriate for urban fringe locations. The 2014 and 2015 Urban Fringe Assessment recommended 'medium density' development for this site and gave an indicative figure of 50 dwellings/ha. However, this figure related to the wider site of 48a. The site has come forward in two separate applications with the lower part of the site approved under the Coombe Farm development. The proposed scheme would provide 9 dwellings within a site area of 3320m², equating to a housing density of 27 dwellings per hectare. The development would therefore represent low to medium density development, appropriate for the urban fringe location and which reflects the sensitive location of the site directly adjacent to and within the setting of the SDNP. The amount of development proposed is considered acceptable in this case.
- 10.12. The detailed site layout is a Reserved Matter, however the applicant has provided a proposed indicative site layout plan to demonstrate how the site could accommodate the proposed number of dwellings. The scale of the built form will also need to be informed by landscape, ecology and flood/drainage considerations.

- 10.13. The site allocations on the urban fringe are suitable locations to deliver a significant proportion of family-sized housing (3+ bedrooms) to help meet the needs of the city. The majority of the city's brownfield sites are more suitable for high density residential development comprising predominantly smaller residential units, so the urban fringe allocations will generally be expected to accommodate at least 50% family sized housing.
- 10.14. This application proposes nine 3 bed (plus study) dwellings. This would meet the Policy H2/Table 7 requirement to provide 50%+ family-sized housing (3+ beds). The provision of medium/larger family homes on this site is considered appropriate given the urban fringe location and site constraints.
- 10.15. Policy H2 also requires development proposals to include a proportion of serviced plots for self and/custom build dwellings subject to viability considerations. No self/custom build properties are proposed as part of this development. Given the proposal is not a major application, it is not considered reasonable in this instance to require that a proportion of the units are custom build.

Affordable Housing:

- 10.16. CPP1 policy CP20 requires an affordable housing contribution on all developments that create 5 homes or more. This policy position is justified by the high housing need in the city combined with the physical restraints of developing. Commuted sums provided for smaller developments or where providing homes on site proves unviable are used to expedite affordable homes elsewhere in the city through a range of initiatives. Current policy requires 40% onsite affordable housing on all developments providing 15 or more dwellings; 30% on site or as a commuted sum between 10-14 dwellings and 20% as a commuted sum only for 5-9 dwellings.
- 10.17. Indicative plans show the development would provide 9 homes meaning the policy compliant position is a contribution equivalent to 20%. A financial viability assessment was submitted with the application which concluded that the development was unable to provide a financial contribution to affordable housing for viability reasons. This viability assessment was independently reviewed on behalf of the LPA and found that the scheme could afford to pay a contribution of £110,936 (rather than the full policy compliant contribution of £545,800). In response, officers have revisited the affordable housing contributions with the applicant. The applicant has agreed to the payment of this reduced contribution (£110,936) towards affordable housing provision. This shall be secured by section 106 and shall also be subject to a late-stage affordability review.

Design, Appearance, Landscape and Visual Impact

- 10.18. This outline application reserves matters of appearance, landscaping, layout and scale and so these are not considered in detail other than to confirm that the quantum of development sought could realistically be accommodated on site, and that the landscape and visual impacts could be acceptably mitigated.

- 10.19. City Plan Policy CP12 expects all new development to raise the standard of architecture and design in the city, establish a strong sense of place by respecting the character and urban grain of the neighbourhood, and ensure residential development is of a density that is appropriate and achieves excellence in sustainable building design and construction. The surrounding area is characterised by predominantly detached and semi-detached two storey residential dwellings. Most are traditional in style with features such as brick walls, hipped brown/ red tiled roofs. The adjacent Coombe Farm development will be made up of two-storey semi-detached and terraced houses.
- 10.20. Indicative plans show 9 dwellings, which would not be dissimilar in terms of footprint to the surrounding dwellings in the vicinity on Coombe Meadow and Westfield Rise and would be appropriately sited on the parcel of land with sufficient spacing. The indicative designs show proposed houses designed to complement the existing shallow roof forms and massing of the two storey properties on Westfield Rise/Coombe Meadow, and the materials from the wider development; in particular the consented properties under construction directly to the north of the site. The building line would be similar to that seen in the established built form of detached houses in Coombe Meadow.
- 10.21. In terms of landscaping the indicative plans show gardens and hardstanding areas which appear appropriate. The landscape/visual impacts need to be assessed against Policy SA4 and Policy SA5. In addition, the application should be assessed against CPP2 Policy DM22. The supporting text to Policy H2 (Paragraph 3.75) specifically states that planning applications on Policy H2 sites should be supported by a Landscape Visual Impact Assessment (LVIA). The applicant has not submitted any detailed landscape assessment for this outline planning application. This is considered acceptable given the size of the proposal but given the sensitive location directly adjacent to the National Park boundary, a detailed landscaping scheme would be secured by planning condition. Additionally, a condition would be added to ensure that the proposed dwellings do not exceed 2 storeys in height.
- 10.22. The amended site plan has reduced the size of the rear gardens to allow for a 5 metre buffer to the Local Wildlife Site to the rear. This amendment would provide ecology enhancements and have the benefit of providing a soft and natural rear boundary between the housing site and the Local Wildlife Site (LWS). Whilst a significant amount of excavation would be required to facilitate the development, the plans indicate that the buildings and rear gardens would be partly built into the slope of the land to reduce the impact on natural land levels. It is also noted that the applicant does not propose any food growing provision at this stage as required by policy H2. However, it is not considered that the site is large enough to provide any significant space for communal growing and the rear private garden spaces could potentially provide space for food growing.
- 10.23. The South Downs National Park Authority (SDNPA) do not raise an objection to the application. The SDNPA note that the site is adjacent to a substantial new residential development and would be viewed in context with this

development. Furthermore, the access proposed for the site would extend an existing road, minimising the visual impact of the setting. Subject to acceptable reserved matters relating to appearance, landscaping, layout and scale the proposed development would likely result in minor impacts on the setting of the South Downs National Park (SDNP). The development would not impact public access to the SDNP. There is a footpath to the rear of the site which lies outside the site boundary and would not be impacted by the development. Improvements to access the SDNP have not been identified in this application, but this is considered acceptable for a minor scale development.

- 10.24. Policy DM22 of CPP2 states that development proposals are required to retain, improve and, wherever possible, provide, appropriate landscape elements/landscaping, trees and planting as part of the development. This outline application must assess access only, and landscape considerations would be reserved. However as noted above, the indicative plans submitted generally indicate that landscaping and layouts plans could deliver an approvable scheme in this regard. It appears there would be no loss of mature trees as part of the development and there is no objection to the loss of scrub/hedging from a landscape perspective.
- 10.25. Overall, the development of this site for 9 houses is considered to be acceptable in general terms. The quantum, spacing and visual impact on the landscape and the SDNP is accepted, subject to satisfactory detailed design for the houses and external works. A reserved matters application would need to be supported by a landscape plan to integrate the development into the local landscape and enhance views towards the site from the SDNP. The landscaping design would also need to demonstrate full adherence to the requirements of policy H2. It is also recommended that a sensitive approach to lighting is proposed with regard to the dark night skies, which are a special quality of the National Park.

Standard of Accommodation:

- 10.26. 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 the Nationally Described Space Standards (NDSS) for dwellings.
- 10.27. From the submitted site plan, which shows the indicative size of the ground floor of the proposed units, it would appear that the national standards could be achieved with regard to two storey properties, and that it would be possible to provide good levels of circulation space, outlook and light, incorporating appropriate rear aspects. Refuse and recycling facilities are shown within the front curtilage of the properties and can be secured by condition.
- 10.28. DM1 states that all new residential development will be required to provide useable private outdoor amenity space appropriate to the scale and character

of the development. The plans indicate garden sizes which are appropriate to the scale of the properties and not uncharacteristic of the area.

Impact on Residential Amenity:

- 10.29. Policy DM20 of City Plan states that planning permission for any development or change of use will not be granted where it would cause unacceptable loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 10.30. From the proposed site layout there would be reasonable separation distances to the neighbouring residential properties at all boundaries. Given the proposed siting, distances and orientation in relation to adjacent properties, there would be no significant impact in terms of overbearing impact, daylight, sunlight, outlook and privacy from the proposed 2 storey dwellings.
- 10.31. It is considered that the indicative drawings also show that the site layout would deliver nine houses which would not overlook each other or cause an unacceptable level of noise and disturbance to neighbouring occupiers. The general relationships between the new units and the established residential development would be comfortable.
- 10.32. Whilst the proposed dwellings would result in some overlooking of the rear of the new dwellings on Westfield Avenue North, due to the elevated position of the proposed dwellings, there would still be a separation distance between the dwellings of nearly 28 metres which is considered to be sufficient to ensure adequate privacy.
- 10.33. It is acknowledged that the development of housing on grassland would change the outlook for neighbouring properties but with adequate separation distances, it is not considered that the development would be visually imposing or overbearing.
- 10.34. Overall, for the reasons outlined above, and subject to full details being submitted, it is considered that the proposal would not cause unacceptable harm to the living conditions of the occupiers of neighbouring properties, in compliance with Policy DM20 of the City Plan.

Ecology and Biodiversity:

- 10.35. The site is adjacent to the South Downs National Park (SDNP). Coombe Farm Local Wildlife Site (LWS) also lies adjacent to the south-eastern boundary. This LWS comprises chalk and rough grassland with scattered scrub. CP10 of the CPP1 has the strategic aim to conserve, restore and enhance biodiversity and promote improved access. DM37 of CPP2 requires development to avoid adverse impacts and seek to conserve and enhance biodiversity and geodiversity features and safeguard and/or contribute positively to the existing multifunctional network of Green Infrastructure that covers all forms of green and open spaces; the interrelationship between these spaces and; ensure the preservation and enhancement of natural capital. In addition to these overarching policies, Policy H2 (criterion d) of CPP2 sets a specific requirement that development will mitigate any adverse impacts on designated

sites and provide biodiversity net gains in accordance with Policies CP10 and DM37.

- 10.36. The application was accompanied by Ecology reports and surveys. Further clarification and information were provided during the application process at the Ecologist's request. The submitted information now contains an Ecology Technical Note (ETN) Preliminary Ecological Appraisal (PEA), Ecological Impact Assessment (EclA), Invertebrate Assessment, Invertebrate Mitigation Strategy, Biodiversity Net Gain Assessment and Statutory Biodiversity Metric.
- 10.37. The Biodiversity Net Gain Assessment demonstrates that the proposed development would result in a loss of 3.37 habitat units (85.4% of biodiversity) on the site. 10% BNG would be provided both on-site and via off-site credits.
- 10.38. The PEA and EclA (Figure 1.2 in both documents) now show an undeveloped 5m buffer between the construction zone and Coombe Farm Local Wildlife Site (LWS), as originally recommended in the PEA. This would be accommodated by reducing the length of the private gardens. This is an amendment which has been welcomed by the Ecologist, and the submitted Site Layout Plan has been updated accordingly to reflect this change. The County Ecologist has advised that the ecological reports and information provided by the applicant are now satisfactory to assess the proposal.
- 10.39. The Preliminary Ecological Assessment submitted with this application acknowledges that there may be some temporary disturbance to this area during the construction phase and recommends protection measures to prevent impacts from noise, light and dust pollution. The PEA goes on to confirm that none of the other statutory or non-statutory wildlife sites in the area are likely to be affected by the proposed.
- 10.40. The application site is predominantly covered in grassland and mixed scrub and provides habitat suitable for some protected species. Several recommendations to mitigate potential impacts are set out in the PEA accordingly.
- 10.41. The site is considered to support a low population of slow worm (peak count three) and an incidental common lizard was identified through surveys. Due to the low numbers found it is proposed to use habitat manipulation to displace any animals present on site into the adjacent LWS prior to construction commencing. The Ecologist recognises the on-going impact of the Coombe Farm development on habitats on site, and that the Coombe Farm Local Wildlife Site (LWS) has already been used as a receptor site. Whilst this approach may be acceptable, it will need to be supported by an up-to-date survey of the LWS itself (following best practice guidance). This should form part of a detailed Reptile Mitigation Strategy (RMS) which could be secured by condition. Further studies would also be required to access the suitability for the LWS for invertebrates.
- 10.42. Whilst the submitted reports confirm that the proposed development is likely to have an impact on biodiversity, the Ecologist concludes those impacts can be

mitigated through the use of planning conditions and on-site and off-site provision of BNG. The submitted PEA, which includes a commitment to bat and bird boxes and bee bricks, should be complied with; this can be secured by Ecological Design Strategy condition. Other conditions should include the submission of a Construction Environmental Management Plan for Biodiversity (Biodiversity CEMP), a Method Statement regarding rescue and relocation of reptiles, an updated Invertebrate Mitigation Strategy, submission of an updated badger survey, a lighting design strategy for biodiversity, and a Biodiversity Gain Plan.

- 10.43. Representations from local residents regarding the quality of the submitted reports and BNG assessment have been noted. For BNG assessment purposes, the site has been referred to as other neutral grassland (ONG). The formation of the access route would however result in the loss of scrub / a hedge which separates the site's vehicular access from Westfield Rise/ Coombe Meadow. ONG is an accurate description of the site and small patches of scrub are an acceptable component of ONG under BNG guidance. A more accurate site description for ecology purposes including an assessment of the hedge and scrub habitats are contained within the other ecology documents. As noted above, the submitted reports have been reviewed by the Ecologist and are considered to have been prepared with competence and in accordance with the relevant guidance.
- 10.44. As stated above, the standard pre-commencement Biodiversity Gain Plan Condition would also apply, and the S106 would secure the management and monitoring of significant onsite BNG for at least 30 years, to include fees for compliance monitoring, is required. In summary, provided the recommended ecology mitigation, compensation and enhancement measures are implemented, the proposed development can be supported from an ecological perspective and would comply with policies CP10 of CPP1 and DM37 and H2 of the CPP2.

Landscaping and Trees:

- 10.45. Policy DM22 of CPP2 states that development proposals are required to retain, improve and, wherever possible, provide, appropriate landscape elements/landscaping, trees and planting as part of the development. Policies CP10 and DM37 require developments to seek to provide biodiversity enhancements.
- 10.46. No trees would be lost in order to accommodate the proposal. A landscaping scheme would be secured by planning condition to ensure that the development integrates into the local landscape and does not detrimentally impact views towards the site from the SDNP.

Access, Sustainable Transport and Parking Considerations:

Access to the site

- 10.47. To facilitate access to the proposed development site, the applicant proposes to extend Westfield Rise/Coombe Meadow with a new street with carriageway, footway and parking. This access would deliver a street with two-way movement and a turning head.

- 10.48. The Local Highway Authority (LHA) had identified concerns regarding the proposed placement of the road on the edge of a slope. This placement could pose challenges in terms of stability, safety, and potential impacts on adjacent properties and infrastructure. For a single carriageway road, the maximum gradient allowable is typically in the order of 8%. At the request of the Transport Team, the applicant has provided further information in this regard and a cross-section drawing of the access gradient has been submitted. This shows an acceptable arrangement and confirms that a safe design is achievable, and the Transport Team have no objection to the principle of the access. The road design would be required to follow adoptable standards, complying with the Design Manual for Roads and Bridges. Further details would be secured by condition.
- 10.49. The additional highway works to extend Westfield Avenue North/ Coombe Meadow such as installing a dropped vehicle crossing point and a step-free pedestrian link (separate from the vehicle crossing), would not be on public highway. During the consideration process, the applicant has submitted additional information and confirmed they have the permissions to undertake this work from the landowner.
- 10.50. In regard to pedestrian access, the applicant is proposing a footway within the site, and this is considered adequate to service the proposed dwellings. As per policy DM33 of the City Plan Part Two, a well-connected network of all pedestrian routes which are easy, convenient, and safe to use, within and outside site boundaries is expected. The Transport Team require further details to be submitted, and this can be secured via a street design condition. Collectively this condition must also ensure that further details of the proposed access road, including but not limited to, site levels and dimensions, are submitted and comply with the policies CP9 of the Brighton & Hove City Plan Part One, and DM33 of Brighton & Hove City Plan Part Two.
- 10.51. Representations made by members of the public dispute the suitability of the proposed access. Comments have been made regarding alternative access from Westfield Avenue North, however for the reasons above, there is no objection to the proposed access from Westfield Rise/ Coombe Meadow. The Transport Team have raised no concerns regarding the use of Westfield Rise/ Coombe Meadow from a highway safety perspective. There have also been concerns regarding the maintenance of existing road surfaces and damage through construction. This matter is not material to the consideration of a minor planning application and would need to be privately resolved by the landowners.
- Trip Generation and Highway Capacity
- 10.52. The proposed development would increase the number of trips to the area. The Transport Team have requested the applicant submit a scoping appraisal for a Transport Assessment to consider the cumulative impact of all the recently approved schemes in the area.

- 10.53. Neither a scoping appraisal or a Transport Assessment has been submitted, but a Transport Assessment is not considered reasonable or proportionate for a development of this size. However, trip generation data has been submitted via a Transport Technical Note produced on behalf of the applicant. The TRICS datasheets note that the proposal will generate around 42 vehicle movements per day. This confirms that the development would add 3% to the existing wider background traffic flows (using the traffic count site at Saltdean Vale), which can vary by up to 10% over the course of a typical day.
- 10.54. Despite the lack of cumulative transport assessment, it is however noted that the trip generation data shows only a modest increase in movements on the wider road network.
- 10.55. Relatively, Westfield Rise itself will see a notable uplift in vehicle movements given that this road serves a limited number of properties but the Local Highway Authority have raised no objection and it is not considered that the uplift would result in an 'unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation would be severe' as per para 116 of the National Planning Policy Framework (NPPF).
- 10.56. As an allocated housing site in the urban fringe, the number of movements anticipated by the development is considered reasonable for the site and not considered to be in conflict with City Plan policies.
- 10.57. With regard to public transport, the nearest bus stops are located on Coombe Vale or Westfield Avenue North, both located within 0.2 miles from the site, which equates to 4 minutes walking distance. This provides bus routes to Brighton city centre, via Rottingdean. These services run at a frequency of 20 minutes, seven days per week. This provides a sustainable transport option for residents. The transport team have specified the requirement for a Section 278 highway works agreement, to be secured by S106 agreement, to implement bus shelter improvements at the nearest bus stop. As minor development (under 10 units of accommodation) it is not considered justifiable to seek infrastructure improvements to bus stops in this instance. The development would be subject to mandatory financial contributions under the Community Infrastructure Levy.
- 10.58. Overall, whilst the development would increase transport movements, it is not considered that the development would have a significant impact on local highway capacity.

Car and Cycle Parking

- 10.59. Indicative car parking arrangements have been submitted. As an outline planning application, the details would be assessed under a subsequent reserved matters application. However, Parking Standards SPD14 sets a maximum of 1 car parking space per residential dwelling, plus 1 space per 2 dwellings for visitors. Therefore, a maximum of 14 spaces could be proposed and be policy compliant. The drawings indicate a maximum 14 car parking spaces which is therefore considered to be acceptable and unlikely to result in parking stress/overspill car parking on the surrounding road network. A

condition would be required to ensure that car parking delivered by the development is retained for occupants and visitors of the development.

- 10.60. Members of the public have raised concerns about the existing car parking pressure in Coombe Meadow / Westfield Rise. As noted above it is not considered that provision of 9 houses, with associated maximum parking provision, would result in a significant amount of displaced car parking. However, residents in Coombe Meadow and Westfield Rise currently use the end of the cul-de-sac for additional parking and this area would be lost through the construction of the new access route. This space is not large and could perhaps be used for 2 car parking spaces. The area in question is not a formal parking area, but has clearly been of value to existing residents, and residents would likely experience some inconvenience by the loss of this space. Residents also argue this would have a knock-on effect of more pavement parking on the road and this would cause a highway hazard. However, Transport Team have not raised concerns over displaced parking or potential for highway obstruction. In this instance therefore it would not be reasonable to withhold consent for this reason.
- 10.61. Cycle Parking is required for the development. SPD14 sets minimum standards for cycle parking for residential dwellings, 2 cycle parking spaces per unit for 3-4+ bed residential dwellings and 1 cycle parking space per 3 units for visitors. The development states it would provide 21 cycle parking spaces proposed, 18 for residents plus 3 for visitors, which is policy compliant. The submitted plans do not indicate where they will be located. Further details of cycle storage, including the type of storage and dimensions, is required to be secured via condition.

Sustainability:

- 10.62. As greenfield sites, the urban fringe housing allocations offer particular flexibility for master planning and building design to achieve low carbon and sustainable design. As noted in policy H2, the opportunities should be considered to incorporate passive design, fabric standards, energy efficiency measures and low and zero carbon technology. As an outline application, few details have been submitted in this regard and further detail would be required under a reserved matters application.
- 10.63. CPP2 Policy DM44 requires a minimum Energy Performance Certificate (EPC) rating 'B' for new build residential development. The development should also ensure that each dwelling achieves a water efficiency standard of no more than 110 litres per person per day. These measures can be secured by condition.

Flood Risk and Drainage

- 10.64. The site is not within an area at significant risk of flooding from any source. The site's area is also less than a hectare. Therefore, a Formal Flood Risk Assessment is not required for this development. However, Policy H2 identifies a risk of surface and ground water flooding and that the site is within a Ground Water Source Protection Zone.

- 10.65. Due to the sloping topography of the site, surface water will flow across the site from southeast to northwest towards both existing properties and the new development nearby. Therefore, it is particularly important to ensure that the drainage characteristics of this development match pre-development (greenfield) conditions. In addition, Policy H2 requires that the layout should be planned to ensure future access to existing water and/or wastewater infrastructure for maintenance and upsizing purposes.
- 10.66. A drainage strategy would therefore be required for this application. This should include the following: proof that sustainable drainage has been considered, is in accordance with the SuDS hierarchy; the location and specifications (including size and capacity) of each feature used for collecting, treating, attenuating, and discharging surface water; and calculations demonstrating that the proposed drainage strategy is sufficient to prevent flooding in a 1 in 100 year +40%CC design storm. As the site is located within a Source Protection Zone, it is particularly important, if the water is proposed to be infiltrated, that the drainage strategy offers sufficient treatment to prevent groundwater contamination, referencing the Simple Index approach in the CIRIA SuDS Manual (C753), proof that the ground infiltration rate throughout the site is sufficient for the proposed infiltration drainage to perform as intended, and a maintenance and management plan for each drainage element, listing maintenance tasks required, suggesting frequencies at which they are to be undertaken, and parties' responsible for them.
- 10.67. Southern Water have raised no objection provided that the drainage strategy and design explicitly exclude the use of deep bore soakaways. The requirements above can be sought via a Sustainable Drainage Strategy (SuDS) and this can be submitted for approval by way of a pre-commencement condition.
- 10.68. No information relating to foul water drainage has been submitted. It is assumed that foul waters are proposed to be discharged to the adjacent public sewer in Westfield Rise via a new connection, but confirmation is needed as well as further information relating to the size, capacity and location of the connection, and anticipated peak discharge rates (and supporting calculations) for foul water. This can be secured by planning condition and consultation with Southern Water, who have not objected to the scheme, would be required in this regard.

Other Matters Raised in Representations

- 10.69. Air quality and noise pollution has been raised as a concern through public consultation. The site does not fall within an Air Quality Management Area (AQMA) and there is no objection to housing on the site in relation to Air Quality. It is acknowledged that construction methods, and associated construction traffic and movements can have a localised and temporary negative impact in this regard, but this is not a material consideration for this application. Nevertheless, a condition requiring the production of Construction Environmental Management Plan (CEMP) would be attached to any planning consent.

- 10.70. As discussed above, the access would involve unadopted highway, and this development would rely on the permission of the owners of the land. The applicant has indicated that consent is in place however this is a private matter outside of the scope of this a planning application. Rights of access are also a private matter.
- 10.71. The application has been advertised as 'Land adjacent to Westfield Rise.' Westfield Rise is the main highway access to the site. However, 'Coombe Meadow' is the name of the far northeast extension of Westfield Rise, giving access to the detached properties 1-4 Coombe Meadow which lie on the south-east side of the road. It is considered that the site address used for this planning application is adequate for the purposes of identifying the site and for consultation purposes. This is further supported by the location plan submitted with the application, which shows the site within a red line.
- 10.72. Flooding has been considered during this application, however this an outline application only. Although further information is required, it not considered that the development presents a flooding risk subject to an appropriate drainage strategy. In regard to land slippage, building on sloped land requires some construction challenges which would require full exploration in due course but would be outside the remit of planning considerations.
- 10.73. Loss of property value and loss of view are not material consideration for planning applications. The cumulative impact of the development on local infrastructure is noted. It is acknowledged that a number of housing sites in a small area have come forward in recent years in accordance with allocations in the City Plan. However, this is an allocated housing site, a 'minor' development (as defined by the Development Management Procedure order 2015), and the development would be subject to a statutory Community Infrastructure Levy.

11. CONCLUSION

- 11.1. The site is allocated within the City Plan Part Two as an Urban Fringe housing allocation and would provide 9 new housing units towards the City's housing supply. Following the submission of additional information, the Transport Team have no objection to proposed access, subject to the submission of further details in respect of street layout design and technical standards in relation to the access road. The indicative plans demonstrate that all other aspects of the development, which would be fully assessed on submission of a reserved matters application, could be delivered in accordance with the development plan, subject to further detail.

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. New dwellings should be accessible and adaptable and in accordance with Building Regulations M4(2) for accessibility as required by Policy DM1 of the City Plan Part Two. This can be secured by condition.

13. COMMUNITY INFRASTRUCTURE LEVY

- 13.1. 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 would be confirmed in the CIL liability notice which would be issued as soon as it practicable after the issuing of planning permission, if granted.

14. S106 AGREEMENT

- 14.1. In the event that the S106 agreement has not been signed by all parties by the date set out above, the application shall be refused for the following reasons:
 - 1. The proposed development fails to provide a mechanism by which to secure affordable housing, or a financial contribution towards it in the city, contrary to Policies CP7 and CP20 of the Brighton & Hove City Plan Part One and the City Council's Developer Contributions Technical Guidance.
 - 2. The proposal fails to provide a contribution towards the monitoring of Biodiversity Net Gain, contrary to 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.

