

<u>No:</u>	BH2026/00879	<u>Ward:</u>	Kemptown Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land South Of 5 College Place Brighton		
<u>Proposal:</u>	Erection of three storey building to provide 2no self-contained flats (C3).		
<u>Officer:</u>	Leon Donald tel: 292692	<u>Valid Date:</u>	09.04.2026
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	04.06.2026
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	09.10.2026
<u>Agent:</u>	Lewis And Co Planning SE Ltd Lewis & Co Planning 2 Port Hall Road Brighton BN1 5PD		
<u>Applicant:</u>	Mr Simon Yates 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 **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Location and block plan	TA 1624 01	A	09-Apr-26
Proposed Drawing	TA 1624 10	C	08-Sep-26
Proposed Drawing	TA 1624 11	A	18-Jun-26
Proposed Drawing	TA 1624 12	A	18-Jun-26
Proposed Drawing	TA 1624 13	C	08-Sep-26
Proposed Drawing	TA 1624 14	E	08-Sep-26
Proposed Drawing	TA 1624 15	A	18-Jun-26
Proposed Drawing	TA 1624 16	C	08-Sep-26
Proposed Drawing	TA 1624 17	C	08-Sep-26

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
3. The side windows illustrated on the south elevation drawing (TA1624/17 c) of the development hereby permitted shall not be glazed otherwise than with

obscured glass up to at least 1.7 metres above the floor of the room in which the window is installed, and they shall thereafter be 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

4. Access from the second floor unit onto the flat roof over the first floor rear projection hereby approved (as annotated to the west of the proposed 2nd floor terrace) shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with Policies DM20 and DM21 of Brighton & Hove City Plan Part 2.

5. Notwithstanding the details on the drawings hereby approved, the second floor terrace hereby approved shall not be first brought into use until solid/opaque privacy screen(s) of 1.8 metres in height (measured from the finished floor level of the terrace/balcony) have been installed on the south, west and north boundaries of the terrace/balcony. The screen(s) shall thereafter be retained.

Reason: To protect the amenity of neighbouring occupiers, to comply with Policies DM20 and DM21 of the Brighton and Hove City Plan Part Two.

6. All new render finished shall be smooth, lime based, wet render without external beads, stops, bell drips or expansion joints.

Reason: To ensure a satisfactory appearance to the development and to comply with DM26 of Brighton and Hove City Plan Part 2 and CP15 of the Brighton and Hove City Plan Part One.

7. No development above ground floor slab shall take place until full details of all new sliding sash window(s) and their reveals and cills including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The windows shall be painted timber double hung vertical sliding sashes with hidden trickle vents. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies DM26 of Brighton & Hove City Plan Part 2, and CP15 of the Brighton & Hove City Plan Part One.

8. The development hereby permitted shall not be occupied until the redundant vehicle crossover to the east part of the site, directly in front of the proposed new ground floor dwelling has been converted back to a footway by raising the existing kerb and footway.

Reason: In the interests of highway safety and to comply with policies DM33 of Brighton & Hove City Plan Part 2, CP9 of the Brighton & Hove City Plan Part One.

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

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.

10. None of the residential units hereby approved shall be occupied until each residential unit built has achieved as a minimum, a water efficiency standard of not more than 110 litres per person per day maximum indoor water consumption.
Reason: To ensure that the development is sustainable and makes efficient use of water to comply with policy CP8 of the Brighton & Hove City Plan Part One.
11. The development hereby permitted shall not be occupied until the dwelling(s) 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 standards for disabled people and to meet the changing needs of households and to comply with policy DM1 of the Brighton and Hove City Plan.
12. A 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 CP10 of the Brighton & Hove City Plan Part One, DM37 of the Brighton & Hove City Plan Part Two and SPD11 Nature Conservation and Development.
13. The development hereby permitted shall incorporate at least 4 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.
14. 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 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/details 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 externallyDevelopment shall be carried out in accordance with the approved details. For the avoidance of any doubt the frames of the windows within the development shall be timber material.

Reason: To ensure a satisfactory appearance to the development and to comply with policies DM18/DM21/DM26 of Brighton & Hove City Plan Part 2 and CP12/CP15 of the Brighton & Hove City Plan Part One.

15. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards

16. Prior to occupation of the development hereby permitted, a scheme for hard and soft 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 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, DM26 and DM37 of Brighton & Hove City Plan Part 2, and CP8, CP10, CP12, CP15 and CP13 of the Brighton & Hove City Plan Part One.

17. Other than demolition work or site enabling works, no development hereby permitted shall take place until a drainage strategy detailing the proposed means of foul and surface water disposal (and any sustainable drainage systems) 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.

18. The dwellings hereby approved shall be implemented in strict accordance with the internal layouts detailed on the proposed floorplans TA/1624/11 A, TA/1624/12 A, and T1/1624/13 C. The internal layouts shall be retained as first implemented thereafter.

Reason: To ensure an acceptable standard of accommodation for future occupiers is provided and maintained thereafter and to comply with policy DM1 of the Brighton and Hove City Plan Part Two.

19. 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 DM41 and DM20 of the 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. 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.
3. 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.
4. Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the Environment Act 2021.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, unless an exception or a transitional arrangement applies, the planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.
- 5. The applicant is advised to contact the Council's Streetworks Team (permit.admin@brighton-hove.gov.uk 01273 290729) for necessary highway approval from the Highway Authority prior to any works commencing on the adopted highway to satisfy the requirements of the condition.

2. SITE LOCATION

- 2.1. The application site comprises a vacant parcel of previously developed land situated on the western side of College Place within the East Cliff Conservation Area.
- 2.2. The site currently comprises a vacant area of hardstanding used for informal parking. The site historically contained built form (a single garage) and, more recently, functioned as a parking and service area. The site forms a gap between the established terrace at Nos. 5-10 College Place and the neighbouring building at 3-4A College Place, creating a noticeable break within the otherwise continuous street frontage. The surrounding area is predominantly residential in character, comprising two and three-storey Victorian terraced properties, and benefits from good accessibility to local services, public transport and other facilities.
- 2.3. Nos. 3-4A College Place comprise a former commercial building currently used as artist studio accommodation, with a separate residential unit at second-floor level, and these and properties to the rear are accessed via the private accessway to the south. The adjoining property to the north no.5 is in residential use. To the south there is an existing accessway.

3. APPLICATION DESCRIPTION

- 3.1. Planning permission is sought for the erection of a three-storey infill building providing two self-contained residential dwellings (Use Class C3). The accommodation would comprise a one-bedroom ground floor flat and a three-bedroom maisonette arranged over the first and second floors. The scheme includes private outdoor amenity space in the form of a rear garden serving the ground floor flat together with front and rear roof terraces serving the maisonette. The proposal also includes cycle storage, a single off-street parking space and associated landscaping and boundary treatments.
- 3.2. The proposed building would be modern with a flat roof but with traditional design elements to integrate into the streetscape. The primary external material is proposed to be painted render, with detailing including a faceted bay window with a lead-clad roof, a projecting cornice and parapet, and timber windows and proportions that reflect those of the adjoining No. 5 College Place. Additional features, including blind openings and brick piers frame the mews entrance.

- 3.3. The development has been amended during the application in response to officer comments regarding design, heritage and neighbouring amenity considerations.

4. **RELEVANT HISTORY**

None directly relevant.

Adjacent sites :

- 4.1. **BH2024/01916** (3, 4, 4A And 4E College Place) - Prior Approval for change of use of ground and first floors from commercial use to provide 4no. self-contained flats, with retention of the existing second-floor flat. Approved.
- 4.2. **BH2026/00784** (3 and 4a College Place)- Change of use of ground and first floor from commercial (E) to provide 4no self-contained flats (C3) with associated works to include first floor extension to rear mid-section, revised fenestration and installation of recessed balconies. Currently under consideration.

5. **REPRESENTATIONS**

- 5.1. **11 (eleven)** representations have been received objecting to the proposed development for the following reasons:
- Represents an overdevelopment of the site.
 - Scale, massing and height of the building would appear excessive and out of keeping with the character of College Place.
 - Harm would be caused to the character and appearance of the East Cliff Conservation Area.
 - Would result in a loss of daylight and sunlight to neighbouring properties.
 - Increased overlooking and a loss of privacy.
 - Overbearing impact on neighbouring occupiers and result in a poor outlook.
 - Concerns regarding the proposed roof terraces and potential noise and disturbance arising from their use.
 - Increased demand for on-street parking in an area where parking pressure already exists.
 - Highway safety concerns associated with servicing, deliveries and vehicle movements.
 - Concerns regarding construction impacts during the build period
 - Concern regarding ecological impact; impact to plants.
- 5.2. **The Conservation Advisory Group** have also commented on the application and the group recommend the approval of the application. They have recommended the front railings to match the property to the south (3 College Place).

6. **CONSULTATIONS**

Internal:

- 6.1. **Environmental Health:** No Comment
- 6.2. **Heritage:** Comment- verbal consultation (prior to amended design)
Whilst the proposed infill development is supported in principle, the current design requires further refinement to preserve and enhance the character and appearance of the East Cliff Conservation Area.
- 6.3. The proposed building line should align more closely with the adjoining terrace, and that the second-floor front terrace is not characteristic of the area and should be removed, with the building line continued upwards to create a full three-storey form. Further design amendments are recommended to the parapet height and stepping, drawing reference from neighbouring properties and local precedent. Improved floor to ceiling heights should be demonstrated through section drawings.
- 6.4. The window arrangement, proportions and alignment should better reflect the established rhythm and symmetry of the street scene, with closer correspondence to neighbouring head and cill heights. The recessed entrance should be reduced in depth, and further refinement is required to the junction with the adjoining property, including the treatment of existing blank windows. The side elevation should incorporate additional articulation and fenestration consistent with surrounding development. Consideration should also be given to incorporating design features that clearly signify the entrance to the proposed mews, drawing inspiration from existing mews streets within the East Cliff Conservation Area.
- 6.5. **Housing:** No Comment
- 6.6. **Planning Policy:** No Comment
- 6.7. **Sustainable Transport:** No Comment
- External: None
- 6.8. Full details of consultation responses received can be found online on the planning register, with the exception of the verbal responses noted above.

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; revised October 2024; revised October 2024);

- East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- Shoreham Harbour JAAP (adopted October 2019).

8. **RELEVANT POLICIES & GUIDANCE**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

CP1	Housing delivery
CP3	Employment Land
CP8	Sustainable buildings
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP13	Public streets and spaces
CP14	Housing Density
CP15	Heritage

Brighton & Hove City Plan Part Two:

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	Biodiversity
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD14	Parking Standards

9. **CONSIDERATIONS & ASSESSMENT**

- 9.1. The main considerations in the determination of this application relate to the principle of residential development on the site; the design, scale and appearance of the proposed building; its impact on the character and appearance of the East Cliff Conservation Area; the standard of accommodation provided for future occupiers; the impact on neighbouring residential amenity; sustainable transport and parking considerations; biodiversity and sustainability matters; and the issues raised through representations received during the application process.

Principle of the Development:

Loss of current use and proposed residential use

- 9.2. The application site is a vacant parcel of previously developed land currently comprising hardstanding used for informal parking. The Design and Access

Statement submitted with the application confirms that the site has been used for ad-hoc car parking in recent years. The site did partly contain a single garage which was removed within the past 3 years. Whilst the precise date at which any former garage or ancillary structures were removed is unclear, historic mapping demonstrates that built form previously occupied the site and that the site has represented a longstanding gap within the terrace. It is not known if the site was previously associated with the neighbouring commercial premises at 3-4A College Place; the applicant is a recent owner of the site and there is no definitive planning history. The current applicant has confirmed the sites are separate and there are no lease rights to use the land for parking.

- 9.3. The neighbouring commercial premises to the south at 3-4A College Place benefitted from Prior Approval in 2024 for conversion to residential use and a subsequent planning application seeking an enhanced residential conversion remains under consideration (see Relevant History section in this report). The wider site context has therefore already undergone a significant transition away from commercial activity and towards residential use. Whilst Policy CP3 seeks to safeguard employment floorspace and premises, officers consider the use, nature and scale of the application site is such that its contribution to employment provision is limited.
- 9.4. Added to the above, within the planning balance, weight should be afforded to re-use of a vacant site and the provision of two additional self-contained dwellings in a highly sustainable urban location. Given the Council's significant housing land supply shortfall and Housing Delivery Test position, the proposal would make a small but meaningful contribution towards housing delivery objectives. The efficient redevelopment of this previously developed site accords with the objectives of Policies SS1 and CP1 and attracts significant weight in favour of the proposal.
- 9.5. Policy CP1 in City Plan Part One sets a minimum housing provision target of 13,200 new homes for the city up to 2030. However, local housing need calculated using the Government's standard method should be used in place of the local plan housing requirement because the council cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer) and, separately, because the most recent Housing Delivery Test indicates that the delivery of housing is less than 75% of the housing requirement over the previous three years. The local housing need figure for Brighton & Hove using the standard method is 2,487 homes per year. A 20% buffer is then applied to this figure to reflect the most recent Housing Delivery Test measurement (published in August 2026) for the council being less than 85%.
- 9.6. 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 just 1.5 years of housing supply.
- 9.7. In addition to the above, the townscape and heritage benefits of the scheme are also given weight in the planning balance, as set out below.

- 9.8. Therefore, in this instance, the principle of redevelopment of the site for a residential use is considered acceptable on balance, and the loss of the parking area is accepted.

Design and Appearance, including Impact on Heritage Features

- 9.9. When considering whether to grant planning permission for development in a conservation area the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 9.10. Case law has held that the desirability of preserving or enhancing the character or appearance of a conservation area should be given "considerable importance and weight".
- 9.11. The application site lies within the East Cliff Conservation Area and therefore special attention must be paid to the desirability of preserving or enhancing its character and appearance.
- 9.12. When originally submitted, concerns were raised regarding the detailed design approach. Discussions were undertaken with the applicant and their architect throughout the determination period, resulting in a series of amendments which substantially improved the scheme. These amendments included revisions to the front building line to better align with the established terrace, alterations to window proportions and positioning to better reflect the rhythm of neighbouring buildings, refinement of the entrance treatment, revisions to the parapet arrangement and removal of the front roof terrace. Additional sectional information was also submitted to clarify the relationship with neighbouring properties and surrounding townscape.
- 9.13. The amended proposal now presents a more coherent response to the prevailing character of College Place. The building adopts a three-storey form which completes a longstanding gap within the terrace and reestablishes the continuity of built frontage along the western side of the street. The proportions, materials and architectural detailing reference key characteristics of neighbouring Victorian properties whilst remaining legibly contemporary in design. The development would repair what is currently perceived as a gap within the streetscene and would reinforce the established enclosure and urban grain of the terrace.
- 9.14. It is considered that the amendments satisfactorily address the main points raised in the Heritage officer's comments. The Conservation Advisory Group has considered the original scheme and raised no objection, recommending approval subject to the front railings being designed to match those serving No. 3 College Place.
- 9.15. Officers consider that the final design would preserve the significance of the East Cliff Conservation Area and would have a positive effect on its character and appearance through the sensitive redevelopment of a longstanding gap site and the restoration of a continuous building frontage within the terrace. The road is mixed, and the introduction of railings on a contemporary scheme is not considered necessary in this instance.

9.16. The proposal responds appropriately to the established scale, proportions and rhythm of development within College Place whilst remaining legibly contemporary in its architectural expression. The development would therefore conserve the significance of the designated heritage asset and accords with the statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, together with the heritage provisions of the NPPF and Policies CP12, CP15, DM18 and DM26.

9.17. Final landscaping designs and external materials can be satisfactorily dealt with via condition.

Impact on Amenity:

9.18. City Plan policies DM20 and DM40 seek to protect amenity, and seek to ensure development appropriately mitigate potential impacts associated with loss of daylight/sunlight, loss of outlook, loss of privacy and noise and disturbance.

9.19. The impact on all neighbouring properties has been duly assessed. The extant Prior Approval for residential use at 3 and 4a College Place has been taken into account and impacts assessed on prospective occupiers.

9.20. During the determination process concerns were raised regarding the adequacy of the submitted daylight and sunlight information. Officers requested additional assessment work covering the relationship between the proposal and neighbouring properties. In response, the applicant commissioned further technical analysis and provided updated supporting information and drawings. The submitted Daylight and Sunlight Assessment demonstrates that the proposed conversion scheme at 3 and 4A College Place would retain acceptable levels of daylight and sunlight following construction of the proposal. The assessment concludes that all tested rooms comply with BRE BR209 (2022) guidance and that at least one habitable room within each dwelling receives the recommended level of sunlight exposure. The report identifies no grounds for refusal based on daylight or sunlight impacts.

9.21. The proposal has also been amended to reduce opportunities for overlooking. Most south-facing windows would serve secondary spaces and can be secured as obscure glazed through condition where necessary. There is no objection to an upper floor roof terrace at the rear given the siting of the proposal and the current screening in place. The terrace has been refined, including a reduction in its depth and updated drawings confirm it would not unduly project beyond the neighbouring flank wall to the north. This helps to minimise overlooking and ensure neighbouring privacy is maintained. Privacy screens around the terrace can be conditioned to ensure no undue overlooking, including to the south. The limited scale of the terrace would ensure that no undue noise or disturbance would result.

9.22. Given the limited scale of the proposal, and its location, it is not considered a Construction Environmental Management Plan is required in this instance to mitigate construction impacts.

- 9.23. Taking account of the scale, positioning and detailed design of the amended proposal, officers are satisfied that the development would not result in unacceptable loss of daylight, sunlight, outlook or privacy to adjoining occupiers and would therefore comply with Policies DM20 and DM40.

Sustainable Transport:

- 9.24. Policy CP9 of City Plan Part One and Policy DM33 of City Plan Part Two seek to promote developments that encourage sustainable and active forms of travel and reduce reliance on the private car.
- 9.25. There is no objection to loss of an informal parking area in principle, particularly as it appears no longer linked to a particular premises or use. An access route to properties to the rear would remain. The application site occupies a highly sustainable location close to local shops and services on St George's Road and Eastern Road and within convenient walking distance of frequent bus services, healthcare facilities, schools and the seafront. Any current users of the site and future occupiers would have access to a wide range of day-to-day facilities without requiring a private vehicle.
- 9.26. The proposal would provide cycle parking for two bicycles, helping to encourage sustainable modes of transport. A single off-street car parking space is proposed for the two dwellings, and this is considered acceptable having regard to the location and scale of the development. The space would be in the location of current parking and would be adequately accessed off the internal access road to the south, which is to remain. The redevelopment of this small infill site is unlikely to generate significant additional vehicle movements, and there is no evidence to demonstrate that the development would result in severe highway impacts.
- 9.27. The proposed development would reduce the width of the existing accessway running along the southern boundary of the site. The submitted plans indicate that a clear access width of approximately 3.3 metres would remain available. Officers note that the accessway is private, and would continue to serve 4 and 4C College Place and properties to the rear. Having reviewed the layout, the retained width is considered sufficient to continue accommodating pedestrian access and the limited servicing requirements associated with these properties. On balance, no objection is raised in this regard.
- 9.28. Subject to the provision and retention of secure cycle parking and the implementation of the development in accordance with the approved plans, the proposal is considered to provide an appropriate balance between sustainable travel objectives and residential needs. The development is therefore considered to accord with Policies CP9, DM33 and DM36.

Standard of accommodation:

- 9.29. Policy DM1 seeks to secure an appropriate mix and quality of housing accommodation. The proposal would provide a one-bedroom flat and a three-bedroom maisonette, contributing to housing choice within the city.

9.30. The submitted floorplans demonstrate that both new dwellings meet or exceed the Nationally Described Space Standards. The one-bedroom flat provides appropriately sized habitable rooms, storage provision and direct access to a private rear garden. The three-bedroom maisonette would be arranged across two upper floors and provides generous internal accommodation together with both front and rear private roof terraces.

9.31. The proposed accommodation benefits from adequate outlook, natural daylight, ventilation and private outdoor amenity space. Officers are satisfied that the development would provide a high standard of living environment for future occupants in accordance with Policy DM1.

Sustainability and biodiversity:

9.32. Policy CP8 seeks to ensure that new development achieves high standards of sustainable design and construction. The proposal incorporates the redevelopment of a previously developed brownfield site within a highly sustainable location close to public transport, services and facilities. Conditions are recommended requiring achievement of the Council's energy efficiency standards together with water efficiency measures, thereby ensuring compliance with Policies CP8 and DM44.

9.33. In biodiversity terms, the site is vacant and is not within an identified wildlife site or known to contain any protected species. Whilst the hardsurfaced nature of the site limits opportunities for significant habitat creation, biodiversity enhancements can nonetheless be secured through condition. These enhancements would include the provision of integrated swift bricks and bee bricks within the external fabric of the building, contributing to urban biodiversity and supporting Priority Species within the city.

9.34. This scheme was considered exempt from the need to secure mandatory biodiversity net gain under Schedule 7A of the TCPA because the site is a vacant previously developed site comprising hardstanding and does not impact priority habitat or significant habitat features.

9.35. Refuse and recycling provision would be via the existing communal on-street collection system, which is considered acceptable given the highly sustainable city-centre location.

10. EQUALITIES

10.1. 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.

- 10.2. 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. A condition requiring M4(2) adaptable standard will be imposed.

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.

