

<u>No:</u>	BH2026/01425	<u>Ward:</u>	Preston Park Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Flat 2 35 Highcroft Villas Brighton BN1 5PS		
<u>Proposal:</u>	Proposed alterations to the roof, including an increase in ridge height, a dormer to the rear roof elevation, and a second-floor flat roof extension over the existing outrigger, together with the provision of off-street car parking spaces and a new vehicular crossover.		
<u>Officer:</u>	Shikha Khare,	<u>Valid Date:</u>	11.06.2026
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	06.08.2026
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	28.10.2026
<u>Agent:</u>	Mr Stuart Wickham 14 Batemans Road Woodingdean Brighton East Sussex BN2 6RD United Kingdom		
<u>Applicant:</u>	Mr & Mrs James Bullen 35 Flat 2 Highcroft Villas Brighton East Sussex BN1 5PS		

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
Proposed Drawing	01		11-Jun-26
Proposed Drawing	02		11-Jun-26
Location Plan			11-Jun-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. Unless otherwise shown on the drawings hereby approved, the external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies DM18 and DM21 of City Plan Part Two and CP12 of City Plan Part One.

4. The side windows in the western elevation of the development hereby permitted shall be obscure glazed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with Policies DM20 and DM21 of Brighton & Hove City Plan Part 2.
5. The vehicular crossover hereby approved shall not be brought into use until the existing school-related highway sign affected by the crossover has been relocated in accordance with the requirements of the Local Highway Authority.
Reason: To ensure that the existing highway sign is appropriately retained and to safeguard highway and pedestrian safety.
6. The vehicular access and parking area hereby approved shall be constructed and made available in accordance with the approved plans prior to first use and shall thereafter be retained. The visibility splays associated with the access shall thereafter be kept free from obstruction exceeding 0.6m in height.
Reason: To ensure safe and suitable access to the site and to safeguard pedestrian and highway safety, in accordance with Policy DM33 of the Brighton & Hove City Plan Part Two and SPD14.
7. At least one bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.
Reason: To enhance the biodiversity of the site and to comply with Policy DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

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. The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Head of Asset and Network Management. 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.

Biodiversity Net Gain

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.

2. SITE LOCATION

- 2.1. The application relates to a first-floor flat within a two-storey end of terrace property located on the western side of Highcroft Villas. The property has a traditional pitched roof and a two-storey rear outrigger.
- 2.2. Highcroft Villas is predominantly residential in character with varied styles and designs of properties. The road slopes upwards east to west along its length, resulting in variation in the ridge levels of properties. The rear townscape of the associated terrace is varied, with a range of roof alterations and extensions evident within the terrace and surrounding area. Off-street parking and hardstanding are also established features within front gardens along the street although the application site does not currently have any off street parking area or crossover as existing.

3. RELEVANT HISTORY

None identified.

4. RELEVANT HISTORY AT OTHER SITES

- 4.1. **BH2026/00130** - 26 Highcroft Villas - Erection of a second floor rear extension over outrigger and alteration to the roof to include dormer to rear roof elevation. Approved
- 4.2. **BH2024/00275** - 27 Highcroft Villas- Erection of new rear dormer. Approved
- 4.3. **BH2003/00995/FP** - 31 Highcroft Villas- Alterations to front garden to allow vehicular access. Approved

- 4.4. **95/0756/FP** - 32 Highcroft Villas- Formation of hardstanding in front garden and vehicular crossover. Approved
- 4.5. **BH2002/02501/FP** - 33 Highcroft Villas-Formation of vehicle access and car parking space at front of property. Approved

5. APPLICATION DESCRIPTION

- 5.1. Planning permission is sought for proposed alterations to the roof, including an increase in ridge height, a dormer to the rear roof elevation, and a second-floor flat roof extension over the existing outrigger, together with the provision of an off-street car parking space and a new vehicular crossover.
- 5.2. Further to submission of the application the description has been amended to reflect all elements of the proposal, including the increase in ridge height, off-street parking and new vehicular crossover. The application was re-advertised, and neighbouring properties reconsulted with regards to the amended description.

6. REPRESENTATIONS

- 6.1. In response to publicity, responses were received from **eight (8)** individuals objecting to the application and raising the following issues:
- Overdevelopment and intensification of the property
 - Excessive height, scale and bulk, including the increase in ridge height, resulting in an overbearing appearance and harm to the character of the area
 - Loss of privacy and increased overlooking
 - Loss of daylight/sunlight and increased sense of enclosure
 - Increased noise and disturbance arising from the additional bedrooms/occupancy
 - Increased parking demand and loss of on-street parking
 - Inappropriate level and layout of off-street parking
 - Highway and pedestrian safety concerns associated with the proposed crossover, including the adjacent school-related highway sign
 - Loss of front garden/greenery and increased hardstanding
 - Potential impact on biodiversity and bats
 - Concerns regarding the standard of accommodation for future occupiers, including the intensity of occupation
 - Structural concerns, including works affecting the shared chimney and potential damage to adjoining property
 - Construction noise and disturbance
 - Potential future use as an HMO
 - Impact on property values.
 - Inadequate refuse and recycling storage arrangements
 - Potential obstruction of the shared side passage.
 - Impact on daylight, sunlight and outlook from the flank windows of No. 36

- Potential impact on the architectural character and setting of No. 36 Highcroft Villas as a non-designated heritage asset
- 6.2. **Councillor Steve Davis** has objected to the application. A copy of their representation is attached as an appendix to this report.
- 6.3. Full details of representations received can be found online on the planning register.

7. CONSULTATIONS

- 7.1. **Transport:** Comment.
Further information/amendments required
- 7.2. Concerns raised regarding the extent of the proposed hardstanding and crossover, with SPD14 allowing a maximum of one on-site parking space. Adequate visibility at the access and relocation of the existing school-related highway sign are required. Provision for a minimum of two secure long-stay cycle parking spaces is also required.
- 7.3. Full details of consultation response received can be found online on the planning register.

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, revised October 2024);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Harbour JAAP (adopted October 2019).

9. RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One:

SS1	Presumption in Favour of Sustainable Development
CP10	Biodiversity
CP12	Urban Design

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM36	Parking and servicing
DM37	Green Infrastructure and Nature Conservation

Supplementary Planning Document:

SPD09	Architectural Features
SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards
SPD17	Urban Design Framework

10. CONSIDERATIONS & ASSESSMENT

- 10.1. The main considerations in the determination of this application are the design and appearance of the proposed roof alterations and second-floor rear extension, the impact on the character and appearance of the host building, the associated terrace and wider area, the impact on neighbouring amenity, highway and parking matters. Other considerations include the standard of accommodation provided for the existing and future occupiers and the impacts of the development on biodiversity.

Design and appearance

- 10.2. The proposal would increase the ridge height of the main roof by approximately 725mm, through the formation of a rear dormer and a second-floor flat-roofed extension above the existing rear outrigger. The existing front roof slope and some of the flat roof section would be retained, with the dormer creating a raised section positioned behind the existing ridge rather than involving an upward extension of the front roof plane. This is an unusual relationship but would provide a visual set-back to the additional roof height and reduce its prominence when viewed from Highcroft Villas. The approximately 725mm increase would be noticeable from some parts of the associated streetscene but would not appear as a continuous or dominant increase to the principal front roof slope.
- 10.3. Highcroft Villas slopes east to west along this section of the street and consequently the terrace does not present a consistent ridge level. In this context, this increase would be noticeable but would not appear unduly prominent or disrupt an otherwise uniform roofline.
- 10.4. The rear dormer and second-floor extension, which would be located above and upon the existing outrigger would represent substantial additions and would increase the bulk of the building when viewed from the rear. This impact is acknowledged. However, the roof extension would be limited in its extent projecting nearly 6m at the rear rather than extending across the full depth/span of the existing rear projection, and the principal additional bulk would be

concentrated to the rear where there is an established variety of roof forms and rear additions.

- 10.5. There is precedent for comparable development along Highcroft Villas. Of particular relevance is at No. 26 Highcroft Villas, approved in April 2026 (under application BH2026/00130) for a second-floor rear extension over an existing outrigger together with a rear dormer. Although that application related to a dwellinghouse rather than a flat, its resulting physical form, as a result of the development approved, is relevant to the assessment of the character and appearance of the wider area. In that case, the case officer also acknowledged the substantial nature of the proposed rear additions but considered them acceptable having regard to other rear dormers and outrigger loft extensions along Highcroft Villas.
- 10.6. Representations have raised concerns regarding the relationship of the proposed development with No. 36 Highcroft Villas, which is located to the west of the application site, and the potential impact on the established character of the surrounding townscape. The architectural character of No. 36 and its relationship with the application property is acknowledged, however, due to the existing variation in roof forms and building heights along Highcroft Villas, together with the position and extent of the proposed additions, the development is not considered to result in such significant harm to the character and appearance of the surrounding area to warrant refusal.
- 10.7. Overall, whilst the proposal would result in a noticeable increase in the scale and bulk of the host property at the rear, the set-back nature of the ridge increase, the sloping and varied roofscape of the street, the limited extent of the extension above the outrigger and the established pattern of comparable rear additions are considered to satisfactorily integrate the development within its context.
- 10.8. Subject to matching external materials, the proposal would not cause significant harm to the character and appearance of the host property or wider area and is considered acceptable in accordance with Policies CP12, DM18 and DM21 of the Brighton and Hove City Plan Part One and Part Two and the principles of SPD12.

Impact on Neighbouring Amenity

- 10.9. Representations have raised concerns regarding overlooking and loss of privacy, loss of daylight and sunlight, an increased sense of enclosure, and increased noise and disturbance.
- 10.10. A new west/side-facing window is proposed within the extension to serve the second-floor shower room. The submitted drawings specify that this new window would be obscure glazed. A condition is recommended to secure the obscure glazing in order to minimise its impact towards the neighbouring property at 36. Whilst it is noted that the window could be opened due to the sash window style, the window serves a shower room and it is not considered that this would result in such loss of privacy to warrant refusal due to the oblique views towards no. 36. Nonetheless the obscuring would assist in removing any harmful loss of

privacy and it is noted that existing views are possible from an existing side window located below the new window proposed.

- 10.11. New rear-facing windows are proposed to serve additional bedrooms proposed within the extended roof-space. These would principally provide views towards the rear gardens where there is already a degree of mutual overlooking from existing first-floor windows and is characteristic of the established residential arrangement. The rear-facing window within the proposed second-floor outrigger extension would also be set back from the rear edge of the existing outrigger (as the extension would not extend across its full depth). This would provide some additional separation from the garden areas below. Whilst the proposed windows would introduce views from a higher level, having regard to their position and the existing pattern of mutual overlooking, it is not considered that they would materially alter the existing relationship or result in a significant harmful loss of privacy.
- 10.12. The proposed rear dormer and second-floor extension would increase the height and bulk of the building when viewed from the rear. Having regard to the limited extent of the additional development, its position within the existing built footprint and its relationship with adjoining properties, it is not considered that the proposal would result in an unacceptable sense of enclosure or loss of outlook to neighbouring properties.
- 10.13. The proposed roof alterations and second-floor rear extension would increase the height and bulk of the existing building. Concerns have been raised regarding potential overshadowing and loss of daylight and sunlight to the ground-floor flat within the host property and No. 36 Highcroft Villas.
- 10.14. Regarding the ground-floor flat, the extension would be built above the existing two-storey rear outrigger, which already affects the amount of light reaching the rear-facing window. Although the additional height may cause some limited additional overshadowing, the impact on the window and the external amenity area over and above the existing situation is not considered to be significant.
- 10.15. In regards to the impact upon 36 Highcroft Villas to the west, concerns have been raised on potential overshadowing of its flank windows and the side passage between the properties. The proposed development would increase the height of the building, which may result in some additional overshadowing at certain times of the day to the east facing elevation of 36. However, the proposed extension would be positioned above the existing rear outrigger and would not extend further towards No. 36. The side passage is already enclosed and overshadowed by the existing buildings, and whilst some additional shading may occur, this would not in itself result in significant harm to residential amenity harmfully over and above the existing situation given the position and scale of the proposed extension.
- 10.16. Concerns have also been raised regarding increased noise and disturbance associated with the increase in bedrooms. The proposal would enlarge the existing residential flat from one to four bedrooms but would not change its residential use or character. Whilst the enlarged accommodation could result in

an increase in domestic activity, there is no substantive evidence that normal residential occupation of the proposed flat would result in levels of noise or disturbance materially greater than could reasonably be expected within this residential location.

- 10.17. Overall, subject to the condition relating to the west facing shower-room window, the proposal would not result in an overbearing development nor result in significant harm to the privacy, outlook, daylight, sunlight or general amenity of neighbouring occupiers and is considered acceptable in accordance with Policies DM20 and DM21 of the Brighton and Hove City Plan Part Two.

Highways, Parking and Access

- 10.18. Representations have raised concerns regarding increased parking demand arising from the enlargement of the flat, the level of off-street parking proposed, the creation of the vehicular crossover, loss of on-street parking and associated pedestrian and highway safety. Concerns have also been raised regarding the existing school-related highway sign adjacent to the proposed access.
- 10.19. The proposal includes a relocated pedestrian access moving the access point from the western side to the eastern side of the front garden area and the formation of an off-street parking area within the front garden, served by a new vehicular crossover. The Local Highway Authority has confirmed that the relocated pedestrian access is acceptable.
- 10.20. The proposed hardstanding would be approximately 6m wide and could accommodate two vehicles and the Local Highways Authority has therefore requested that the hardstanding be reduced to accommodate a single vehicle, with the width of the crossover reduced accordingly. Off-street parking and substantial hardstandings are established features along this part of Highcroft Villas, with front gardens displaying a variety of parking arrangements and levels of soft landscaping, including frontages capable of accommodating more than one vehicle. In this context, whilst the proposed hardstanding could accommodate more than one vehicle and would exceed the maximum parking provision set out in SPD14, the level of parking provision itself is not considered to result in harm sufficient to warrant refusal of the application.
- 10.21. The proposed new crossover would require a separate licence from the Highway Authority, and the grant of planning permission would not itself guarantee that a crossover licence would be issued. The Highway Authority advises that the crossover and hardstanding would need to accord with the Council's relevant guidance, including the provision of adequate visibility at the access, with visibility splays kept free from obstruction above 600mm. The submitted arrangement shows an open frontage to the proposed hardstanding, with the existing front boundary wall removed at the access and individual brick piers proposed. On this basis, it is considered that adequate visibility can be achieved and no unacceptable impact on highway or pedestrian safety is identified. The access and necessary visibility arrangements required are proposed to be secured and retained by condition.

- 10.22. An existing school-related highway sign is positioned directly adjacent to the proposed crossover. The submitted plans acknowledge the presence of the sign and the Highway Authority advises that it would need to be relocated at the applicant's expense with an appropriate planning condition ensuring that the crossover is not brought into use until the necessary highway works have been undertaken. This is recommended.
- 10.23. The creation of the parking area would result in the loss of some existing soft landscaping within the front garden, which is regrettable. However, off-street parking and hardstandings are already characteristic of this part of Highcroft Villas, with neighbouring properties retaining varying levels of soft landscaping and some having predominantly hard-surfaced frontages. The proposed parking area would be finished with porous block paving, allowing rainwater to drain through the surface. In the context of the existing street scene, the proposed parking area is not considered to result in significant visual harm.
- 10.24. Two cycle parking spaces are required for the development in accordance with SPD14. These are not currently shown on the submitted plans. It is not known if the upper floor residential unit has access to the rear garden and Officers consider that a cycle storage facility in the altered front garden could cause visual amenity harm to the host property and wider streetscene. As such due to the constraints of the site it is not considered that a condition to require cycle storage facilities is reasonable.
- 10.25. The increase from one to four bedrooms could result in some additional parking demand, as raised in representations. However, the number of vehicles that may be associated with future occupiers cannot reasonably be assumed from the number of bedrooms alone. The proposal would itself provide off-street parking, and the level of parking provision proposed is not considered to give rise to an unacceptable impact on highway safety or the operation of the surrounding highway network. Similarly, whilst the crossover would alter the existing kerbside arrangement, there is insufficient evidence that the consequential effect upon on-street parking would result in significant highway harm.
- 10.26. Overall, the Local Highway Authority's comments regarding the width of the hardstanding and crossover, visibility, relocation of the highway sign and cycle parking are acknowledged. The level of car parking provision is not considered to provide a sustainable reason for refusal, while the remaining matters can be satisfactorily addressed through the recommended compliance conditions and/or the separate highway crossover licensing process. The proposal is therefore not considered to result in an unacceptable impact on parking provision or highway or pedestrian safety and is considered acceptable and in accordance with Policy DM33 of the Brighton and Hove City Plan Part Two.

Standard of Accommodation

- 10.27. Representations have raised concerns regarding the intensity of the accommodation and the standard of living conditions that would be provided for future occupiers.

- 10.28. The submitted floor plans demonstrate that the proposed bedrooms would be of a functional size and configuration, with sufficient space to accommodate the necessary bedroom furniture and circulation. Bedrooms 1 and 2 would be located at first-floor level, with Bedrooms 3 and 4 provided at second floor/roof level. The principal living and kitchen accommodation would remain at first-floor level.
- 10.29. The second floor accommodation would be formed partly within the altered roof space. The proposed increase in ridge height would facilitate improved internal headroom within the roof-level accommodation. The submitted section drawing indicates an internal floor-to-ceiling height of approximately 2.16m within Bedroom 3, which is below the 2.3m height specified in the Nationally Described Space Standard (NDSS). However, the NDSS requirement relates to at least 75% of the overall Gross Internal Area of the dwelling, rather than each individual room. Given that the remaining rooms within the flat generally benefit from ceiling heights exceeding 2.3m, the reduced headroom within Bedroom 3 is not considered to significantly compromise the overall standard of accommodation. Bedroom 4 would be accommodated within the proposed flat-roof rear extension and would benefit from adequate headroom.
- 10.30. Whilst some variation in headroom would arise from the roof form, the proposed arrangement is considered to provide functional and usable accommodation, maintaining an acceptable standard of residential amenity in accordance with Policy DM1 of the Brighton & Hove City Plan Part Two.
- 10.31. The proposed bedrooms and principal living accommodation would have acceptable natural light, ventilation and outlook and no concerns are raised in this respect. The proposed shower room at second-floor level would also provide appropriate bathroom facilities to serve the additional accommodation.
- 10.32. Overall, the proposed layout is considered to provide a functional and acceptable living environment for current and future occupiers of the flat. The proposal is therefore considered acceptable in this regard in accordance with Policy DM1 of the Brighton & Hove City Plan Part Two.

Biodiversity

- 10.33. A representation has raised concern regarding the potential impact on bats. The submitted Wildlife Assessment Check indicates that, based on the information provided, consultation with an ecologist is unlikely to be required. Whilst the checklist is a screening tool rather than a professional ecological assessment, there is no substantive evidence to indicate that the proposal would result in harm to protected species. It is also noted that harm to protected species is an offence under the Wildlife and Countryside Act.
- 10.34. The development is also considered exempt from mandatory Biodiversity Net Gain under the de minimis exemption, as it would not impact priority habitat or more than 25sqm of habitat with biodiversity value, or 5m of linear habitat. A condition is recommended requiring a bee brick to enhance nature conservation of the site.

- 10.35. The proposal is considered acceptable in ecological and biodiversity terms, in accordance with Policy DM37 of the Brighton & Hove City Plan Part Two.

Other Matters Raised in Representations

- 10.36. Representations have raised concerns regarding construction noise and disturbance, potential damage to adjoining properties and the shared chimney. Construction impacts would be temporary, while matters relating to structural integrity, party walls and potential damage to adjoining property are principally addressed through other legislation and are not material planning considerations.
- 10.37. A representation has referred to No. 36 Highcroft Villas as a non-designated heritage asset. However, the property is not identified as a designated or non-designated heritage asset within the Council's relevant heritage records. Notwithstanding this, the character and appearance of No. 36 and its relationship with the application site have been taken into account as part of the assessment of the proposed development.
- 10.38. The property is currently a one-bedroom flat. Concerns have been raised regarding the potential future use of the property as an HMO and the number of future occupants. The application does not seek permission for a HMO, and the proposal is therefore assessed on the basis of a continuing C3 residential use. Any future material change of use would require planning permission.
- 10.39. Concerns have been raised regarding refuse and recycling storage, including the existing storage of bins within the shared side passage. The submitted plans do not identify a specific refuse or recycling storage area. However, the proposal relates to the enlargement of an existing residential flat rather than the creation of an additional dwelling, and it is not considered that the development would result in a materially different requirement for refuse storage such that the absence of a designated bin storage area would warrant refusal of the application. Matters relating to the existing use of, or private rights of access over, the shared side passage are separate from the determination of this application.
- 10.40. The potential effect of the development on property values is not a material planning consideration and has therefore not formed part of the assessment.

Conclusion

- 10.41. The proposal would result in a noticeable enlargement to the rear of the existing flat and represent something of an unusual form of development, however, having regard to its design, the surrounding existing development and existing site context, it would not result in significant harm to the character of the area nor cause harmful impacts to neighbouring amenity that would warrant refusal of the application. The proposal would provide an acceptable standard of accommodation.
- 10.42. The level of parking provision is considered acceptable in this case with remaining highway matters capable of being addressed through conditions and

the separate crossover licensing process. No unacceptable ecological impacts have been identified.

- 10.43. Overall, the proposal is considered to accord with the development plan and is recommended for approval, subject to appropriate conditions.

11. EQUALITIES

- 11.1. 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.

- 11.2. 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. COMMUNITY INFRASTRUCTURE LEVY

- 12.1. Under the Regulations of the Community Infrastructure Levy 2010 (as amended), Brighton & Hove City Council adopted its Community Infrastructure Levy Charging Schedule on 23 July 2020 and began charging on 5 October 2020. The development is CIL liable. The precise amount payable will be calculated and confirmed separately following the grant of planning permission.

