

<u>No:</u>	BH2016/02053	<u>Ward:</u>	Wish Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land adjacent Martello House 315 Portland Road, Hove		
<u>Proposal:</u>	Erection of 2no three storey buildings, first building comprising of 3no one bedroom flats and 1no two bedroom flat. Second building comprises of six office spaces with cycle stores and associated works.		
<u>Officer:</u>	Helen Hobbs, tel: 293335	<u>Valid Date:</u>	16.06.2016
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	11.08.2016
<u>Listed Building Grade:</u>	<u>EOT:</u>		
<u>Agent:</u>	ZST Architects 3 Dorset Place Brighton BN2 1ST		
<u>Applicant:</u>	Mr David Martin 19 William Mews London SW1X 9HF		

1. RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.
Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Location Plan	P-001	B	3 June 2017
Site Layout Plan	1504-P-002	D	27 January 2017
Floor Plans Proposed	1504-P-110	D	27 January 2017
Floor Plans Proposed	1504-P-111	D	27 January 2017
Floor Plans Proposed	1504-P-112	D	27 January 2017
Elevations Proposed	1504-P-113	D	27 January 2017
Elevations Proposed	1504-P-116	D	27 January 2017
Elevations Proposed	1504-P-114	C	3 June 2016
Floor Plans Proposed	1504-P-200		3 June 2016

- 2 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

- 3 No development above ground floor slab level of any part of the development hereby permitted shall take place until samples 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 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 of all hard surfacing materials
 - d) Samples of the proposed window, door and balcony treatments
 - e) Samples of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 of the City Plan Part One.

- 4 Prior to first occupation of the development hereby permitted a scheme for the storage of refuse and recycling shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved 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 policy QD27 of the Brighton & Hove Local Plan.

- 5 Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall 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 TR14 of the Brighton & Hove Local Plan.

- 6 The dwellings hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such 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 HO13 of the Brighton & Hove Local Plan.

- 7 None of the residential units hereby approved shall be occupied until each residential unit built has achieved an energy efficiency standard of a minimum of 19% CO2 improvement over Building Regulations requirements Part L 2013 (TER Baseline).
Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with policy CP8 of the City Plan Part One.
- 8 None of the residential units hereby approved shall be occupied until each residential unit built has achieved a water efficiency standard using 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 City Plan Part One.
- 9 No development shall take place until detailed drawings of the access road and footway within the site to include provision of a footway and dropped kerbs and tactile paving has been submitted to and approved in writing by the Local Planning Authority. The works shall be designed to as near adoptable standards as is possible and be implemented in accordance with the details approved prior to the first occupation of the development and retained as such thereafter.
Reason: In the interests of highway safety and for the benefit of the public and to comply with policy TR7 of the Brighton & Hove Local Plan
- 10 The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.
Reason: To ensure that adequate parking provision is retained and to comply with policy CP9 of the City Plan Part One.
- 11 Unless otherwise agreed in writing by the Local Planning Authority, the non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM New Construction rating of 'Very Good' has been submitted to, and approved in writing by, the Local Planning Authority.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy CP8 of the City Plan Part One.
- 12 The development hereby permitted shall not be occupied until a scheme of Travel Plan measures to promote sustainable transport to and from the site, including evidence of these, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include but not be limited to the following measures:
- Details of pedestrian and cycle routes in the local area;
 - Public transport timetable/ route maps;
 - 2 years' car club membership for each first household.

Reason: To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR4 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One.

- 13 Prior to first occupation of the development hereby permitted, tactile paving shall have been installed to the northern footway of Portland Road to the east and west of the junction with the Portland Road Industrial Estate site access road.

Reason: To ensure that suitable footway provision is provided to and from the development and to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One.

- 14 Prior to first occupation of the development hereby permitted, details of disabled car parking provision for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme 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 the development provides for the needs of disabled staff and visitors to the site and to comply with policy TR18 of the Brighton & Hove Local Plan and SPD14 guidance.

- 15 Prior to development commencing, the applicant shall submit a written scheme for approval to the local planning authority on how and where ventilation will be provided to the proposed residential flats including specifics of where the clean air is drawn from and that sufficient acoustic protection is built into the system to protect end users of the development. The scheme shall ensure compliance with Building Regulations as well as suitable protection in terms of air quality.

Reason: To safeguard the amenities of the occupiers of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 16 The development shall be carried out in full accordance with the measures identified within the Acoustic Report (Ref: 2998) received on 19.05.2017 to ensure that the windows achieve the appropriate level of reduction in noise transmission for the room use they are to be installed within and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

- 17 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, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. 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 policy SU11 of the Brighton & Hove Local Plan.

Informatives:

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

2. **SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1 The application relates to a parcel of land site fronting Portland Road on the corner of the Portland Road Trading Estate. The site was formerly used as the on site car parking for the offices within the adjacent building, Martello Lofts. This building has recently been converted into residential and has associated parking at the rear of the building.
- 2.2 The application seeks consent for the erection of 2no. three storey buildings, first building comprising of 3 no one bedroom flats and 1 no. two bedroom flat. The second building would comprise of six office spaces with cycle stores and associated works.

3. **RELEVANT HISTORY**

BH2016/06335 Martello Lofts Erection of an additional storey to the building to form two 1 bed apartments and two 2 bed apartments. Under Consideration.

BH2015/02373 Land Adjacent to Martello Lofts Erection of 2no three storey and 1no two storey buildings containing 9no self-contained flats (C3) in total. Application withdrawn.

BH2015/00278 Martello Lofts Prior approval for change of use from offices (B1) to residential (C3) to form 28no units. Approved 25.03.2015.

BH2015/00694 Martello Lofts External alterations to all elevations including to layout of doors and windows, installation of French doors, balconies and new entrance door and other associated works in association with prior approval application

BH2015/00278 Martello Lofts Change of use from offices (B1) to residential (C3) to form 28no units. Approved 19.06.2015.

BH2014/02611 Martello Lofts Prior approval for change of use from offices (B1) to form 32no units. Approved 30.09.2014.

4. **REPRESENTATIONS**

- 4.1 Fifteen (15) letters have been received, objecting to the proposed development for the following reasons:
 - Development would put the viability of the commercial estate at risk
 - Increase in traffic
 - Increase in parking

- Overdevelopment
- Loss of light
- Noise and disturbance
- Overshadowing
- Loss of privacy
- Design
- Lack of amenity space for development
- Lack of pavement access to the development
- Impact on sewers

5. CONSULTATIONS

5.1 Environmental Health: Comment

The application looks to erect two buildings, one containing 6 office spaces and the other comprising of 4 domestic flats.

- 5.2 While the road traffic noise is not perceived to be particular problem in this area, Environmental Health are concerned about the potential impact from delivery noise and commercial vehicle movement on the proposed residents. The plans show that resident's windows will be less than two metres from the road that leads up to Portslade industrial estate.
- 5.3 Given that businesses in the industrial site likely rely on the deliveries, HGV use and commercial vehicles coming and going, the potential for complaints from proposed residents is likely to interfere with their day to day operations. It is therefore essential that the noise from these deliveries and commercial movement is acoustically assessed, and that mitigation is put in place if necessary to avoid future complaints.
- 5.4 A discovery strategy will also need to be attached due to nearby potentially contaminated land.
- 5.5 Further comments: An acoustic report has been produced to look at the concerns raised above.
- 5.6 Having assessed the acoustic report by Anderson Acoustics dated 19th May 2017, (Ref: 2998) the recommendations listed in the report should ensure that future residents are protected in regards noise nuisance.
- 5.7 In order to comply WHO/BS8233 internal noise criteria, windows have been recommended to achieve a different level of reduction in noise transmission department on the room use. For completeness these recommendations should be conditioned.
- 5.8 Because the standards can only be met with the windows closed there will need to be ventilation to the property, which will also need to achieve a minimum acoustic standard. Anderson Acoustics report sets out recommendations for what levels the ventilation should achieve, dependant of the category of widow it is attached to, and this again should be conditioned.

5.9 Sustainable Transport: Comment

5.10 Pedestrian Access

Pedestrian access to the apartments is proposed to be off Portland Road which is considered appropriate. However, there appears to be no direct pedestrian access to the office building. The width of the access road is approximately 7.4m and as such it is considered that there is scope to install a footway whilst maintaining access for goods vehicles serving industrial uses to the north. In the interest of pedestrian safety, the Highway Authority would recommend a revised layout be secured by condition. The Highway Authority's preference is for 2.0m footway width, with a 1.2m absolute minimum alongside obstruction. Ideally the footway would continue alongside the parking bays with access provided via crossovers. Where kerbs are retained, these should be dropped and tactile paving installed where appropriate. Amendments to the car parking layout may also be required to ensure pedestrian access of adequate width is provided to the office and cycle parking.

5.11 Car Parking

SPD14 states that the maximum car parking standard for a residential unit in this location (outer area) is 1 space per dwelling plus 1 car space per 2 dwellings for visitors, and 1 car space per 50m² floor area for office units. Therefore for this development of 4 residential units and 220m² office space, the maximum car parking standard is 11 spaces (6 for residential units and 5 for the office units). The applicant is not proposing any car parking; however, the development would not be truly car free in this location as it is located outside of a Controlled Parking Zone.

5.12 When observing the 2011 car ownership Census data for the Wish ward, the following level of car ownership could be expected to be associated with the residential element of this development.

5.13

Number of vehicles	Percentage of households % in Wish Ward	Number of flats	Number of cars associated with the residential element of this development
0	28.7%	1	0
1	47.0%	2	2
2	20.7%	1	2
3	2.9%	0	0
4 +	0.8%	0	0

5.14 The potential level of overspill parking would therefore be around four vehicles for the residential aspect of the development.

5.15 The use of the current spaces and therefore possibility of displaced parking is unclear; however, they were not included in the site boundary for the application for the conversion of the adjacent Martello House from office to residential (**BH2014/02611**) for which the level of proposed provision was deemed to be acceptable. It is not therefore considered that the proposals would have a

further impact in this respect beyond the demand generated by the residential units.

5.16 Whilst the level of overspill parking would add to demand in an area where there are already relatively high levels, it is not considered the level anticipated would be substantial and therefore warrant refusal in this instance subject to the applicant implementing a scheme of Travel Plan measures to mitigate against the potential for overspill parking and to promote sustainable travel to and from the site. These should include, but not be limited to, the following:

- Details of pedestrian and cycle routes in the local area
- Public transport timetable/ route maps
- 2 years Car Club membership for each unit and details of the nearest locations

5.17 These measures would help to reduce the attractiveness of driving and owning a private motor vehicle due to the proposed parking levels.

5.18 Cycle Parking

SPG4 requires minimum of 1 cycle parking space per dwelling plus 1 space per 3 dwellings for visitors for residential units; and 1 secure cycle parking space and additional cycle parking spaces at 1 per 200m² floorspace or part thereof for office units. This would equate to a minimum total of 8 cycle parking spaces. The applicant is proposing 16 secure cycle parking spaces, which is in excess of the minimum standard and therefore welcomed.

5.19 However, it appears access to the bin stores is through the cycle store which would reduce both attractiveness and practical capacity. The Highway Authority would prefer the bin store access to be independent from the cycle store, and as such, it is recommended that further details for the cycle and bin stores, with independent accesses for both, be secured by condition.

5.20 Disabled Parking

SPD14 requires disabled parking for each wheelchair accessible residential unit and two for the office. Although disabled parking is shown adjacent to the proposed office, this is understood to be associated with the consented development. It is recommended that a space be made available for use by the proposed office and that further details be secured by condition. In order to comply with Brighton & Hove Local Plan policy TR18, disabled parking should be laid out in accordance with the Department for Transport's (DfT) Traffic Advisory Leaflet 5/95 and include a 1.2m access zone on both sides of each bay.

5.21 Trip Generation/ S106

Since the Highway Authority's original comments were made, the applicant has submitted an additional trip generation and impact assessment. It is noted that parking bays on which the proposed development is located were formally associated with Martello House when it was in office use. Considering the two adjacent sites as a whole in assessing the net impact of development is therefore not considered unreasonable in this instance.

- 5.22 The applicant's transport consultant has used the TRICS national trip rate database to calculate a net reduction of 36 trips across the day. A comparison using the trip rates outlined in the council's Developer Contributions Technical Guidance is as follows:
- 5.23 Office: (1,044 sqm (Martello House) - 220 sqm (Proposed)) x 23 trips per 100 sqm = 190 net reduction
- 5.24 Residential: (28 (Martello House) + 4 (Proposed)) x 6 trips per unit = 192
- 5.25 This therefore also suggests that there would be negligible change in trips as a result of the wider development. It is noted that there is a separate application for a further four units **BH2016/06335** on Martello House, the impact of which is considered in comments on that application. This would result in an additional uplift in trips and, although no financial contribution is requested, a scheme of works to improve the site access and footway within the site is requested to better accommodate pedestrians and provide for the needs of those of all abilities accessing the proposed development.
- 5.26 It is however considered necessary that the applicant implement travel plan measures for the reasons outlined in the car parking comments above.
- 5.27 Further comments:
A parking survey has been submitted. The parking survey has been conducted in accordance with a methodology applied by the Highway Authority and repeated over two nights. It is therefore acceptable and indicates that the additional overspill parking that could reasonably be expected for the residential elements of the proposed application and in conjunction with the concurrent application **BH2016/06335** could be accommodated on surrounding streets.
- 5.28 **Planning Policy: Comment**
In principal the proposed uses are considered to comply with policy CP3.4 and policy CP1.
- 5.29 Further clarity is sought on the size of the residential units which appear to be small, which could affect the amenity of future occupiers (policy QD27). There is also a potential conflict between the existing commercial business (Saxon Works site to the east in particular of introducing noise sensitive uses in close proximity. This should be assessed.
- 5.30 The proposal does not provide private amenity space for all units of accommodation and therefore is not considered to comply with local plan policy HO5.
- 5.31 Subject to the comments of the Economic Development Team further information is sought as to how the particular demand for office space in this location has informed the layout and configuration of business space to ensure that this office scheme will be attractive to potential occupiers and an indication

of the marketing strategy that will be employed to ensure the successful take up of the office units.

- 5.32 Comments should be sought by the Transport Policy & Strategy Team regarding the car free nature of both the residential units and office units.
- 5.33 **Economic Development:** Comment
The city is suffering from the ongoing loss of B1 employment space as a result of Permitted Development. This has had an impact on the options for start-ups and growth for small businesses and has also reduced the offer for larger firms seeking to relocate to the city.
- 5.34 The council's City Plan emphasises the need to balance the demand for housing with limited space available, with the importance of providing the right environment to attract businesses, large and small to move to / remain in the city, to sustain economic wellbeing through job creation.
- 5.35 Brighton and Hove has a high proportion of SME businesses, in excess of 90% of all businesses, with the majority having a workforce of under 10 staff.
- 5.36 Quality accommodation is in short supply and the proposed units would potentially meet the needs of SMEs that can operate from a small base such as those proposed, which according to the information provided, have the potential to be linked in the event of expansion or a business seeking floor space equating to two units.
- 5.37 City Regeneration therefore supports the proposed B1 employment space application.

6. MATERIAL CONSIDERATIONS

- 6.1 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
- 6.2 The development plan is:
- Brighton & Hove City Plan Part One (adopted March 2016)
 - Brighton & Hove Local Plan 2005 (retained policies March 2016);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
- 6.3 Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

- SS1 Presumption in Favour of Sustainable Development
- CP1 Housing delivery
- CP3 Employment land
- CP8 Sustainable buildings
- CP9 Sustainable transport
- CP12 Urban design
- CP14 Housing density

Brighton & Hove Local Plan (retained policies March 2016):

- TR4 Travel plans
- TR7 Safe Development
- TR14 Cycle access and parking
- SU9 Pollution and nuisance control
- SU10 Noise Nuisance
- QD5 Design - street frontages
- QD27 Protection of amenity
- HO5 Provision of private amenity space in residential development
- HO13 Accessible housing and lifetime homes
- EM4 New business and industrial uses on unidentified sites

Supplementary Planning Documents:

- SPD03 Construction & Demolition Waste
- SPD14 Parking Standards

8. CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the new office and residential units, standard of accommodation, impact on the character and appearance of the streetscene and surrounding area, impacts on neighbouring amenity, transport and sustainability issues.
- 8.2 **Planning Policy:**
The application seeks consent for the erection of two 3 storey buildings. The site currently forms an unused car park, which was used in association with the former office/commercial use of the main building adjacent, 315 Portland Road. This building is now referred to as Martello Lofts and was converted to residential flats following a prior approval application in 2014 (**BH2014/02611**).
- 8.3 The proposal site lies within the boundaries of the Portland Road Trading estate (including EDF and Martello House). City Plan policy CP3.4 seeks to ensure that on employment sites such as this the council will allow employment led (residential and employment) mixed use development.
- 8.4 The current proposal would not result in the loss of any employment land and proposes an office building as well as four units of residential accommodation.

As such this combination of uses is considered appropriate for this type of employment site and is considered not to raise any conflicts with CP3.5.

- 8.5 The Council's Economic Development has stated that the city is suffering from an ongoing loss of B1 employment space which has had an impact on the options for start-ups and growth for small businesses. Quality office accommodation is in short supply and the proposed units would potentially meet the needs of SMEs that can operate from a small base such as those proposed, which according to the information provided, have the potential to be linked in the event of expansion or a business seeking floor space equating to two units.
- 8.6 With regards to the proposed residential units, the scheme provides three 1 bed units and one 2 bed unit. These units would be provided within the building to the south of the site and therefore would be read within the Portland Road streetscene.
- 8.7 The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this minimum housing requirement that the City's five year housing land supply position is assessed annually. The most recent land supply position was published in the 2016 SHLAA Update (February 2017) which demonstrates a 5.6 year supply position. The Council can therefore demonstrate an up to date housing supply position in accordance with the NPPF.
- 8.8 The proposed four residential units would make a contribution towards the overall housing supply targets for the city and are therefore welcomed in principle. Further considerations are discussed below.
- 8.9 **Design and Appearance:**
The proposed buildings have been given a relatively simple but contemporary design. The proposed residential block would be sited at the front of the site and would sit on the established building line of the adjoining properties to the east. The office building would be positioned to the rear of the application site. Both buildings would be three storeys in height.
- 8.10 Portland Road is characterised by development of varying style and scale. To the east of the site, the immediate properties are two storey semi-detached properties of a traditional style and appearance. To the West lies Martello house, which is significantly taller and larger than the majority of neighbouring development. It has recently undergone a number of alterations to soften its commercial appearance associated with its former use. Opposite the site the development varies again and includes a number of small scale commercial units at ground floor level with residential units above.
- 8.11 The residential block, which would sit adjacent to the traditional two storey semi-detached properties to the east of the site, attempts to incorporate some of the local characteristics of the residential properties such as replicating the two storey bays and eaves height. The width, proportions and roof form of the building would be noticeably different from the properties to the east, which

benefit from larger plots, however the overall appearance and its modest scale is not considered to jar with its immediate surroundings. The modern appearance is considered acceptable, particularly given the modern appearance of Martello Lofts to the west and its dominance within the streetscene.

- 8.12 The office block would have a standard commercial appearance. The third floor would be located within the mansard roof form. The south facing elevation would have two projecting bay features which would add visual interest to the building. The east elevation would be blank, however this side of the building would not be highly visible due to the surrounding development. The building would not be readily viewed within the streetscene due to its set back from Portland Road, and in some views would be screened by the proposed residential building as well as the larger scale building Martello Lofts when viewed from the west.
- 8.13 It is considered that the proposed buildings would not significantly harm the character and appearance of the existing site, streetscene or the surrounding area.
- 8.14 **Impact on Amenity:**
Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.15 The residential block would be located alongside 305 Portland Road, a two storey residential property. A separation of 3.1m would be retained between the proposed building and 305 Portland Road. The eaves heights of these two properties would be of a similar height. It was noted on the site visit that this neighbouring property has a number of side windows facing west that could be impacted by the proposed development. However these windows either serve the stairwell or forms a secondary window. The proposed ground floor would project significantly beyond the rear building line of 305, however being of single storey the majority of this element would be screened by the boundary treatment. The first floor would project a further metre beyond the rear of 305. It is considered that the side to side relationship between the two properties results in a common situation that is evident within the immediate built up area. The proposed separation would ensure that the rear projecting elements would not result in an overbearing impact or lead to a loss of light.
- 8.16 No windows have been positioned in the eastern elevation. The proposed rear dormer and balcony would mainly provide views to the rear, which are predominantly commercial buildings. Obscure views would be introduced across the rear part of the garden areas of the adjoining residential properties, however mutual overlooking of these areas already exists from first floor windows. It is therefore considered that the proposed building would not result in significant overlooking or loss of privacy between the buildings.
- 8.17 The proposed building would be approximately 17m from the Martello Lofts, and therefore whilst there are a number of side windows facing this block, it is

considered that the separation would ensure that no direct overlooking or significant loss of privacy would occur.

8.18 The commercial block is mainly sited near other commercial buildings. It would be approximately 11m from the rear garden boundary of the nearest residential property, 305 Portland Road. The proposed residential building would be approximately 26m. It is therefore considered that in both instances the separation would ensure that no harm would be caused to the amenity of the properties.

8.19 **Standard of Residential Accommodation:**

The proposed residential building would contain three 1 bed units and one 2 bed unit. The 1 bed units vary between 37sqm and 40sqm and the two bed unit would measure approximately 81sqm.

8.20 It is acknowledged that the LPA do not have an adopted policy on minimum room sizes, however the space standards as set out in the 'Nationally Described Space Standards' do provide a reasonable indication of sufficient unit sizes based on the number of occupiers. The document sets out that in order to provide a single room, the minimum floor area of the bedroom is recommended to be 7.5sqm. Within the proposed one bed units the bedrooms would all comfortably accommodate a single occupier and therefore the units would all be above the recommended minimum size of 37sqm. The two bed units would be above the minimum size of 79sqm. All habitable rooms would have adequate levels of light, outlook and natural ventilation. It is therefore considered that the layout and size of the proposed units would provide an acceptable standard of accommodation for future occupiers.

8.21 Some of the units would not be provided with outdoor amenity space. Given the size of the units and close proximity to parks and open space in the area, it is considered that in this case the lack of amenity space would not warrant refusal.

8.22 The Environmental Health Officer has raised concerns regarding the potential impact from delivery noise and commercial vehicle movement for potential occupiers. Given that businesses in the industrial site likely rely on the deliveries, HGV use and commercial vehicles coming and going, the potential for complaints from proposed residents is likely to interfere with their day to day operations. It is therefore essential that the noise from these deliveries and commercial movement is acoustically assessed, and that mitigation is put in place if necessary to avoid future complaints.

8.23 The applicant has submitted an Acoustic Report and the measures outline within this report are considered acceptable and would adequately address the concerns of Environmental Health. These measures would be secured by condition.

8.24 **Sustainable Transport:**

The pedestrian access to the flats is proposed to be off Portland Road, however there appears to be no direct pedestrian access to the office building. The width of the access road would allow for a footway to be installed whilst maintaining

access for goods vehicles serving the industrial uses to the north, however the access road into the business park is not an adopted highway and it is not clear whether it is in the ownership of the applicant. The Transport Officer therefore recommends that a revised layout of the site is secured by condition. The site has an existing footway on the opposite side of the road although this only partially extends half of the application site. It would not be reasonable to request that the applicant install a new footway on the their side of the road, as this land is not within the red line of the application site. However a path could be created at the rear of the proposed dwelling, to the front of the site. It is suggested that the revised layout should include extending the curb behind the proposed dwelling and providing a new path around the rear of car parking, this would likely result in the loss of one car parking space however there is no objection to this. Whilst it is not ideal that pedestrians would need to cross the road to access the new path, it is considered an acceptable solution given the constraints of this site.

- 8.25 The development does not include the provision of any parking spaces for the office and residential buildings. The application site is located outside of the Controlled Parking Zone, therefore would not be truly car free in this location.
- 8.26 The Transport Officer States that the potential overspill parking would be expected to be around four vehicles for the residential aspect of the development. The applicants have submitted an on-street parking survey carried over two nights. The survey was carried out also taking into account the proposed additional storey to Martello Lofts, currently being considered under application **BH2016/06335**. The Transport Officer states that the parking survey has been conducted in accordance with a methodology applied by the Highway Authority. It indicates that the additional overspill parking that could reasonably be expected for the residential elements of both applications could be accommodated on surrounding streets.
- 8.27 The office element is most likely to generate demand during the day when that associated with surrounding residential uses at lowest. A condition would be attached requiring the completion of a Travel plan to ensure that appropriate travel measures can be secured.
- 8.28 With regard to the existing car parking spaces to be lost on site, the applicant states that these are currently unused. Martello House benefits from parking elsewhere on site and these parking provisions were deemed acceptable with the prior approval applications which approved the conversion from office to residential (**BH2014/02611**, **BH2015/00278** & **BH2015/00691**). The bays being lost as part of this current proposal were not included with the site boundary of these previous prior approval applications.
- 8.29 The applicant is proposing 16 cycle parking spaces, which would be in excess of the minimum standard which requires 10 spaces for the development. It is noted that access for the bin store is through the cycle store which would reduce both attractiveness and practical capacity. Further details of both of these elements would be requested by condition to ensure that they are acceptable.

- 8.30 It is also recommended by the Transport officer that a condition be attached to ensure that a disabled space is made available for use by the proposed office.
- 8.31 Since the Highway Authority's original comments were made, the applicant has submitted an additional trip generation and impact assessment. It is noted that parking bays on which the proposed development is located were formally associated with Martello House when it was in office use. Considering the two adjacent sites as a whole in assessing the net impact of development is therefore not considered unreasonable in this instance.
- 8.32 The applicant's transport consultant has used the TRICS national trip rate database to calculate a net reduction of 36 trips across the day. A comparison using the trip rates outlined in the council's Developer Contributions Technical Guidance is as follows:
- 8.33 Office: $(1,044 \text{ sqm (Martello House)} - 220 \text{ sqm (Proposed)}) \times 23 \text{ trips per } 100 \text{ sqm} = 190 \text{ net reduction}$
- 8.34 Residential: $(28 \text{ (Martello House)} + 4 \text{ (Proposed)}) \times 6 \text{ trips per unit} = 192$
- 8.35 This therefore also suggests that there would be negligible change in trips as a result of the wider development. It is noted that there is a separate application for a further four units **BH2016/06335** on Martello House, the impact of which is considered in comments on that application. This would result in an additional uplift in trips and, although no financial contribution is requested, a scheme of works to improve the site access and footway within the site is requested to better accommodate pedestrians and provide for the needs of those of all abilities accessing the proposed development.
- 8.36 **Sustainability:**
Policy CP8 requires new residential development to achieve 19% above Part L for energy efficiency, and to meet the optional standard for water consumption and that new non-residential development achieves a BREEAM rating of 'very good'. This would be secured by condition.
- 8.37 **Environmental Health:**
The Environmental Health officer has raised concerns, due to the former use of the land and the nearby commercial units, that the land could be contaminated. Therefore a condition will be attached to ensure that if contamination is discovered during construction, then appropriate measures are taken.

9. EQUALITIES

- 9.1 None identified

