

<u>No:</u>	BH2018/00341	<u>Ward:</u>	Hove Park Ward
<u>App Type:</u>	Outline Application		
<u>Address:</u>	295 Dyke Road Hove BN3 6PD		
<u>Proposal:</u>	Outline application with some matters reserved for the erection of 1no single dwelling (C3).		
<u>Officer:</u>	Charlotte Bush, 292193	tel: <u>Valid Date:</u>	06.03.2018
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	01.05.2018
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	
<u>Agent:</u>	CDMS Architects 1st Floor Montpelier House 99 Montpelier Road Brighton BN1 3BE		
<u>Applicant:</u>	Mr Godarz Nekoei 44 Sandringham Drive Hove BN3 6XD		

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	2110(10)000	A	2 February 2018
Site Layout Plan	2110(11)000	c	21 September 2018

2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters as defined in condition 3 below, whichever is the later.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
3. a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
- (i) layout;
 - (ii) scale;
 - (iii) appearance;
 - (iv) landscaping (including trees)
- b) The reserved matters shall be carried out as approved.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

4. No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of 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:
 - a) samples of all brick and tiling
 - b) samples of all cladding to be used, including details of their treatment to protect against weathering
 - c) details of all hard surfacing materials
 - d) details of the proposed window, door and balcony treatmentsDevelopment shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policies CP12 and CP15 of the Brighton & Hove City Plan Part One.
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 residential unit hereby approved shall not be occupied until it 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 Brighton & Hove City Plan Part One.
7. The residential unit hereby approved shall not be occupied until it 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 Brighton & Hove City Plan Part One.
8. 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.

9. The dwelling 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.
10. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree survey and tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.
Specific issues to be dealt with in the TPP and AMS:
- a) Location and installation of services/ utilities/ drainage.
 - b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
 - c) Details of construction within the RPA or that may impact on the retained trees.
 - d) a full specification for the installation of boundary treatment works.
 - e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
 - f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
 - g) A specification for protective fencing and or appropriate ground protection to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
 - h) a specification for scaffolding and ground protection within tree protection zones.
 - i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area, details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment
 - j) materials, fuels and waste as well concrete mixing and use of fires
 - k) Boundary treatments within the RPA
 - l) Methodology and detailed assessment of root pruning
 - m) Arboricultural supervision and inspection by a suitably qualified tree specialist
 - n) Reporting of inspection and supervision
 - o) Methods to improve the rooting environment for retained and proposed trees and landscaping

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with QD16 (Trees and Hedgerows) of the Brighton and Hove Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990.

11. No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by condition 10 has been approved in writing by the local planning authority. This scheme will be appropriate to the scale and duration of the works and will include details of:
 - a. Induction and personnel awareness of arboricultural matters
 - b. Identification of individual responsibilities and key personnel
 - c. Timing and methods of site visiting and record keeping, including updates
 - d. Procedures for dealing with variations and incidents.
 - e. The scheme of supervision shall be carried out as agreed.
 - f. The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority."

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance policy QD16 (Trees and Hedgerows) of the Brighton and Hove Local Plan.

12. The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 10 shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

Reason: In order to ensure compliance with the tree protection and arboricultural supervision details submitted under condition (insert condition(s)) pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with QD16 (Trees and Hedgerows) of the Brighton and Hove Local Plan.

13. Prior to the commencement of the development hereby approved (including all preparatory work), details of all proposed Access Facilitation Pruning (see BS5837:2012 for definition) shall be submitted to and approved in writing by the Local Planning Authority. The approved tree pruning works shall be carried out in accordance with BS3998:2010. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Brighton & Hove Local Plan Policy QD16 (Trees and Hedgerows).

14. The development hereby permitted shall not be occupied until dropped kerbs with paving and tactile paving has been installed at the junction of and across Dyke Road (north) with Matlock Road (outside the site).

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 Brighton & Hove City Plan Part One.

Informatives:

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

2. The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).

3. The specific issues to be dealt with in the TPP required by condition 10 include:

The following British Standards should be referred to:

- a) BS: 3882:2015 Specification for topsoil
- b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- c) BS: 3998:2010 Tree work - Recommendations
- d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
- f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- h) BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations
- i) BS: 8601:2013 Specification for subsoil and requirements for use

4. The specific issues to be dealt with in the TPP required by condition 10 include:

The following British Standards should be referred to:

- a) BS: 3998:2010 Tree work - Recommendations
 - b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- Arboricultural Site Supervision (pre-commencement)

5. The specific issues to be dealt with in the TPP required by condition 10 include:
The following British Standards should be referred to:

- a) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations.
- Arboricultural Site Supervision (completion)

6 Due to the importance of elm trees to the City of Brighton and Hove (Brighton and Hove Local Plan - Policy QD16 3.70) and home to the National Elm Collection, and to help with elm disease (formally known as Dutch Elm Disease or DED) management of the City, elm trees must be pruned between the dates 1st October to 31st May.

Reason: Pruning elm trees during these months will make the trees less attractive to the adult elm beetles that carry the disease who are most active during the summer months.

7 Due to the desirability of cut elm branches and timber to adult elm bark beetles the Council seeks that all pruned elm material is correctly disposed of. In addition, all elm logs/timber is removed from the Brighton and Hove area or are taken to the Water Hall elm disposal site to be disposed of free of charge. Please call the Arboricultural team on 01273 292929 in advance to arrange this.

8 Under any circumstances do not sell or give away cut elm timber as firewood to residents with the Brighton and Hove area as this situation has been responsible for many outbreaks of Dutch elm disease in the city. A pile of logs such as this will be an ideal breeding site for beetles which are responsible for spreading Elm Disease

9 The following British Standards should be referred to:

a) BS: 3998:2010 Tree work - Recommendations

b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

2. SITE LOCATION & APPLICATION DESCRIPTION

2.1 The application relates to a detached two storey dwelling on the western side of Dyke Road. The site is not located in a conservation area.

2.2 Outline permission is sought for the splitting of the plot in order to facilitate the erection of a dwellinghouse. The principle of an additional dwelling on the plot along with access arrangements is considered under this application; all other matters, which include appearance, landscaping layout and scale, are reserved for further approval.

3. RELEVANT HISTORY

3.1 **BH2010/00792** - Erection of a two storey extension to the side (South) elevation, erection of a single storey extension to rear, loft conversion incorporation 2no dormer windows to rear, demolition of existing porch and erection of new porch, erection of new brick wall to front boundary and alterations to fenestration. Approved 03/06/2010

4. REPRESENTATIONS

4.1 Nine (9) letters has been received (2 from the same objector) objecting to the proposed development for the following reasons:

- Adverse impact on neighbouring amenity
- Reduced privacy and increased overlooking
- Reduced daylight and sunlight
- Back land development is out of character in the area
- Increased density
- Increased traffic accidents
- New driveway directly between two residential properties resulting in increased noise disturbance
- Loss of wildlife habitat
- Increased pressure on local services and infrastructure

5. CONSULTATIONS

5.1 Arboriculture: No objection

At the southern boundary of front garden, shared with 293 Dyke Road stands a large mature elm tree 16m in height and is in good condition with no irredeemable defects. Currently this tree is not protected by a tree preservation order, or by its position within a conservation area, however, it is certainly worthy of one. The remainder of the front garden consist of hedges and small trees.

5.2 The extensive rear garden is west facing and has many mature shrubs and small trees that line its border to the south with No.293 Dyke Road. An outdoor swimming pool is located at its extreme western boundary and the pool is currently protected by a well maintained evergreen conifer hedge. The remainder of this western boundary consists of a similar line mature shrubs and trees leading to a larger triangular area shrub bed in the north west corner. The northern boundary with 297 Dyke Road consists of similar plants to the southern boundary.

5.3 The most notable of trees within the rear garden is the weeping ash tree, 8-9m in height, to the north-east of the swimming pool. This is an early mature specimen, although it is suffering from dieback on all aspects of its crown so is not in the best of health. Whilst this tree and all of the other plants provide some amenity and privacy to the garden from the other properties none of these are worthy of further protection by a tree preservation order.

5.4 However, the large elm adjacent to the southern access drive is worthy of a tree preservation order and should be retained. The existing site plan includes the highway tree but does not include the large mature elm tree directly behind this tree. This concerns me as it is the largest and healthiest tree on the site. A tree preservation order assessment has been made and a tree preservation order will be made and served later this week.

5.5 There is also a highway elm tree directly to the south of the property. This is in good condition with no defects although this is incorrectly located as the tree is outside No.293 Dyke Road Avenue and not outside No.295 Dyke Road on the existing plan.

- 5.6 The elm tree is not shown within the proposed plans either, and has been replaced with a bin store. The submitted application form states that there are trees and hedges on the development site but none on neighbouring lands that will be affected by the development, although, the highway tree is one such tree that will be affected by any improvements to the vehicle cross over and the installation of the proposed driveway. No tree survey has been submitted with the application and I would expect one to be submitted with future applications.
- 5.7 The arboricultural team have no concerns with any development that is west of the property (rear garden area) subject to a good landscaping scheme as part of the condition. It is the trees at the front of the property that are of most concern.
- 5.8 The arboricultural team recommend that the existing southern vehicle crossover from Dyke Road remains in its present location and is not proposed for widening to the south as this will have a negative impact to the root systems to both the highway tree and the large elm tree within the property in its south-east corner.
- 5.9 In addition a tree survey and arboricultural impact assessment that includes the retention of the mature elm and highway tree within the front south-east corner is recommended, although these can be left to condition to include a arboricultural method statement concerning the installation of a drive close to a large mature tree.
- 5.10 Further comment received on the 24/09/2018 in response to amended plans received 21.09.2018
- 5.11 We are happy that the tree is now shown on the existing and proposed plans. We have served the TPO to protect the large elm tree to the property owner, neighbour and architect on Friday.
- 5.12 **Sustainable Transport:** No objection
The applicant is proposing changes to pedestrian access arrangements onto the adopted (public) highway and for this development this is deemed acceptable in principle at this stage.
- 5.13 Although footways in the vicinity of the site have been improved there are still junctions along Dyke Road that for the applicant's benefit need footway improvements (dropped kerbs in particular) to extend the transport network that policy allows the Highway Authority to request. Also, there are accessible bus stops in the vicinity of the site but mobility scooters are not permitted on buses (due to risks in an accident) hence the further importance of dropped kerbs for this growing mode of transport.
- 5.14 A developer obligation condition is required to install dropped kerbs with paving and tactile paving at the junction of and across Dyke Road (north) with Matlock Road (outside the site). This is to improve access to and from the site to the various land uses in the vicinity of the site.

- 5.15 For this development of 1 residential unit with at least 4 beds the minimum cycle parking standard is 2 cycle parking spaces in total (2 for residential units and 0 visitor spaces). The applicant has not yet mentioned cycle parking for this site in their supporting evidence therefore cycle parking is requested by condition. In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient (including not being blocked in a garage for cars and not being in a rear garden), well lit, well signed, near entrances and wherever practical, sheltered.
- 5.16 The site is outside of a controlled parking zone (CPZ) at this point in time (a report on the CPZ public consultation of this area is due to go to committee in October 2018) so there is free on-street parking available. There are also opportunities, if somewhat limited, in the form of free on-street disabled parking bays in the vicinity of the site for disabled residents and visitors to park when visiting the site by car. Blue Badge holders are also able to park, where it is safe to do so, on double yellow lines for up to 3 hours in the vicinity of the site. Therefore in this instance the Highway Authority would not consider the lack of dedicated, for sole use only on-site disabled car parking to be a reason for refusal.
- 5.17 The applicant is not proposing any significant alteration to their current servicing and delivery arrangements to this site and for this development this is deemed acceptable.
- 5.18 The applicant is proposing changes to the existing vehicle access arrangements onto the adopted (public) highway and for this development this is deemed acceptable in principle at this stage. The changes proposed are not physical ones but ones of expected future use and these changes in transport terms are relatively insignificant therefore they are deemed acceptable in principle at this stage.
- 5.19 The applicant is also proposing vehicle turning-heads on-site for both the existing and proposed dwellings which is to be commended and again this is deemed acceptable in principle at this stage. Also the applicant should note that the driveway and hardstanding materials should be porous and/or permeable and no surface water should run-off onto the adopted (public) highway to comply with policies TR7 Safe Development, SU3 Water Resources and their Quality and SU5 Surface Water run- off and Flood Risk to avoid a refusal.
- 5.20 The site is of a sufficient size to accommodate parking in line with maximum parking standards specified in SPD14, and the details will be assessed as a reserved matters application for layout.
- 5.21 A "Retention of parking area" condition should be attached to any permission granted to ensure that on-site parking provision is maintained.
- 5.22 Also the site is located outside a Controlled Parking Zone (CPZ) and therefore this site should not be made "car free" by restriction of parking permits by the Planning Case Officer as there is no CPZ and waiting list to cause a restriction.

- 5.23 There is not forecast to be a significant increase in vehicle trip generation as a result of these proposals therefore any impact on carriageways will be minimal and within their capacity so the application is deemed acceptable and developer contributions for carriageway related improvements will not be sought.
- 5.24 Further comment received on the 24/09/2018 in response to amended plans received 21.09.2018
- 5.25 This amendment is acceptable.

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
CP8	Sustainable buildings
CP9	Sustainable transport
CP12	Urban design
CP14	Housing density
CP19	Housing mix

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

TR4	Travel plans
TR7	Safe Development
TR14	Cycle access and parking
SU10	Noise Nuisance
QD5	Design - street frontages
QD14	Extensions and alterations

QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of amenity
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development
SPD14	Parking Standards

8. CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the development of the site and the impact of the proposed dwelling on the character and appearance of the street and the surrounding area as well as access arrangements. The standard of accommodation, sustainability and impact on neighbouring amenity and transport are also material considerations.
- 8.2 **Principle of Development:**
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.
- 8.3 The Council's most recent land supply position was published in the 2017 SHLAA Update (February 2018) which showed a marginal surplus (5.0 years supply). However, the inspector for the recent planning appeal on Land south of Ovingdean Road (APP/Q1445/W/17/3177606) considered that the Council's delivery timescales for two sites were over-optimistic and concluded that there would be a five year supply shortfall of at least 200 dwellings. The Council's five year housing land supply figures are currently being updated as part of the annual monitoring process and an updated five year housing position will be published later this year. In the interim, when considering the planning balance in the determination of planning applications, increased weight should be given to housing delivery in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).
- 8.4 The application site forms the rear garden of an existing detached house situated on a wide plot which is characteristic of the local area. The overall plot as existing measures 1394m², and the proposed dwelling would occupy 621m² at the rear of the plot. The proposal is for a detached dwelling, the height and scale would be determined under reserved matters.
- 8.5 Planning permission was granted for back land development at No. 285 Dyke Road (for a detached bungalow) application BH2016/05321 (approved on appeal). As a principle of development, residential development on a residential

site would be appropriate, the specific impacts must however be considered as to whether the development is appropriate and whether harm would be caused.

8.6 This detailed assessment is set out below.

8.7 **Design and Appearance:**

No detailed drawings of the proposed dwelling have been provided for consideration, although an indicative site plan and site sections have been included.

8.8 It is considered that a modestly scaled property could be accommodated within the plot. The indicative footprint and height would be considered an overdevelopment of the site and a smaller scale property with greater distance to the side boundaries would be more appropriate. However, the drawings are indicative and the height and scale of the development would be dependent on the details considered under reserved matters.

8.9 Full details of materials shall be secured by condition.

8.10 **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.

8.11 The proposed dwelling would be situated to the rear of the existing dwelling which would still retain 305m² of rear garden. The distance between the two properties would measure 21m, so although there would be some mutual overlooking this is not unusual in a residential area, and would not be considered to be of a degree that would warrant the refusal of the application.

8.12 The indicative block plan illustrates trees and planting to shared boundaries with neighbouring gardens. It is considered that two storey property could be accommodated within this plot which would not result in significant harm in terms of overshadowing, loss of outlook, increased sense of enclosure and overlooking/ loss of privacy. Each additional storey would intensify any impacts on the amenity of neighbouring properties. However, the impacts would be dependent on the details which would be considered in a future application for reserved details.

8.13 Whilst the proposal would result in an intensification of the use of the site it is not considered that this would result in any significant harm in regards to noise and disturbance relationship with neighbouring properties to other dwellings within the street.

8.14 **Standard of Accommodation For Future Occupiers:**

Floor plans have not been provided, and the standard of accommodation cannot therefore be assessed. However, it is considered that the plot could provide a layout which would provide a satisfactory standard of accommodation subject to

the layout and external private amenity area. Adequate outlook should also be achievable, although no indications of window positioning have been provided for assessment.

- 8.15 Policy HO13 requires all new residential dwellings to be built to Lifetime Homes standards whereby they can be adapted to meet people with disabilities without major structural alterations. The requirement to meet Lifetime Homes has now been superseded by the accessibility and wheelchair housing standards within the national Optional Technical Standards. As it appears that a level access is feasible, the current national standards can be secured by condition.
- 8.16 **Sustainable Transport:**
To improve access to and from the site to the various land uses in the area, including the shops in Matlock Road, the Transport Officer has recommended the provision of dropped kerbs with paving and tactile paving at the junction of and across Dyke Road (north) with Matlock Road (outside the site). It is recommended that these works are secured by condition.
- 8.17 There is not forecast to be a significant increase in pedestrian and mobility and visually impaired trip generation as a result of these proposals. Therefore developer contributions for footway related improvements would be considered onerous for a single dwellinghouse.
- 8.18 It is not forecast that the proposed development would result in a significant increase in vehicle trip generation as a result of these proposals therefore any impact on carriageways will be minimal.
- 8.19 Parking would be considered as part of the detailed layout which would be considered under reserved matters. However, the indicative site plans shows that there is potentially space for a garage and for vehicles to park and turn in front of the proposed.
- 8.20 Two cycle parking spaces would be required for this development, and this can be secured by condition.
- 8.21 **Sustainability:**
Policy SU2 of the Brighton & Hove Local Plan and CP8 of the Brighton & Hove City Plan Part One require new development to demonstrate a high level of efficiency in the use of water and energy. Policy CP8 requires new development to achieve 19% above Part L for energy efficiency, and to meet the optional standard for water consumption. These standards can be secured by condition.
- 8.22 **Arboriculture:**
The Arboriculturalist department has no concerns with any development to the west of the property (rear garden) subject to a good landscaping scheme.
- 8.23 However, there are concerns about the large healthy mature elm tree within the front garden that did not appear on the original plans and has been replaced by a bin store. There appears to be no mention of this tree within the design and access statement. Following an assessment the tree is worthy of a tree

preservation order and one will be served to the property by 21/09/2018. The proposal for the driveway has subsequently been amended and could be implemented subject to a tree protection and supervision condition.

8.24 Access:

It is proposed that the northern crossover is retained for use by the existing dwelling which is considered acceptable. The existing southern crossover would be retained to provide access to a proposed driveway bordering the southern boundary of the site. A new boundary fence would be constructed between the driveway and the existing property at 295 Dyke Road. This is considered acceptable.

8.25 The plans have been amended over the lifetime of the application to remove the area of hardstanding in the south east corner in order to accommodate the tree roots of the existing elm tree. Additionally, conditions are attached to this permission to protect the root system of the mature elm tree on the site and the elm tree on the highway during and post construction.

8.26 The proposed driveway will result in a more intensive use of this area which is currently unutilised as it will provide the only vehicle and pedestrian access to the proposed new dwelling. The increased comings and goings may result in additional disturbance to No 293 Dyke Road. However, for one additional house this is not considered to be of a degree that would warrant the refusal of the application. As such, the proposed access arrangements are considered acceptable.

9. EQUALITIES

9.1 None identified.