

<u>No:</u>	BH2018/02359	<u>Ward:</u>	Hove Park Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	3 Meadow Close Hove BN3 6QQ		
<u>Proposal:</u>	Demolition of existing three bedroom bungalow (C3) and erection of 4 bedroom two storey dwelling (C3).		
<u>Officer:</u>	Laura Hamlyn, tel: 292205	<u>Valid Date:</u>	25.07.2018
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	19.09.2018
<u>Listed Building Grade:</u>	N/A	<u>EOT:</u>	14.11.2018
<u>Agent:</u>	Turner Associates 19A Wilbury Avenue Hove BN3 6HS		
<u>Applicant:</u>	Mr & Mrs David Peters 3 Meadow Close Hove BN3 6QQ		

1. RECOMMENDATION

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

Conditions:

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

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

Plan Type	Reference	Version	Date Received
Location and block plan	TA 1089/01		25 July 2018
Site Layout Plan	TA 1089/02		25 July 2018
Roof Plan Proposed	TA 1089/10		25 July 2018
Floor Plans Proposed	TA 1089/11	A	31 July 2018
Streetscene elevation proposed	TA 1089/12		25 July 2018
Elevations Proposed	TA 1089/13		25 July 2018
Elevations Proposed	TA 1089/14		25 July 2018
Elevations Proposed	TA 1089/15		25 July 2018
Sections Proposed	TA 1089/16		25 July 2018
Landscaping Proposed	0193 101		25 July 2018
Statement	EAS LTD DAYLIGHT SUNLIGHT		9 October 2018
Statement	JPT/LT/1089		18 September 2018

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

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

3. The development hereby permitted shall not commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason: As this matter is fundamental to the acceptable delivery of the permission to safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policy QD27 of the Brighton and Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

4. 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) details of all hard surfacing materials
 - c) details of the proposed window, door and balcony treatments
 - d) details of all other materials to be used externally

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

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

5. No extension, enlargement, alteration of the dwellinghouse or provision of buildings etc. incidental to the enjoyment of the dwellinghouse within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A - C of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

6. The development hereby permitted shall not be occupied until a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments shall has been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to occupation of the development and shall thereafter be retained at all times.

Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD27 of

the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.

7. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One.
8. The first floor window in the east side elevation, and the ground and first floor windows in the west side elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window(s) which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
9. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan, policy CP8 of the Brighton & Hove City Plan Part One and Policy WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.
10. The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development 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 and SPD14: Parking Standards.
11. 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 and shall be maintained so as to ensure their availability for such use at all times.
Reason: To ensure that adequate parking provision is retained and to comply with policy CP9 of the Brighton & Hove City Plan Part One and SPD14: Parking Standards.
12. The residential unit hereby approved shall not be occupied until the residential unit built has achieved as a minimum, a water efficiency standard of not more than 110 litres per person per day maximum indoor water consumption.

Reason: To ensure that the development is sustainable and makes efficient use of water to comply with policy CP8 of the Brighton & Hove City Plan Part One.

13. The residential units hereby approved shall be occupied until the 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 Brighton & Hove City Plan Part One.

14. The development hereby permitted shall not be occupied until the dwelling hereby permitted have been completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) and shall be retained in compliance with such requirement thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 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. The applicant is advised that advice regarding permeable and porous hardsurfaces 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 water efficiency standard required is the 'optional requirement' detailed in [Building Regulations Part G Approved Document \(AD\)](#) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC; 8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg washing machine; or (b) using the water efficiency calculation methodology detailed in the [AD Part G](#) Appendix A.
4. The applicant is advised that accredited energy assessors are those licensed under accreditation schemes approved by the Secretary of State (see [Gov.uk website](#)); two bodies currently operate in England: National Energy Services Ltd; and Northgate Public Services. The production of this information is a requirement under [Part L1A 2013](#), paragraph 2.13.

2. SITE LOCATION & APPLICATION DESCRIPTION

2.1 The application site is near the entrance of the Meadow Close cul-de-sac off Tongdean Road. It is on the north side of the road, opposite an area of communal green space.

2.2 The application proposes to demolish the existing bungalow and in its place erect a 4 bedroom two storey dwelling.

3.0 RELEVANT HISTORY

PRE2018/00047 – pre-app provided prior to submitting the application.

BH2016/06188- Remodelling of existing dwelling including creation of additional floor, side and rear extensions and associated roof alterations. (Revised roof materials and rear extension design).

Approved by Committee 12/04/2017, decision issued 19/04/2017.

BH2016/000648- Remodelling and revised fenestration of existing dwelling to include two storey side extension to enlarge first floor including new raised roof and associated works. Single story flat roof rear extension and retaining wall to form extended patio at rear. Withdrawn 18/05/2016.

7 Meadow Close

BH2017/00767- Erection of additional storey with associated alterations and single storey rear extension.

Approved by committee 09/08/2017, decision issued 19/09/2017.

2 Meadow Close

BH2018/02081- Erection of single storey rear extension & associated alterations. Approved 05/09/2018.

BH2017/03429- Erection of single storey rear extension & associated alterations, Approved 28/11/2017.

BH1999/01460/FP- Alterations and extensions to existing dwelling including new first floor accommodation, utility room and conservatory. Approved 26/08/1999.

4. REPRESENTATIONS

4.1 **Eleven (11)** representations have been received, objecting to the proposed development on the following grounds:

- Loss of privacy and overlooking of rear gardens to immediate neighbours
- Establishes a harmful precedent
- First floor front roof terrace facilitates overlooking of front elevations opposite
- Side facing windows may not be retained as obscure glazing
- Design would be out of character
- Overdevelopment
- Detrimental effect on property values
- No other two storey rear extensions in the vicinity

- Application site is on higher ground level than no.2 adjacent
- The impacted conservatory at no.2 is habitable living space.

5. CONSULTATIONS

5.1 Transport: No objection.

No objection subject to the necessary conditions.

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
 CP8 Sustainable buildings
 CP9 Sustainable transport
 CP12 Urban design

Brighton & Hove Local Plan (retained policies March 2016)

TR7 Safe Development
 TR14 Cycle access and parking
 QD15 Landscape design
 QD16 Trees and hedgerows
 QD27 Protection of amenity
 HO5 Provision of private amenity space in residential development

Supplementary Planning Documents

SPD06 Trees & Development Sites
 SPD14 Parking Standards

8. CONSIDERATION & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the proposed development on the appearance and character of the wider street scene and the amenities of adjacent occupiers.
- 8.2 The application proposes to demolish the existing bungalow and erect a two storey replacement dwelling. This application is a resubmission following the approval of BH2016/06188 which granted permission for remodelling the existing bungalow. This included the creation of an additional floor, side and rear extensions and associated roof alterations. The bulk and massing of the previously approved scheme is broadly similar to the current proposal, except that a two storey rear projection is now proposed instead of a single storey rear extension.
- 8.3 Differences between the current proposal and the previous approval include:
- Slight reduction in the ridge height
 - Building set away from the boundary with 4 Meadow Close
 - Omission of cladding to front elevation
 - Square bay window
 - Larger front terrace
 - Omission of catslide roof
 - Omission of crown roof single storey rear extension
 - Two storey rear projection
- 8.4 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.
- 8.5 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).
- 8.6 As a principle of development, new residential development on the site would be appropriate, however the specific impacts must however be considered as to whether the development is appropriate and whether harm would be caused. This detailed assessment is set out below.
- 8.7 Design and Appearance**

The existing bungalow is at odds with the immediate surrounding neighbours being substantially smaller by reason of ridge height, single storey form and steep roofslopes although its plot is of a similar size to the surrounding plots.

The Meadow Close streetscene is characterised by large setbacks, two storey forms, hipped roofs, front gable/hipped features and colour schemes of white painted render, bricks and red/brown tiling. A planning history search shows the dwellings within Meadow Close have been altered and extended through planning consent but several through permitted development rights, leading to the varied nature of roof additions, rear and side extensions. It is noted that in addition to the previous approval on the application site, a remodelling at 7 Meadow Close (BH2017/00767) was approved by Planning Committee on 09 Aug 2018. This scheme had a contemporary appearance with large areas of glazing to the front and glazed balustrades.

The proposed dwelling would also have a contemporary appearance, with large scale fenestration and a front balcony with glazed balustrade. It is considered that it would integrate well into its context, due to its traditional pitched roof form, and palette of materials, in accordance with policy CP12.

It is recommended that details/samples of materials be secured by condition. It is further recommended that 'permitted development rights' be restricted by condition, as it is considered that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area.

8.8 Impact on Neighbouring Amenity

Additional bulk and massing, including two storey rear projection

Neighbouring properties including 2, 4, 19 and 20 Meadow Close were assessed in regard to the potential harm to amenity, including daylight, sunlight, outlook and privacy.

2 Meadow Close adjacent to the west is on lower ground level than the application site. The previous application determined that the increased bulk and massing of the additional storey would not result in significant harm as the existing side facing windows to 2 Meadow Close serve a staircase, bathroom and a bedroom. The bedroom also has primary rear facing windows.

The previous approval BH2016/06188 retained the existing single storey rear extension near the boundary with 2 Meadow Close. Its width was extended and a crown roof was added. This element of the previous scheme had no significant impact on 2 Meadow Close.

This application proposes to erect a two storey rear projection rather than a single storey rear projection that would project the same depth into the garden as the previous approved scheme. This increased height would impact on the existing conservatory at 2 Meadow Close. While there would be some loss of light to the glazed roof, there would be sufficient glazing to the rear and side that the impact would not be so harmful as to warrant refusal. A Daylight & Sunlight

Report was submitted during the course of the application, which identified no significant impacts on daylight location within the adjoining property.

The additional bulk and massing of the proposed rear projection would be noticeable in views up through the glazed roof. At normal eye level however the side of the conservatory near the boundary with the application site is built in brick, up to a height of approx. 2m from internal floor level.

It is noted that 2 Meadow Close has had an approval as yet unimplemented for a single storey rear extension to the existing conservatory, under BH2018/02081. It is considered that the impact of the proposed rear projection would be similar whether or not the approved rear extension at 2 Meadow Close goes ahead.

The proposed second floor rear windows would enable additional overlooking, in particular of the garden to 2 Meadow Close which is currently relatively private. As a window to a bedroom it would be expected that the use of the bedroom and the use of the neighbouring garden would likely occur at different times of the day. At a wider level in the context of a city, some degree of overlooking between properties is to be expected, and the proposed scheme would not result in more overlooking than other typical forms of development.

The proposed two storey rear projection is sited at a sufficient distance to the boundary with 4 Meadow Close that this would not have a significant impact on neighbouring amenity. As viewed from no.4 the height of the proposal has been slightly decreased and the depth slightly increased relative to the approved scheme. It is considered that these alterations would not have an appreciably different impact.

First floor front balconies

Two front balconies are proposed; the larger would be 1.1m deep and 6.5m wide and the smaller would be 0.4m deep and 2.3m wide. As noted under the previous application, the balconies are positioned at least 45m from the nearest window to the front elevation of properties opposite. At this distance there is no significant concern around harmful overlooking. The larger balcony would provide some outdoor amenity space, however given its limited size it is considered that its use would not lead to excessive noise or disturbance when compared to a Juliet balcony with the doors open.

Proposed side windows

All proposed side windows facing 2 Meadow Close, and the proposed first floor window facing 4 Meadow Close would be obscure glazed. In light of the topography of the site, this is acceptable. It is recommended that this be secured by condition.

Refuse and recycling

A space is proposed to the front of the property for cycles and as a store room. It is recommended that this store be secured as a refuse and recycling storage facility.

8.9 Standard of accommodation

Policy QD27 of the Brighton and Hove Local Plan aims to secure a good standard of living accommodation for current and future occupiers in all new developments. Accommodation should therefore provide suitable circulation space within the communal spaces and bedrooms once the standard furniture has been installed, as well as good access to natural light and air in each habitable room.

The 'Nationally Described Space Standards' were introduced by the Department for Communities and Local Government in 2015 to establish acceptable minimum floor space for new build developments. Although these space standards have not been formally adopted into the Brighton and Hove City Plan, they provide a useful guideline on acceptable room sizes.

It is considered that the size, design and layout of the proposed dwelling would provide adequate levels of accommodation, circulation, storage, light, sunlight, ventilation and outlook, in accordance with policy QD27.

8.10 Other Matters

Transport

It is recommended that the proposed cycle parking facility, the implementation of a porous hard surface or containment of water run-off within the curtilage of the site, and the retention of the parking area be secured by condition.

Landscaping

To the front, it is proposed to extend the hardstanding to provide two parking spaces. The agent confirmed that this hardstanding would generally follow the existing slope for the driveway and parking area. Steps to the entrance are avoided by lowering the internal finished ground floor level approx. 0.4m below the existing.

At the rear, it is proposed to excavate between approx. 0.8 and 1.5m to form a patio immediately to the rear of the proposed dwelling. In addition, it is proposed to landscape the rear garden to form four level areas. The depth of excavation necessary is fairly modest. Given the gentle slope of the topography, it is considered that the proposed excavation works would not result in harmful overlooking of neighbouring properties, and is accepted.

The proposed boundary treatment would be between 1.4 and 1.8m high relative to the proposed terraced areas in the rear garden. It is recommended that details of a taller boundary treatment be secured by condition to ensure neighbouring privacy.

The landscape layout proposes to plant six trees. As the site is not within a Conservation Area or subject to a TPO, it is considered unnecessary to secure their planting by condition.

9.0 EQUALITIES

The Design and Access Statement indicates that the house has been designed in accordance with Lifetime Home Standards. It is recommended that Building Regulations Optional Requirement M4(2) be secured by condition.

