

<b><u>No:</u></b>	<b>BH2018/01635</b>	<b><u>Ward:</u></b>	<b>Wish Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>12 Norman Road Hove BN3 4LS</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing bungalow and erection of two storey building with roof accommodation comprising 1no two bedroom flat and 1no three bedroom flat (C3).</b>		
<b><u>Officer:</u></b>	Joanne Doyle, tel: 292198	<b><u>Valid Date:</u></b>	22.05.2018
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	17.07.2018
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	18.01.2019
<b>Agent:</b>	IF Architecture West Yard House London SE10 8JT	1 West Yard Guildford Grove	
<b>Applicant:</b>	IF Architecture SE10 8JT	1 West Yard Guildford Grove	Greenwich London

## 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Block Plan	IF18_003	A	29 November 2018
Site Layout Plan	IF18_002	A	29 November 2018
Floor Plans Proposed	IF18_100	A	29 November 2018
Floor Plans Proposed	IF18_101	A	29 November 2018
Floor Plans Proposed	IF18_102	A	29 November 2018
Roof Plan Proposed	IF18_103	A	29 November 2018
Elevations Proposed	IF18_200	A	29 November 2018
Elevations Proposed	IF18_201	A	29 November 2018
Elevations Proposed	IF18_202	A	29 November 2018
Streetscene elevation proposed	IF18_203	A	29 November 2018
Sections Proposed	IF18_300	A	29 November 2018
Sections Proposed	IF18_301	A	29 November 2018
Location Plan	IF18_001	-	29 November 2018

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 render, and tiling
- b) details of fenestration
- c) samples of all hard surfacing materials
- d) 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, 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.

5. Prior to first occupation of the development hereby permitted, pedestrian crossing improvements (dropped kerbs with paving and tactile paving) shall have been installed at the junction of and across Norman Road with Marine Avenue.

**Reason:** To ensure that suitable footway provision is provided to and from the development and to comply with policies TR7, TR11 and TR12 of the Brighton & Hove Local Plan & CP9 of the City Plan Part One.

6. Prior to the first occupation of the development hereby permitted the applicant shall reinstate the redundant vehicle crossover [outside site] back to a footway by raising the existing kerb and footway.

**Reason:** In the interests of highway safety and to comply with policies TR7 of the Brighton and Hove Local Plan and CP9 of the City Plan Part One.

7. The ground floor unit hereby approved shall be completed in compliance with Building Regulations Optional Requirement M4(3)(2b) (wheelchair user 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.

8. None of the new build residential units hereby approved shall not 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 Brighton & Hove City Plan Part One.
9. None of the new build residential units hereby approved shall not 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 Brighton & Hove City Plan Part One.
10. The windows in the first floor side elevations of the development hereby permitted shall not be glazed otherwise than with obscured glass 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.
11. The five trees sited along the western boundary of the site shown on approved drawing. IF18\_100 A shall not be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.  
**Reason:** To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD15 and QD27 of the Brighton & Hove Local Plan and CP12 of the Brighton & Hove City Plan Part One.
12. 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.
13. 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.

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 planning permission granted includes an obligation upon the applicant to carry out small scale footway improvements on the adopted (public) highway that is owned by the Highway Authority (in this case Brighton & Hove City Council). Previously the applicant would have been conditioned to enter into a bespoke legal agreement and pay a contribution towards these works being carried out for the benefit of the development but to amongst other reasons reduce the costs of these works for all parties concerned the council is now obligating the applicant to carry out these works. The applicant or their representative is advised to contact the Council's Streetworks team ([permit.admin@brighton-hove.gov.uk](mailto:permit.admin@brighton-hove.gov.uk)) (01273 290729) who will provide information and if approved, a licence (instead of a bespoke legal agreement) for what, when & where work can be done, who will be permitted to carry out the works, possible contractor contact details to place orders with, design advice, material advice and will check that the footway improvements are built satisfactorily. The emphasis where possible is on minimising what needs to be done to build a satisfactory footway improvement for the benefit of the applicant, future occupants and visitors of the site and the community as a whole, and in particular the mobility and visually impaired of those respective groups. Finally be advised that the applicant or their representative must obtain all necessary highway approval from the Highway Authority prior to any works commencing on the adopted (public) highway to satisfy the law and requirements of condition 5.
3. The applicant is advised that the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Streetworks team. The applicant should contact the Streetworks Team ([permit.admin@brighton-hove.gov.uk](mailto:permit.admin@brighton-hove.gov.uk)) (01273290729) at their earliest convenience to avoid any delay.

**2. SITE LOCATION & APPLICATION DESCRIPTION**

- 2.1 The application site relates to an existing single storey dwelling, located on the west side of Norman Road. The Norman Road street scene is fairly varied in terms of built form of varying design, scale and detailing; featuring two storey terraces and semi-detached properties and single story bungalows.

- 2.2 Planning permission is sought for the demolition of existing bungalow and erection of a two storey building with roof accommodation comprising 1no two bedroom flat at ground floor level and 1no three bedroom flat at first and second floor level (C3).
- 2.3 During the course of the application the scheme has been amended. The initial submission proposed 3no units at ground first and roofspace level. This has been amended to a 1no two bedroom flat at ground floor level and a 1no three bedroom flat at first and second floor level. This has included revisions to the internal layout, the removal of the rear balconies, alterations to fenestration and the front boundary wall.

### 3. RELEVANT HISTORY

PRE2018/00097- The demolition of an existing dwelling and the erection of a 3 storey building containing 3no flats. 10.05.2018.

### 4. REPRESENTATIONS

4.1 **Ten** (10) letters of representation have been received **objecting** to the proposal for the following reasons:

- Overdevelopment
- Poor outlook and poor standard of accommodation
- No family unit
- Overlooking from rear balconies
- Loss of privacy, noise and disturbance
- Overshadowing
- Internal alterations needed
- No provision for off road parking
- Traffic and parking issues
- Noise nuisance and building works disruption
- Concerns over credibility of the application
- Affect property value
- Out of keeping
- Poor design
- Inappropriate height

4.2 **Following amendments and re-consult Five** (5) letters of representation have been received **objecting** to the proposal for the following reasons:

- Overdevelopment
- Poor outlook and poor standard of accommodation
- No family unit
- Overlooking from rear balconies
- Loss of privacy, noise and disturbance
- Overshadowing

## **5. CONSULTATIONS**

### **5.1 Transport: No Objection**

Subject to the inclusion of the necessary conditions on any permission granted.

### **5.2 Arboriculture: No Objection**

There are no trees within the front garden and five small trees within the rear garden. Whilst these trees provide some privacy to the property none of them are of a size to have serious amenity value and therefore do not warrant further protection by a tree preservation order. The trees appear to be retained according to the proposed ground floor plans and appear to be away from the building footprint. The pine tree closest to the building will probably have to be removed due its close proximity to the proposed building. However, would suggest that the majority are retained as they will provide a visual and sonic screen to the adjacent neighbours if this development is recommended for approval.

## **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

CP7 Infrastructure and developer contributions

CP8 Sustainable buildings

CP9 Sustainable transport

CP10 Biodiversity

CP11 Flood risk

CP12 Urban design

CP14 Housing density

CP16 Open space

CP19 Housing mix

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  
QD14 Extensions and alterations  
QD15 Landscape design  
QD27 Protection of amenity  
HO5 Provision of private amenity space in residential development  
HO13 Accessible housing and lifetime homes  
HE12 Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste  
SPD12 Design Guide for Extensions and Alterations  
SPD14 Parking Standards

## **8. CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of the development, the design and appearance of the building and wider streetscene, the effect on the amenity of neighbouring residential occupiers, the standard of the proposed accommodation, and transport and sustainability issues.
- 8.2 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 in due course. 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 Principle of Development :**

The application site is in existing use as a single dwelling house, the immediate area surrounding the application site is residential in character and the neighbouring properties are all residential. Therefore, a residential use would appear acceptable in principle given the character of the surrounding land uses but it will be the details of the scheme and the relationship with the surrounding properties which will determine the acceptability of the application.

#### **8.5 Design and Character:**

Policy CP12 of the Brighton and Hove City Plan Part One sets out the design criteria for applications of this nature. This policy requires proposals to raise the standard of architecture and design in the city and respect the character of the city's identified neighbourhoods.

- 8.6 The Norman Road street scene is fairly varied in terms of built form of varying design, scale and detailing; featuring two storey terraces and semi-detached properties and single story bungalows. The application site consists of an existing single storey bungalow sited between no's 10 and 14 Norman Road which are one half of a two storey semi-detached pair.
- 8.7 The application proposes to erect a two storey building including roof accommodation. The proposed building follows the existing building line within the streetscene with a ridge height comparable to no. 10 to the north and slightly lower than no. 14 to the south. The majority of the properties within the street have consistent roof heights, with some dwellings single storey and therefore this arrangement respects the general topology within the street. The building would exhibit a number of features prevalent within the streetscene, with a two storey front bay projection and front gable, with compatible contemporary elements such as the triangle window within the front gable. The roof form would fit with the variety of roof forms within the street and would compare to the sharp pitch of the roof of no. 14 to the north. The palette of materials, featuring white render, a slate tiled roof and aluminium fenestration would be appropriate and would fit within the mix of materials prevalent within the streetscene.
- 8.8 There is no objection to the side rooflights which would not be highly visible within streetscene views, the rear dormer window would be appropriately spaced within the roofspace and the large solar panel to the south side elevation of the roofslope would add sustainability value.
- 8.9 Overall it is considered that the proposed building design would not harm the visual amenities of the Norman Road streetscene, in compliance with Policy CP12 of the Brighton and Hove City Plan Part One.
- 8.10 Standard of Accommodation :  
The proposal would create a two bedroom flat at ground floor level and a three bedroom flat at first and second floor level.
- 8.11 The gross internal floor area of the two bedroom ground floor flat measuring approximately 72.5sqm would meet the government's Technical Housing Standards which states that a 4 person, 2 bedroom, 1 storey property should



measure 70sqm. The three bedroom first and second floor flat would have a gross internal floor area of approximately 130sqm, which would meet the government's Technical Housing Standard which states that a 6 person, 3 bedroom, 2 storey property should measure 102sqm. The double bedrooms within the units would meet the minimum national space standards. Each of the habitable rooms within both units would be served by window openings and doors allowing for acceptable levels of light, outlook and ventilation, resulting in a suitable standard of accommodation. The space and head height within the roof for the 2no bedrooms of the upper floor flat would be adequate in size and with adequate window openings for light and outlook.

8.12 Policy HO5 requires the provision of private useable amenity space in new residential development, appropriate to the scale and character of the development. The ground floor flat would have access to a small rear garden and whilst the upper floor flat, which is the larger unit, would not have access to any amenity space this is considered acceptable given the close proximity to accessible open spaces.

8.13 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. In terms of Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) the upper floor flat has stepped access and therefore only the ground floor flat will be conditioned to comply with requirement M4(2).

**8.14 Impact on neighbouring 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. This policy accords with paragraph 17 of the NPPF which establishes as a key principle the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

8.15 The scheme would most affect no.10 Norman Road to the south and no.14 Norman Road to the north. The proposed building would be sited 2.1m from no.10 and 2.3m from no.14. The proposed building would be two storeys with roof accommodation with an eaves height comparable to no. 14 and lower than no. 10 and a ridge height below both properties either side. Whilst close in proximity, it is not considered that the building would result in overshadowing toward the neighbouring properties. The first floor side window to no. 10 serves a landing and the first floor 2no side windows to no.14 serve a landing and an obscure glazed bathroom; given that these are non-habitable rooms no harm would result in terms of overshadowing, loss of light or loss of outlook. The ground floor windows on the side elevations of the neighbouring property are already impacted by the existing single storey dwelling and boundary treatment on the site and it is not considered that any additional harm would result from the additional height of the property. Notwithstanding this, the ground floor fenestration to both no. 10 and no. 14 serve a secondary window opening to a

kitchen where the main window opening faces the rear garden and side doors to a hallway.

- 8.16 The ground floor side windows would face onto boundary treatment and therefore no loss of privacy would result. The first floor side windows could have the potential to look into the first floor side windows serving landings and therefore the obscure glazing of these windows is recommended by condition. Given the positioning and orientation of the side rooflights, views toward neighbouring windows would not be achievable and therefore no loss of privacy would result. The views afforded from the rear fenestration would be comparable to the upper floors of neighbouring properties.
- 8.17 Arboriculture have provided comment regarding the existing trees on site and whilst they do not have amenity value and do not warrant protection by a tree preservation order, it is considered that a majority of the trees within the rear garden should be retained to provide a visual screen to adjoining neighbours. There are six trees within the rear garden. The pine tree closest to the proposed building will probably need to be removed, however the four remaining trees sited along the western boundary should be retained, for both visual and privacy value. A condition will be attached to secure this.
- 8.18 Sustainability:**  
City Plan Part One policy CP8 requires new residential development demonstrate efficiency in the use of water and energy, setting standards that mirror the national technical standard for water and energy consumption. Therefore conditions will be attached to ensure the development meets the standards set out in policy CP8.
- 8.19 Transport:**  
The proposed development would not result in a significant increase in trip generation and any impact on the highway would be minimal.
- 8.20 The site is located within a Controlled Parking Zone (W). Given the potential variance in uptake across a CPZ, where permit uptake is over 80% over the previous 12 months no additional vehicles are permitted without a supporting parking survey. Permit uptake within Zone W for the preceding 12 months averages 69%. Therefore, it is not deemed necessary to make the development car free or require that a Lambeth Methodology Survey be carried out.
- 8.21 The applicant is proposing to extinguish the existing vehicle access arrangements onto the adopted (public) highway. A condition is attached requesting the reinstatement of the redundant vehicle crossing. A condition is also attached for improvements to the public highway.
- 8.22 Cycle parking is proposed within the site in the form of 3 cycle spaces, however full details have not been provided and if approval were recommended this would be secured via condition.

## **9. EQUALITIES**

The ground floor flat can provide for wheelchair accessible homes.

