

<b><u>No:</u></b>	<b>BH2018/02561</b>	<b><u>Ward:</u></b>	<b>Wish Ward</b>
<b><u>App Type:</u></b>	<b>Reserved Matters</b>		
<b><u>Address:</u></b>	<b>Westerman Complex School Road Hove BN3 5HX</b>		
<b><u>Proposal:</u></b>	<b>Reserved matters application pursuant to outline permission BH2018/02561 for approval of appearance and landscaping.</b>		
<b><u>Officer:</u></b>	Eimear Murphy, tel: 01273 293335	<b><u>Valid Date:</u></b>	14.08.2018
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	13.11.2018
<b><u>Listed Building Grade:</u></b>	N/A	<b><u>EOT:</u></b>	
<b><u>Agent:</u></b>	Mr Simon Bareham 2 Port Hall Road Brighton BN1 5PD		
<b><u>Applicant:</u></b>	Hyde New Homes C/O Lewis And Co Planning 2 Port Hall Road Brighton BN1 5PD		

## 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 be **MINDED TO APPROVE** the reserved matters subject to the following Conditions and Informatives and a Deed of Variation to the existing S106 Agreement dated 1st August 2016 to secure:

- The provision of 10 off-site tree planting in the immediate area

### 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>
Location Plan	16.146.100	A	15.08.2019
Block Plan	16.146.206	B	08.02.2019
Proposed Floor Plans - Roof	16.146.200	D	16.01.2019
Proposed Floor Plans - Ground	16.146.201	E	16.01.2019
Proposed Floor Plans – First	16.146.202	E	16.01.2019
Proposed Site Layout - Second	16.146.203	E	16.01.2019
Proposed Site Layout – Third	16.146.204	E	16.01.2019
Proposed Site Layout – Fourth	16.146.205	D	16.01.2019
Proposed Elevations 1 of 3	16.146.220	E	18.01.2019
Proposed Elevations 2 of 3	16.146.221	E	18.01.2019
Proposed Elevations 3 of 3	16.146.222	D	16.01.2019
Car Park Strategy	16.146.226	A	16.01.2019
Statement - CAR PARK SURVEY	WIE11133/TR001/A03		7 July 2016

Statement	TRANSPORT STATEMENT		7 July 2016
Outline Planting Plan (excluding the pedestrian link)	GHD3028	B	14 August 2018

2. 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):
- samples of all brick tiling (including details of the colour, tone and texture)
  - samples of all cladding to be used, including details of their treatment to protect against weathering
  - samples of all hard surfacing materials
  - samples of the proposed window, door and balcony treatments
  - 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 QD14 and HE3 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

3. All bathroom windows 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.
4. No development above ground floor slab level of any part of the development hereby permitted shall take place until details for the provision of post boxes to the shared communal flat entrances shall be submitted to and approved in writing and therefore permanently retained as such.  
**Reason:** In the interests of residential amenities and secure by design concerns and to comply with Policy QD27 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 site currently comprises a mix of mainly two storey brick built buildings located on School Road. The units, which were originally constructed as industrial and light industrial units which provided a mixture of uses including a children's play centre, car wash, church, tool hire and tyre repair/MOT centre.

The site backs on to the high boundary wall to the rear gardens of houses in Alpine Road to the east. Stoneham Road terminates at the south corner of the site. To the south are the terraced houses in Marmion Road. Further south and fronting Portland Road is the new medical centre and pharmacy with flats above. The car park to Rayford House, a four storey office building which has prior approval to change to 32 flats, adjoins the site to the north. On the opposite side of School Road is a mix of residential, office and school uses.

- 2.2. Due to the granting of an outline planning permission for the redevelopment of the site, the units are now vacant. The outline planning permission (BH2016/02535) established the principle of the redevelopment of the site for the erection of 104 dwellings (C3) and 572 sqm of office space (B1) and approval of reserved matters for access layout and scale. That permission was subject to a S106 Planning Agreement.
- 2.3. This application seeks to obtain approval for the reserved matters of "appearance" of the buildings and "landscaping" pursuant to the revised outline application BH2018/02538 which sought to correct the description of the development to rectify an error in the description but also to vary Conditions 1, 4 and 6. Application reference BH2018/02538 supersedes the original outline planning application, BH2016/02535, suffice for the timescales for implementation. Application reference BH2018/02538 is also on this agenda.
- 2.4. In terms of the overall scheme and being cognisant of layout issues referred to in the report for BH2018/02538, this application shows a reduction in the amount of office space from 527sqm to 492sqm to the ground floor of Blocks E, F and G. Condition 5 at the original grant of planning permission indicated that the proposed development shall not exceed a maximum of 572m<sup>2</sup> of Class B1 floorspace. This wording does not prevent the restriction. There is also a reduction in car parking spaces from 93 with 11 spaces for disabled drivers to 82, 6 of which are for disabled use. This has arisen due to the need to retain the existing substation fronting School Road. The space had been indicated to provide bicycle storage which had resulted in a need to review the parking arrangement for cars and motorcycles, bicycle parking and storage, refuse/recycling storage
- 2.5. Appearance  
In terms of the external appearance, a reserved matter, the submitted plans demonstrate a collective uniformity in the design of the buildings. A consistency and uniformity across the development is not only presented through the design of the buildings but also in the use of materials which include red brick, gault brick, vertical standing seam cladding, dark grey/bronze cladding, slate for the roofs of the terraced block, dark uPVC windows and doors and metallic balustrading.
- 2.6. The principle street elevations (School Road) of Blocks A; conjoined B, C, D and flank of Block E are all shown with gault brick to the forward projections set against red facing bricks. Top floors are shown to be a light grey vertical standing seam cladding. Windows to the forward projections are slightly varied,

some having side dark grey/bronze infill panels. Metal balconies flank the forward projections apart from Block A which rises to 5 storeys.

- 2.7. Block A shows a stepped arrangement to its west School Road elevation where the stepped 4th storey sees balcony railings across the majority of its width. Its 5th storey is set further back and is shown with light grey standing seam cladding standing seam cladding.. The north elevation of Block A is entirely of red facing brick whilst the south elevation is shown with two-thirds red brick and one-third standing seam cladding which wraps around part of the rear (east) elevation, with the step forward of 4 storeys, facing the terrace, shown as red brick.
- 2.8. Conjoined blocks B,C and D are of a similar appearance to Block A but is of a lesser height being of 4 storeys stepping down to three at the southern end. The top floor is recessed to all blocks The impression of separate blocks is provided by recessed bays containing the internal cycle storage areas between Blocks B/C, and C/D respectively and the entrance to Block C being of vertical standing seam cladding as per the top storeys. Also the steps in height from north to south assist in reading the reduction in height. Along with the forward projections to the front (west) elevation cantilevers over the ground floor creating visual interest and articulation.
- 2.9. The arrangement of materials is not repeated to the rear (east) elevation as the first and second floors cantilever over the ground floor to accommodate undercroft parking. The approach to the doors to the rear integral cycle storage is denoted by a wide bay between demarcated undercroft parking spaces. The flank (north and south) elevations to the end of Blocks B and D are predominantly of red brick with the top floor being of grey standing seam cladding.
- 2.10. Conjoined Blocks E, F and G to the southern part of the site and southern access into the development is presented with two main elevations facing west to address School Road as per Blocks A - D and north facing into the development. The ground floor of Blocks E,F and G include the B1 office floor space and the treatment of the ground floors reflect this activity with a simple glazed arrangement with flats above. The interplay of red and gault brick and standing seam cladding breaks up the mass of the block and emphasises the articulation of the 'bays' and the staggering of heights. Similar dark grey/bronze spandrels are incorporated into the elevational treatment.
- 2.11. The terrace of 21 dwellings rising over two/three storeys with a pitched floor with flat roofed dormers to the front and rear, is shown with forward projections accommodating the main entrance door. The third storey is achieved by incorporating an asymmetrical pitched roof with dormers. Although of a unified appearance and consistent in terms of the use of materials, variation is provided in the use of the light gault brick and red brick. The pattern varies between gault bricks to the forward projection against red brick and vice-versa to the elevation of some units being all red brick. There is also a subtle variation in window types influenced by internal layout, functional requirements and to create visual interest. Recessed entrance doors are shown to have an area of defensible

space overlooked by a kitchen window or a vertical full length narrow feature window to the entrance hall with doors serving communal entrances and storage areas.

2.12. The use of slate for the roofs, cladding and raised 'copings' assists in unifying the terrace as a whole but also demonstrates how it steps in line with the fall in levels across the site from north to south.

2.13. Landscaping

With reference to the reserved matter of 'landscaping' includes hard and soft landscaping. The hard surfaces includes the roadway, pavements, crossing demarcation and shared surfacing and soft planting includes the 'green' space to the northern part of the site, the rear gardens and trees to the terraced dwellings and the trees to the in-site carparking area. The original outline application included a layout plan with a higher percentage of 'green' strips, tree planting between parking bays with hedging and street trees in the public highway, outside the application site.

2.14. Internal changes, the requirement to retain the existing substation, the need to accommodate suitable bicycle parking and storage, refuse and recycling, disabled bays provision and parking for motor cycles has had implications for the parking arrangement. Therefore, the 'reserved' matters plan pursuant to the varied outline application BH2018/02561 which is on this agenda, shows 6 trees and hedging within the site, between parking bays, 15 trees within some gardens to the rear of the terraced dwellings and areas of soft landscaping to the north of Block A and storage area. No trees are included to the street due to the presence of services. The Outline planning plan provides details of the planting mix for the planting beds and tree species.

2.15. In order to offset the limited number of trees within the development and the lack of provision on-street, the applicant is offering to provide funding for ten trees in the surrounding area, to be secured by a Deed of Variation to the existing S106 Agreement.

### 3. RELEVANT HISTORY

There were a number of applications relating to the individual buildings which are currently on the site. There were no previous applications that directly related to the outline planning application.

3.1. Pre-application advice

Pre-application advice had been provided by officers over a number of years regarding the redevelopment of this site. The outline planning application followed advice provided by officers in October 2015. It was not presented to the Design Panel.

3.2. **BH2016/02535:** Outline application for Demolition of existing mixed use buildings and erection of 104 dwellings (C3) and 572 Sqm of office space (B1)

and approval of reserved matters for access, layout and scale. Approved 3rd August 2018 along with a S106 Planning Agreement.

- 3.3. **BH2018/02538:** Application for variation of condition 1 of BH2016/02535 (Outline application for Demolition of existing mixed use buildings and erection of 104 dwellings (C3) and 572 Sqm of office space (B1) and approval of reserved matters for access, layout and scale.) to allow amendments to the approved drawings including alterations to the car parking layout and internal layouts. Variation of condition 4 regarding the layout of the units to provide one additional one-bed unit, and one less two-bed unit and condition 6 regarding the maximum building heights to state that other than lift overruns the maximum buildings heights shall be as stated in the condition. Under consideration.

#### **4. NEIGHBOURS**

Seven 7 letters were received in relation to the reserved matters application six of which were from four persons and one letter signed by occupants of three households. A number of the comments and objections raised relate to matters already determined at the outline stage which established the access, siting and scale of the development as well as the number of residential units. In summary, the objections include:

##### 4.1. Traffic, Parking, Access

- Additional traffic, narrowing of the road will cause congestion and danger to school children
- Width of the road does not support parking on both sides
- Unacceptable reduction in parking spaces, more should be provided.
- No parking marked for businesses occupying the office block
- Will not be able to park outside their own property

##### 4.2. Design Issues

- Inappropriate height with lift exceeding the height restriction even if set back
- Overdevelopment
- Taller than the existing buildings
- Should not be more one storey

##### 4.3. Residential Amenity

- Direct overlooking, loss of privacy to three dwellings in School Road from windows and balconies increased due to storey heights
- Disturbance at weekends and evenings
- Impact on view and loss of sunlight
- Impact from headlights on residential properties
- Detriment to property values

#### **5. CONSULTATIONS**

##### **External**

5.1. **Sussex Police:** Comments as per application reference BH2018/002583 which included concerns about:

- The long, unobserved with to access to the rear of all 21 houses has the potential to increase the fear of crime in the residents and generate crime
- The entrance to the rear garden pathway is adjacent to the proposed pedestrian link and would require lighting to create a more safe and secure environment for the residents when using this pathway,
- Consideration should be given to creating another entrance at the opposite end at plot No 1 so that the 10 / 11 dwellings respectively are equally accessed by the pathways, reducing the fear of crime and reducing travel distances.
- The gate indicated would have to be vandal resistant and the means of accessing / locking it made available to all residents. This would also apply to any additional gates
- Recommend that the rear garden boundary fences overlooking this rear pathway consist of 1.5 metre high close board fencing topped with 300mm of trellis. This arrangement can achieve both security and surveillance requirements into an otherwise unobserved area and a security height of 1.8 metres
- The link to Stoneham Road may be beneficial for the surrounding community to access the train station, this opens up the development to excessive permeability.
- The link (located between block G and plot 21) present, the proposed cycle store and the gated entrance to the rear gardens would be vulnerable to unauthorised and unobserved access and attack.
- Removing the pedestrian access would remove the threat to the cycle store and unobserved access to the vulnerable rear gardens.
- The whole of this area would benefit from lighting conforming to BS5489:2013 throughout its route
- Concerns are expressed about the provision of refuse stores in front of the housing as it will impinge upon the pedestrian pathways causing obstruction and congestion.
- Additionally there is the concern of damage to the closely parked vehicles given the parking proposals. The manual for streets recommend that there is a minimum of 2 metres to allow access. I feel the inclusion of the bins on the pedestrian walkway has the potential to infringe this.
- The boundary between public space and private areas should be clearly indicated. Where dwellings front the public domain i.e. the footpath, demarcation in the form of defensible planting railings is to be present
- Recommend the postal arrangements for the flats is through the wall, external or lobby mounted secure post boxes.
- Strongly urge the applicant not to consider letter apertures within the flats' front doors. The absence of the letter aperture removes the opportunity for lock manipulation, fishing and arson attack and has the potential to reduce unnecessary access to the block. It also reduces unnecessary access to the block.

- From a crime prevention perspective for the apartment blocks, it will be imperative that access control is implemented into the design and layout to ensure control of entry is for authorised persons only.
- SBD recommends that all communal dwellings with more than 10 dwellings or bedrooms should have visitor door entry system or access control system to enable management oversight of the security of the building i.e. to control access to the building via the management of a recognised electronic key system. It should also incorporate a remote release of the primary entrance door set and have audio visual communication between the occupant and the visitor.
- In order to create a safe and secure communal environment for residents occupying blocks of multiple flats, bedsits or bedrooms, and to reduce the opportunity for anti-social behaviour by restricting access to all areas and floors of the building to all residents, SBD asks for compartmentalisation. Detailed advice on compartmentalisation can be found within SBD Home 2016 on the SBD website.
- Under-croft parking to the rear of blocks B, C & D, should be illuminated for the safety and security of the users and their vehicles and recommend that the applicant seek advice from Sussex Police Counter Terrorist Security advisers with regards to the scheme under-croft as soon as it is practicable
- The secure cycle stores should have PIR lighting installed internally and that the front doors are lockable.
- Given that the proposed cycle store has double doors, a door closer is to be fitted along with spring loaded automatic shoot bolts to the unlocked door to ensure it closes first. This arrangement would work very well for the refuse store as well. Sheffield hoop style stands are to be of galvanised steel bar construction of at least 3mm thickness.
- Concerned over the parking arrangements opposite block G with manoeuvring vehicles and pedestrians accessing the residential and retail elements of block's F&G.
- The rear access point to block C is to have anti-vehicle measures included to remove any contact with residents accessing the block and manoeuvring vehicles.
- With respect to the office element of the development. I direct the applicant or their agent to our website at [www.securedbydesign.com](http://www.securedbydesign.com) where the Secured by Design (SBD) Commercial Development 2015 document can be found.

**5.2. Comments in relation to amended plans:** No objections. but asks that

- Where the bin stores abut the vehicle parking bays (plots 1 - 21) a form of barrier such as a knee rail is implemented to the front of the bay as well as demarcating the route to the bin assembly points to assist in preventing damage to adjacent vehicles when manoeuvring refuse bins on collection days and will stop residents manoeuvring bins between parked vehicles
- Given the close proximity of the residential parking to the three retail units, recommend that the residents parking is protected so it is not utilised by the retail staff and their visitors.

**Internal**



5.3. **Sustainable Transport:** No objections in principle. It is noted that the development already has planning consent and therefore comments have been provided on the following revisions:

5.3.1. Pedestrian Access

- loss of pedestrian routes within the site on both sides of each vehicle access with no alternative routes provided
- less comfortable, safe and attractive pedestrian routes
- mobility impaired users would struggle to access the eastern side of the development without sufficiently wide routes between parked cars
- unclear whether dropped kerbs would be provided
- width of the pedestrian routes alongside the access roads have also been reduced and varies from approximately 1.7m to 1m, further reduced by proposed cycle parking. Unnecessary as the access roads could be reduced to 4.1m (currently shown as 4.5m and 4.8m)
- would expect at least one 2m wide footway alongside each access road with other footways being a minimum of 1.5m or absolute minimum of 1.2m at pinch points
- introduction of bin stores for each dwelling on the eastern side reduces the pedestrian route to 1.2m. This would be acceptable alongside pinch points. However, the landscaping plan (submitted for BH2018/02561) indicates the whole route is in fact 1.2m. It is recommended that this be widened to 1.5m.
- doors opening outwards onto narrow pedestrian routes are request to open inwards where opening onto the public highway
- breaks in car parking to the eastern side to provide pedestrian access have been removed, reading more as a traditional carriageway without demarcated pedestrian routes but this should be revised to in order to be closer to the consent scheme
- demarcating these routes using raised crossings to provide pedestrian priority and reduce traditional carriageway feel as well as widening pedestrian routes on the east side of the development, repositioning cycle parking where it obstructs pedestrian movement;
- amend kerb radii to slow speeds; reinstate breaks in parking to provide access to eastern side of development
- the stepped pedestrian access up to Stoneham Road would be supported in terms of allowing better access for residents, including towards Aldrington Station, preferably be ramped to allow access by all
- noted this access was removed and although any addition would be beneficial, the Highway Authority would not wish to object on the grounds of accessibility where the consented scheme provides no route at all

5.3.2. Vehicle Access

- No changes apart from deficiencies in pavement widths

### 5.3.3. Car Parking

- The approved ground floor plan shows 89 spaces plus a car club bay (90).
- 78 car parking spaces are shown, being 5 less than indicated in the Transport Statement Addendum and 12 fewer than consented
- both figures include the 14 on-street spaces created by removing the existing crossovers which would be available for all permit holders to use and not associated with the development itself
- A condition was attached restricting the ability of future residents, other than Blue Badge holders from applying for on-street parking permits. It is therefore considered that the impacts of the reduced on-site parking provision on surrounding streets will be managed.
- As such, and also noting that the creation of additional on-street parking will help cater for additional visitor demand that may arise, no objections are raised in this instance.
- It is noted that some of the changes requested to provide satisfactory pedestrian access (see comments above) and disabled parking (see comments below) may result in a small further reduction in car parking. For the reasons stated above, it is not considered that this would result in a significant impact upon surrounding streets.

### 5.3.4. Loss of street trees

- the street trees along the site frontage should be retained
- final design of the on-street parking proposals would be subject to a S278

### 5.3.5. Disabled Parking

- 6 disabled parking bays are shown on site
- unclear how many wheelchair accessible units are retained and therefore whether the SPD14 minimum requirement is met
- design is not in accordance with Traffic Advisory Leaflet 5/95, as required by Local Plan policy TR18. In order to be compliant, a 1.2m access zone should be provide on both sides of each bay, although this can be shared between adjacent bays.

### 5.3.6. Cycle Parking

- Cycle parking would remain unchanged but repositioned with additional details and changes requested to certain locations, stand types and spacing
- Sheffield stands are preferred and laid out as per Manual for Streets
- Where two-tier storage is used, space between and aisle widths should be appropriate
- Individual cycle stores for the houses may be acceptable where not communal

### 5.3.7. Trip Generation

- Reduction in parking has the potential to result in a small reduction in vehicle trips compared to the consented scheme as a result of the reduction in car parking.

In the event that the application is approved, an additional condition relating to the car park layout and pedestrian routes. It is noted that the comments provided are also of relevance to the associated reserved matters application (BH2018/02561)(landscaping).

5.4. **Comments on Amended Plans:** No comments.

## 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) (2018)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

SA6 Sustainable Neighbourhoods

CP1 Housing Delivery

CP2 Planning for Sustainable Economic Development

CP3 Employment Land

CP7 Developer Contributions

CP8 Sustainable Buildings

CP9 Sustainable Transport

CP10 Biodiversity

CP12 Urban Design

CP14 Housing Density

CP16 Open Space

CP19 Housing Mix

## CP20 Affordable Housing

### Brighton and Hove Local Plan (retained policies March 2016):

TR4 Travel plans

TR7 Safe Development

TR14 Cycle access and parking

TR15 Cycle network

TR18 Parking for people with a mobility related disability

SU3 Surface Water Drainage

SU5 Surface water and foul sewage disposal infrastructure

SU9 Pollution and nuisance control

SU10 Noise Nuisance

SU11 Polluted land and buildings

QD5 Design - street frontages

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

SPD14 Parking Standards

## **8. CONSIDERATIONS & ASSESSMENT**

### 8.1. Principle

The principle of this development has already been established by the extant planning permission granted under application reference BH2016/02535 which is the subject of variations under application reference BH2018/02538 which is also on this agenda. The approach is such that the details of an application for reserved matters must be in accordance with the outline approval. The principle of the development is not being revisited nor are the matters of access, siting and layout.

### 8.2. Material Considerations

The key considerations in this case relate to "appearance" and "landscaping" which were 'reserved' at the outline stage for later determination. It is acknowledged that changes arising under reference BH2018/02538 including the need to retain the existing substation to School Road, for example, has had an impact on providing suitable bicycle storage. This, along with the need to accommodate refuse and recycling storage, water storage, motorcycle and disabled parking, has resulted in changes to the parking layout, arrangement of spaces, landscaping and tree planting. The exclusion of trees to School Road is due to the presence of underground services.

8.3. The conditions as originally imposed, with variations to 1, 4 and 6 have been transferred to application reference BH2018/02538. It is only in exceptional circumstances that additional conditions would be imposed on a 'reserved' matters application.

#### 8.4. Appearance

The appearance of the buildings seek to inject a new character along School Road and within the site. The siting and scale of the buildings determined the mass of the buildings and with that if followed, how the buildings sought to break up that mass, to articulate the elevations, compliment the changing heights across the site and development.

- 8.5. Consideration has been given to the architectural context of the site, the street sections, use and pattern of materials. Taking positive cues from the surrounding area and other high quality developments, a palette of 5 main materials are presented - red brick, gault brick, grey standing seam cladding, glass and metal. Slate is proposed for the roofs of the terrace of the 21 dwellings.
- 8.6. The arrangement of this palette on the elevations, along with the articulations, step forwards and setbacks, provides an acceptable 'quiet' appearance that is not visually busy. The set back of the top floor to the flatted blocks has the effect of reducing the sense of height and mass.
- 8.7. The treatment of the terrace is also suitably varied to create visual interest without being contrived. The treatment of the terrace counter balances the appearance of the rear elevation of Blocks B,C and D which sees the upper floors projecting over the ground floor with its undercroft parking. As stated in the description of the proposal, the incorporation of raised fire breaks as a feature and a pattern of fenestration along with materials enlivens the terrace.
- 8.8. The inclusion of the office floor space to the ground floors of Blocks E, F and G with full length glazing is legible yet retaining a degree of domesticity in its scale/extent.
- 8.9. Each block including the terrace provide a positive and legible address to the respective streets that they front. In the case of the terrace and the north elevation of Block E, F and G this is to the 'street' within the development.
- 8.10. Therefore and as with the assessment at the outline stage, it is considered that the vertical emphasis to the School Road frontage, offset with articulations with recessed sections and notional 'bays' created by the built form but also the use of materials is acceptable. The drawings also demonstrate that with appropriate detailing and proportions the buildings would not appear overly bulky or visually bland. The townhouses to the rear of the site and their external appearance would be an appropriate design approach.
- 8.11. Visually it is considered that the proposed palette and arrangement of materials would result in an acceptable external appearance with a uniformity and consistency across the scheme as a whole but at the same time allowing for a degree of variation and visual interest. The development has its own identity and at the same time 'fits' with the general colours and tones that are locally distinctive and therefore complements that the existing built form and new developments such as the building on the corner of School Road, fronting Portland Road.

8.12. It is therefore considered that the proposal accords with Policy CP12 of City Plan Part One and 'saved' Policy QD5 of the Brighton and Hove Local Plan (2016).

### **8.13. Landscaping**

Local planning policies and guidance and the NPPF require high quality landscaping and that development delivers a net gain in biodiversity terms. Landscaping, both hard and soft, including the space between and around buildings, is typical of an urban environment.

8.14. The space that remains seeks to balance the competing demands of the development, seeking to subtly differentiate between the public and private domains or as is the case where developments sit on the back edge of a pavement, the semi-private domain. Through the use of a limited range of hard surfacing materials, the different functions of space can be achieved and this is indicated in the submitted plans. Parking spaces are clearly differentiated from the pavements and the internal road, as well as shared surfaces. Crossing points are clearly denoted at key internal junctions.

8.15. Where soft landscaping is proposed is it considered that it will deliver biodiversity gains. This includes the private gardens to the rear of the terraced housing, between car parking spaces along with hedging and to the northern part of the site. Although there are only 6 trees within the public domain of the development, as a whole 21 trees are proposed in total.

8.16. Although the scheme does not include green roofs as initially suggested at the outline stage, it is considered that the balance between the appropriate greening of the development, the creation of a new urban street, an appropriate amount of parking and renewables, that the landscaping scheme, on balance, is appropriate and acceptable for this location. These elements would deliver some biodiversity gains by utilising native species of local provenance and attract wildlife.

8.17. Overall it is considered that this hard and soft landscaping successfully accommodates the competing needs of a new urban development and new urban street and would provide a legible environment with an improvement in the biodiversity value of the site. There are also functional reasons for the landscape plan and the loss of tree planting to School Road which is capable of being mitigated against to the benefit of the immediate area through the offer of the applicant to provide for 10 trees within the surroundings. This can be achieved through a Deed of Variation to the existing S106 Planning Agreement.

### **8.18. Residential Amenity**

The resultant external appearance is directed by the internal floor plans and room designations and with that, the siting of balconies were proposed. As the majority of the flats are single aspect with those to the end of blocks having a partial dual aspect, balconies are provided to serve main living areas. The balconies are also positioned to avoid a loss of privacy from one unit to the other.

- 8.19. At the same time, the presence of existing dwellings had been taken into consideration at the pre-application and outline stage. The concerns expressed about loss of light, overlooking and loss of privacy were raised by residents of School Road. In this urban environment it is considered that the development follows the existing prevailing development pattern of the predominantly residential area. Despite the presence of more windows and some balcony areas, the distances from one site of the street to the other is considered to be acceptable in an urban street.
- 8.20. At the outline stage, issues of daylight, sunlight and overshadowing were considered and considered to be acceptable.
- 8.21. Parking  
The variation to the outline planning application and the 'landscaping' of the site sees a reduction in car parking provision within the site. This reserved matters application was accompanying by the original Transport Statement and an Addendum Statement which explains and justifies the reduction to 82 car parking spaces with 6 identified for disabled use. The proximity to the railway station, bus services and provision of a car club space reduces the need to rely on the private car. In addition the appropriate amount of cycle parking spaces and storage is provided.
- 8.22. The reduced car parking did not raise an objection from Sustainable Transport at the initial outline stage. Comments made in respect of the variation of conditions and this reserved matters application were brought to the applicant/agent's attention and further amendments and changes were introduced including ensuring that pavement widths to each side of the access roads could be achieved by narrowing the carriageway and the provision of a shared surface ensure that the parking spaces for vehicles, disabled users and motorcycles would function safely and would not cause conflicts in access and manoeuvring.
- 8.23. As with the original and amended outline applications, the appropriate conditions have been imposed to secure and control the car parking spaces, including those for blue badge holders and those on the street which can be utilised by permit holder.
- 8.24. On the whole it is considered that in a sustainable location such as this, the parking provision within the site, the provision of additional space on School Road and the amount of cycle parking / storage achieves an appropriate balance in planning terms.
- 8.25. The landscaping scheme retains two demarcated informal crossing points. Doors and access points are clearly identified with wider spacing where the tree/hedges are provided to assist in creating legible crossing from one side of the development to the other should pedestrians desire to cross. Given the length of the internal road and the intimate nature of the development, it is considered that the development would be self-regulating in terms of the movement of vehicles and pedestrians.

#### 8.26. Conclusion

Bearing in mind that the principle of the development has been accepted including the quantum of residential units, and matters of access, layout and scale have been agreed, it is considered that the 'appearance' of the development and approach to 'landscaping' are considered to be acceptable. The simple palette of materials responds well to the mass of the built form and creates a positive uniformity across the site. The hard and soft landscaping areas compliments this urban development subtly integrated around buildings and between car parking spaces. It is a fluid development that creates interaction and responds well to its context visually and physically whilst improving the biodiversity value of the site as well as providing for trees in the surrounding area as mitigation for the inability to accommodate street trees in School Road.

8.27. It is therefore considered that the details submitted in respect of the two remaining reserved matters are acceptable and accord with the principle of the outline planning application. As it is only in exceptional circumstances that additional conditions could be imposed on a 'reserved' matters application, it is considered that there are sufficient conditions attached to the outline permission to ensure further control over various aspects of the development, including parking.

### **9. EQUALITIES**

9.1. As this application relates primarily to the variation of conditions to an extant outline planning permission with some issues arising from 'access' and 'layout', with some matters reserved and other issues to be secured by condition, it is considered that no equalities issues arise.