

<u>INo:</u>	BH2019/00694	<u>Ward:</u>	Hove Park Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	105 Woodland Drive Hove BN3 6DF		
<u>Proposal:</u>	Erection of a three storey, 4no. bedroom house, incorporating the demolition of part of the existing double garage to provide a single garage for the existing house, revisions to boundary wall, parking and associated works		
<u>Officer:</u>	Nick Salt, tel:	<u>Valid Date:</u>	12.03.2019
<u>Con Area:</u>		<u>Expiry Date:</u>	07.05.2019
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Liam Russell 24 Windlesham Road Brighton BN1 3AG		
<u>Applicant:</u>	David Hughes C/O Liam Russell Architects Ltd 24 Windlesham Road Brighton BN1 3AG		

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
Proposed Drawing	1581 - FE - 001	A	16 April 2020
Proposed Drawing	1581- FE - 002	A	16 April 2020
Proposed Drawing	1581 - FE - 003	A	16 April 2020
Proposed Drawing	1581 - FE - 004	A	22 April 2020
Proposed Drawing	1581 - FE - 005		22 April 2020
Proposed Drawing	1581- FE - 007		19 May 2020
Other	1581 - FE - 008		19 May 2020
Location and block plan	1581 - FE - 006		14 May 2020
Location and block plan	1581 - PA 001		8 March 2019

- 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 Notwithstanding the elevational drawings submitted, no development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the

external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used, including details of their treatment to protect against weathering
- c) samples of all hard surfacing materials
- d) details of the proposed window, door and balcony treatments
- e) samples of all other materials to be used externally

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

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan and policies CP12 and CP15 of the Brighton & Hove City Plan Part One.

- 4 The new/extended crossovers and accesses shall be constructed prior to the first occupation of the development hereby permitted.

Reason: In the interests of highway safety and to comply with policies TR7 of the Brighton & Hove Local Plan and SA6, CP7, CP9, CP12, CP13 and CP15 of the Brighton & Hove City Plan Part One.

- 5 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 and CP11 of the Brighton and Hove City Plan Part One.

- 6 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.

- 7 The vehicle parking areas shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy CP9 of the Brighton & Hove City Plan Part One.

- 8 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 Hill Brow with Woodland Drive.

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 and CP9 of the Brighton & Hove City Plan Part One.

- 9 The development hereby approved shall not be occupied until refuse and recycling storage facilities have been installed to the side or rear of the building 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 No tree shown as retained on approved drawing 1581-FE-008 shall be cut down, uprooted, destroyed, 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 amenities of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development in compliance with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.
- 11 Prior to occupation of the development hereby permitted, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. The scheme shall include the following:
- a. details of all hard and soft surfacing to include type, position, design, dimensions and materials and any sustainable drainage system used;
 - b. a schedule detailing sizes and numbers/densities of all proposed trees/plants including details of tree pit design, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period;
 - c. details of all boundary treatments, including the boundary of the garden/patio above the double garage, to include type, position, design, dimensions and materials;
- 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 amenities of the area and to comply with policies QD15 of the Brighton & Hove Local Plan and CP12 and CP13 of the Brighton & Hove City Plan Part One.

- 12 None of the residential units hereby approved shall be occupied until each residential unit built has achieved an energy efficiency standard of a minimum of 19% CO2 improvement over Building Regulations requirements Part L 2013 (TER Baseline).
Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with policy CP8 of the Brighton & Hove City Plan Part One.
- 13 None of the residential units hereby approved shall be occupied until each 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.
- 14 The development hereby permitted shall not be occupied until the dwelling(s) 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.
- 15 A bee brick shall be incorporated within the external wall of the development hereby approved and shall be retained thereafter.
Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.
- 16 No extension, enlargement, alteration of the dwellinghouse(s) 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, Class[es A - E] 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 HE6 and QD27 of the Brighton & Hove Local Plan and CP12 and CP15 of the Brighton & Hove City Plan Part One.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of

sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

- 2 The applicant is advised that the extensive use of grey brick is not considered appropriate and as such the approval is based on an external finish incorporating brick with the colour yet to be confirmed. Condition 3 therefore requires a different brick sample to be provided as part of the subsequent approval of details application to the grey brick shown in the visuals submitted as part of this application.
- 3 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 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 3.
- 4 The planning permission granted includes vehicle crossovers which require alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Highway Authority. The applicant must contact the Streetworks Team (permit.admin@brighton-hove.gov.uk 01273 290729) at their earliest convenience to avoid any delay and prior to any works commencing on the adopted (public) highway.
- 5 The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).

- 6 In order to be in line with Policy TR14 Cycle Access and Parking of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient (including not being blocked in a garage for cars and not being at the far end of a rear garden), accessible, well lit, well signed, near the main entrance, by a footpath/hardstanding/driveway and wherever practical, sheltered. It should also be noted that the Highway Authority would not approve vertical hanging racks as they are difficult for many people to use and therefore not considered to be policy and Equality Act 2010 compliant. Also, the Highway Authority approves of the use of covered, illuminated, secure 'Sheffield' type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22 or will consider other proprietary forms of covered, illuminated, secure cycle storage including cycle stores, "bunkers" and two-tier systems where appropriate.
- 7 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.
- 8 The water efficiency standard required under condition 15 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.
- 9 Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. This site is located at the corner of Hill Brow and Woodland Drive and currently appears as a densely tree-lined wedge-shaped plot, framing the northern approach to the Woodland Drive Conservation Area.
- 2.2. The character of the Woodland Drive Conservation Area is a leafy, cohesive suburban development of well detailed mock Tudor detached houses dating from the 1930s. Three Cornered Copse provides a dense wooded backdrop to the houses and along with the abundance of mature trees and shrubbery within the generous front gardens and the street trees provides an important sylvan setting to the houses.
- 2.3. The application site and the existing house is currently almost entirely screened by boundary planting, and the stepped redbrick boundary wall along

the Western boundary compliments the conservation area opposite and makes a very positive contribution to the setting of the conservation area.

- 2.4. The application proposes the erection of a three storey 4no bedroom house, incorporating the demolition of part of the existing double garage to provide a single garage for the existing house, revisions to boundary wall, parking and associated works
- 2.5. To address concerns regarding impact upon the setting of the Woodland Drive Conservation Area, the scale of the proposed dwelling and its height has been reduced from the original submission. The number of bedrooms has reduced from 5 bedrooms to 4 as a result of the amendments to the proposed dwelling.
- 2.6. Other than the demolition of part of the existing garage at 105 Woodland Drive to accommodate the proposed dwelling, no other amendments to the existing dwelling of 105 Woodland Drive are now proposed.

3. RELEVANT HISTORY

- 3.1. **PRE2018/00044** - Demolition of existing dwelling and the construction of 8 flats over 4 storeys. Response issued June 2018 advising the proposal constituted over-development of the site.

4. REPRESENTATIONS

- 4.1. **Six (6)** letters of objection have been received in relation to the application raising the following concerns:
 - Inappropriate for site and wider conservation area;
 - Overshadowing;
 - Overlooking;
 - Impact on property value;
 - Impact on trees;
 - Inappropriate height;
 - Overdevelopment;
 - Loss of view;
 - Noise.

5. CONSULTATIONS

- 5.1. **CAG:** Recommend refusal
The recommendation for refusal was based on the view that this was an overdevelopment of a garden site and on the concern that the loss of trees would reveal a structure on this corner site that would harm the setting of the conservation area, it being dominant and out of character with other properties when viewed from further north along Woodland Drive. The lack of design detail in the application was regretted.

- 5.2. **Heritage:** Comments 11/04/2019 - Seek amendments
It is considered that due to the relationship of the site to the northern approach into the conservation area, and its position on raised ground, the main impact of this development on the heritage asset would be the loss of the natural (apparently undeveloped) setting and the introduction of a 4 storey building amongst properties which are typically only 2 storeys. Both of these factors combining to make the new building an unduly prominent element in views into the conservation area.
- 5.3. The choice of a contemporary design approach is not resisted, however the use of materials, and sensitivity to scale, massing and established frontages are important in achieving a modern development that appears respectful.
- 5.4. Whilst creating a non-typical silhouette the impact of a flat roof can be balanced by lowering the overall height of a proposal, and it is considered that in view of the prominence of the site the new building should be reduced in height by 1 storey to ensure that the scale of the new building does not harm the setting of the conservation area.
- 5.5. The proposed use of brick is welcomed. Zinc does not feature significantly in the area and although it would not be resisted entirely the extensive use of it in this development is not considered suitable.
- 5.6. Confirmation of the extent of existing brick wall fronting Woodland Drive that is to be retained, and detailing and materials for the new pedestrian and vehicular gates is required.
- 5.7. Comments 8/01/2020 - Following receipt of amended plans December 2019 - seek additional information
The proposal still includes the removal of trees from the north- eastern part of the site, and also at the Woodland Drive access ways, however some additional planting within the site is noted.
- 5.8. This scheme has the potential to resolve much of the Heritage concerns raised with the previous submissions. Limiting the proposal to the addition of the new building only would reduce the dominance of the scheme and thereby its impact on the setting of the conservation area, and the general design approach to the new building is considered acceptable.
- 5.9. However, the degree to which the natural screening of the site (which is considered to make an important contribution to the sylvan setting of the conservation area at its most visible approach from the north) is unclear, and an accurate tree survey showing the existing trees and identifying the ones to be removed. Further detail is also required for the proposed new planting in order to allow assessment of the degree to which this might augment the natural screening of the site, along with realistic images from Woodland Drive.
- 5.10. The reduction of the proposed new building by one storey, as originally advised, is noted, however the existing and proposed ground levels will clearly affect the overall height of the new development. The scale of the development

has been raised as an issue from the outset, and therefore comparable elevations are considered necessary prior to further comment on this point. The proposals for materials are not considered sufficiently specific to allow a comment to be made on this point, however the apparent deletion of large areas of zinc cladding is welcomed.

- 5.11. Further comments 16/04/2020 following receipt of amended plans 15/04/2020 - Seek amendments:
Flat drawings, at the same scale, of the south West elevation (facing Woodland Drive) showing the current and original proposals should be requested in order to allow direct comparison, specifically of the proposed overall height of the new building.
- 5.12. The most recent proposals indicate changes to the materials however these are not specified. The rendered images appear to show vertical natural timber cladding to upper parts of the building and grey brick to lower areas including the double garage and terrace wall. Confirmation that this has been correctly interpreted is necessary. Neither of these finishes are common elsewhere in the immediate area and whilst it could be argued that the radically different architectural form justifies distinctive materials it remains the view of the Heritage Team that the new development should not unnecessarily jar with its setting. For this reason it is considered that the dominance of grey brick in the view from the entrance in Woodland Drive, which appears harsh and conflicts with both the boundary treatment and the retained neighbouring building should be addressed.
- 5.13. The retention of the character of the existing boundary wall is considered important, and therefore the creation of a separate entrance should include defined piers at each side of the openings with pier caps to match existing.
- 5.14. Final comments 23/04 following receipt of amended plans 22/04.2020 - Approve
The information that has now been received on drawings 1581 -FE-005 (front boundary) and 1581-FE-004 rev A (true elevations with original outline overlay) provide a direct comparison between the most recent developments of the scheme, previously submitted drawings and the existing boundary arrangement, which until now has not been possible. As a result it is considered that the revised scheme now has a form and scale that can be supported by the Heritage Team, and the alterations proposed for the Woodland Drive boundary wall follow existing details and are therefore also acceptable.
- 5.15. The proposed materials will be important considerations and as these are not specified the approval of this will have to be secured by condition.
- 5.16. Considers that the extensive use of grey brick, as indicated by the coloured drawings, should be reconsidered and a tone more typical of Woodland Drive would be welcomed.
- 5.17. **Sustainable Transport:** No objection subject to conditions relating to:

- Cycle parking and access;
- Developer Contribution - pedestrian crossing improvements;
- The new crossover;
- Hard surfaces;
- Retention of car parking.

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);
 - Shoreham Harbour Joint Area Action Plan
- 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 Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation. The council will consider the best time to carry out the consultation after the coronavirus (Covid-19) restrictions are lifted.

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP12	Urban design

CP14	Housing density
CP15	Heritage
CP19	Housing mix

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

TR7	Safe Development
TR14	Cycle access and parking
SU9	Pollution and nuisance control
SU10	Noise Nuisance
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD27	Protection of amenity
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

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

8. CONSIDERATIONS & ASSESSMENT

- 8.1. The main considerations in the determination of this application relate to:
- The principle of the development;
 - The impact on the appearance of the site and the conservation area;
 - Impact on trees/ecology;
 - Standard of living accommodation;
 - Neighbour amenity;
 - Sustainable transport/highways issues;
 - Sustainability.

Principle of Development:

- 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 housing land supply position published in the SHLAA Update 2019 shows a five year housing supply shortfall of 1,200 (equivalent to 4.0 years of housing supply). As the council is currently unable to demonstrate a five year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

- 8.4. The new dwelling proposed would be a small contribution towards the City's housing targets. Accordingly this aspect must be given due weight in the decision. Additional weight is afforded to this as per NPPF paragraph 11.
- 8.5. No objection is raised with regard to the acceptability in principle of the proposed development. The side garden plot which forms the application site is somewhat limited in area and dimensions but could be capable of facilitating development of some form. The new dwelling would help to alleviate the housing shortage in the City, albeit in a limited way, through the provision of one unit of accommodation suitable for a family.
- 8.6. The proposal is considered acceptable in terms of the broader principle of residential development on this site and would accord with CP1 and CP19 of the City Plan policies, subject to detailed considerations below.

Design and Appearance:

- 8.7. When considering whether to grant planning permission for development in a conservation area the council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The site lies just outside the boundary of Woodland Drive Conservation Area, and therefore any development within the application site has the potential to impact on the overall character and appearance of the Conservation Area. Case law has held that the desirability of preserving the character or appearance of a conservation area must be given "considerable importance and weight".
- 8.8. The key test therefore is whether the development proposed would harm the character and appearance of the adjacent conservation area in relation to the above as outlined earlier in the site description section of this report.
- 8.9. Proposed is the erection of a three storey, 4no bedroom house, revisions to the boundary wall, new parking arrangements and associated works. The proposed new dwelling would be attached to the existing at no.105 via adjacent garages (double width for the proposed dwelling and single for 105 following the demolition of part of the existing double garage). The main dwelling would be an elliptical shaped contemporary 3 storey building mainly finished in a mix of timber cladding and brick.
- 8.10. In terms of the general siting of the proposed dwelling, it would follow the building line of the adjacent 105 Woodland Drive, and would also be similar in footprint to that property, albeit utilising an elliptical shape. The closest properties in the area are at an angle towards the west, with 58 Hill for example being set back from the road further than 105 Woodland Drive. The proposed dwelling would be set back from the road by a lesser degree due to the nature of the site being in a triangular plot and the junction of Woodland Drive and Hill Brow. The main part of the dwelling (first and second floor) would be approximately 11m north of no.105, with the exception of the adjoining garages. This would provide a good degree of separation between

the existing and proposed dwellings, ensuring that the risk of an appearance of overdevelopment is reduced.

- 8.11. The height of the dwelling and its general scale and bulk has been reduced from the initial proposal and now sits more comfortably in the context of the more traditionally designed adjacent properties. The flat roof of the building would sit 0.75m higher than the ridge of no.105, and 2.75m higher than its eaves, as a consequence of the steep topographical rise to the north and the 3 storied design of the proposal. The height would be roughly level with 58 Hill Brow - at the southern side of No.105.
- 8.12. The overall design of the flat roofed dwelling is unique, both due to its elliptical layout and a large amount of glazing, and the materiality proposed. The flat roofed, non-traditional design would not be in keeping with the predominant appearance of the local built environment, however this does not in itself result in an unacceptable proposed. The use of timber cladding - mainly on the primary western and northern elevation- and brick, on the base, garage and elsewhere, would reduce the visual impact of the dwelling whilst providing a link to the existing verdant nature of the site.
- 8.13. As noted, the site is dominated by coniferous trees surrounding it, and accordingly contributes to the overall character of the streetscene by providing a green break between buildings, in what is a less dense residential area notable for trees. The proposal presents the development of the site for residential purposes without severely impacting this, and the overall nature of the streetscenes of Hill Brow and Woodland Drive. With the retention of the majority of the boundary tree cover, views into the site will be limited and mainly from a small open section at the northern end, and at the main entrance onto Woodland Drive.
- 8.14. Drawings that provide a direct comparison between the dwelling as amended and as originally submitted have recently been submitted. Following the amendments it is considered the proposal has an acceptable form, height and scale.
- 8.15. The existing stepped redbrick boundary wall along the western boundary compliments the conservation area opposite and makes a very positive contribution to the setting of the conservation area. The recently submitted drawings also show that the alterations proposed to the Woodland Drive boundary wall, namely the creation of an additional entrance formed of double timber gates to provide a separate vehicular access point for 105 to the new dwelling, will follow existing details. The separate entrance includes defined piers at each side of the openings with pier caps to match existing and therefore is considered acceptable.
- 8.16. The proposed finish materials for the exterior of the proposed dwelling will be important and samples will be required by condition. The use of grey brick shown in the visuals is not considered acceptable as it would appear harsh and conflicts with the boundary treatment and the retained building at 105. Therefore approval is recommended on the basis that the use of brick as part

of the external finish is acceptable but with the colour of the brick to be agreed via condition.

- 8.17. The protection of trees marked for retention and the overall landscaping of the site to ensure that impact is kept to a minimum. Views from elsewhere in the conservation area would be limited.
- 8.18. The existing garage relating to no. 105 Woodland Drive will be reduced in size from a double garage to a single garage in order to accommodate the proposed new dwelling. No objections to this alteration to the existing dwelling are raised.
- 8.19. Overall, the careful design of the revised building in terms of its unique and contemporary layout, and its relationship with the site and its topography, would reduce the visual impact of the development on the streetscene and wider Conservation Area context and would not unacceptably harm their character and appearance. It is considered that the proposal is in accordance with policies CP12 and CP15 of the Brighton and Hove City Plan Part One and HE6 of the Brighton and Hove Local Plan.

Impact on trees and ecology:

- 8.20. As shown in drawing no. 1581-FE-008, the development proposed would result in a loss of 3 trees, one in the northern part of the site where the main part of the new dwelling would be sited and two in the area of the proposed new vehicular entrance for no. 105 Woodland Drive.
- 8.21. Woodland Drive and Hill Brow meet with a triangular area of land between, the end of which comprises the proposal site. This area is characterised by solid tree coverage forming a uniform hedge appearance and partly screening the existing building at no.105.
- 8.22. The existing trees on the site form a substantial part of the verdant nature of the junction and therefore, whilst some loss of cover is regrettable it is considered acceptable for the provision of a new family dwellin. However it is essential that all the other trees shown as being retained are adequately protected - this can be secured via condition.
- 8.23. In terms of wider ecology, it is likely that given the location of the site and the junction of two residential roads, there is limited ecological value to the site. However, it is open and currently a planted garden. Any such impact should be offset where possible through careful landscape design - secured by condition. The retention of the majority of the trees on the site will preserve them as the main ecological feature. Policies QD15, QD16 and QD18 of the Local Plan would be complied with, subject to the relevant conditions as outlined.
- 8.24. A condition requiring a bee brick has been attached to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

Standard of accommodation:

- 8.25. 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.
- 8.26. The 'Nationally Described Space Standards' (NDSS) 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, Draft City Plan Part 2 proposes to adopt them and indicates a direction of travel on behalf of the LPA. The NDSS provide a useful guideline on acceptable room sizes that would offer occupants useable floor space once the usual furniture has been installed. The NDSS identifies a minimum floor space that should be achieved for a single bedroom as measuring at least 7.5m², and a double bedroom should measure at least 11.5m². The minimum floor space requires a head height of above 1.5m. For a 4 bedroom dwelling over 3 storeys, the NDSS require a minimum of 130m² of internal floorspace. The overall GIA of the proposed dwelling is 190m², excluding the proposed double garage, which exceeds the floorspace for such property set out in the NDSS.
- 8.27. The proposed dwelling would provide the following accommodation;
- Ground Floor (56m²) - entrance hall, utility room, store 2 double bedrooms (a bedroom of 18m² including en-suite and a second bedroom of 14m²) and a double garage,
 - First Floor (67 m²) - Living room, hallway, kitchen and dining room, with access to the proposed garden/patio located on top of the double garage
 - Second Floor (67m²) - a bathroom, hall way, two bedrooms (one of 20.4m² including en-suite and a second of 25m² including en-suite)
- 8.28. The 4 bedrooms proposed are of double size and as such the proposed dwelling would provide a total maximum occupancy for 8 persons.
- 8.29. The large amount of glazing around the dwelling would provide ample opportunity for natural light into the dwelling in each room. Bedroom 4 on the second floor for example is proposed with 6 windows. This would be limited to a degree by the level of tree cover surrounding the site, but most rooms would have multi-aspect outlooks and access to natural daylight which would be commensurate with good occupant amenity standards. The layout, despite the unique design and dimensions, would provide acceptable circulation spaces and interior openness. The proposal would accord with policy QD27 of the Brighton and Hove Local Plan in this respect.
- 8.30. Residential units are required to have private useable outdoor amenity space, commensurate to the type of unit, as set out in policy HO5 of the Local Plan. A 45m² hard surfaced patio area on the roof of the proposed double garage

would be provided, in addition to planted areas to the front and northern side, and a larger garden laid to lawn to the east. Sufficient outdoor amenity space would be provided for a dwelling of this size and likely occupancy of 5 persons.

Impact on Amenity:

- 8.31. Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.32. Given the proposed height, distances and ground levels involved the development is unlikely to cause a significant impact on existing neighbouring properties in terms of loss of light or outlook. At ground floor level the proposed dwelling would be connected to the altered garage of no. 105 via a double garage. A distance of approximately 11m would be located between the southernmost part of the 1st floor and 2nd floor of the proposed dwelling and the northern façade of no.105 to the south.
- 8.33. Due to the natural east-west movement to the sun, and the alignment of the site and neighbouring properties, no unacceptable shadowing would occur.
- 8.34. Outlook from No.105 to the north would be reduced, however sufficient outlook to the west would be retained and the gap between the properties would prevent an enclosed or oppressive outlook.
- 8.35. Similarly, due to the retention of the majority of the trees around the site, the only property at real risk of overlooking impact or loss of privacy would be No.105 adjacent. As noted, there would be substantial window coverage throughout the proposed property. The south-east facing windows of the proposed dwelling would look towards existing windows in the side elevation of no. 105 however on the floor plans submitted for 105, these side facing windows are shown to relate to a void and a shower room and therefore it is not considered that the proposal would result in loss or privacy to these windows.
- 8.36. It is considered some overlooking could occur from the garden/patio area proposed above the double garage of the proposed dwelling, with the potential for views into the rear garden of no.105. The proposed patio/amenity area would be located at a level below the ridge of the alerted garage retained for no. 105 and therefore the roof of the retained garage would provide a screen between the patio and the side elevation of no. 105. Furthermore the banked nature of the rear garden of No.105 and the set back patio area would reduce direct overlooking from the proposed amenity area. The correct use of planting and boundary treatment, through a landscape scheme secured by condition, should further reduce such impact.
- 8.37. Noise levels generated are unlikely to exceed those normally experienced in a residential area such as this. The street is characterised mainly by large family dwelling of a similar scale to the one proposed, noise or disturbance would not

be unusual or unacceptably increased as a result. The distance from other properties with the exception of No.105 would also limit and such impact, with more noise disturbance likely from the adjacent roads. The retention of most of the boundary trees will likely reduce the impact of road noise and disturbance on the occupants of the dwelling to an acceptable level.

- 8.38. The proposal would result in a reduction of outdoor amenity space for 105 Woodland Drive, which is regrettable. A rear patio area would be retained however, as would a sizeable front garden screened by mature trees. The resulting amenity space would remain appropriate for the size of the dwelling.
- 8.39. Overall, impacts on neighbour amenity would be mainly on No.105 as discussed above, but not at a level which would unacceptably harm the amenity of the occupants through loss of privacy, outlook, light or space. In this respect, subject to conditions, the proposal would accord with policy QD27 of the Brighton and Hove Local Plan.

Sustainable Transport:

- 8.40. The proposal would result in a modest increase in demand on local pedestrian and road routes relative to the additional dwelling. The footpaths in the area and existing road network is capable of accommodating this, and adverse impact on highway safety would be relatively minimal. The Highway Authority do not object to the application.
- 8.41. SPD14 states that a minimum of 1 cycle parking space is required for every residential unit with up to 2 beds and 2 for 3 plus beds and 1 space per 3 units for visitors after 4 units. For this development the cycle parking standard is 2 cycle parking spaces in total. The applicant has not offered any cycle parking therefore cycle parking is recommended to be secured by condition. It is possible that bicycles could be stored in the garage.
- 8.42. SPD14 states that the maximum car parking standard for 3 plus bedroom dwellings within the Outer Area is 1 space per dwelling plus 1 space per 2 dwellings for visitors. The applicant is proposing 2 spaces within the garage, which would exceed the maximum standard. As the parking is within the garage, it is feasible that it will be used for storage and cycle parking however, the garage is of an appropriate size to the dwelling. The provision of 2 parking spaces is not considered likely to have an impact on sustainable transport to a degree which would render the proposal unacceptable. Adequate parking provision would also be retained for 105 Woodland Drive following the demolition of half of the existing double garage.
- 8.43. Appropriate turning area provision would be provided on the driveway to ensure adequate and safe egress from the site onto the road with the required visibility - avoiding any reversing onto the road.
- 8.44. There would be a modest increase in trip generation as a result, but this would be limited to journeys associated with a single household and is not forecast to be significant. Nevertheless, the Highways team have requested a condition requiring pedestrian crossing improvements at the junction of and across Hill

Brow with Woodland Drive to create the necessary pedestrian and mobility and visually impaired access to and from the site to the Dyke Road Avenue bus services.

- 8.45. The driveway and hardstanding materials should be porous and/or permeable and no surface water should run-off (for example, in heavy prolonged rain) onto the adopted (public) highway. This shall be secured via condition.
- 8.46. Subject to the above conditions, the proposal would not have an unacceptable impact on highway and pedestrian safety and access, or on sustainable transport.

Sustainability:

- 8.47. Policy CP8 requires new development to achieve 19% above Part L for energy efficiency, and to meet the optional standard for water consumption. This will be secured by condition.

Other Matters:

- 8.48. Loss of view and impact on property value have been noted as concerns raised objections to this scheme. Whilst the loss of open outlook and adequate natural light would be a material planning consideration (as discussed in this report) loss of view is not. Similarly, impact on property value is not a material planning consideration and has therefore not been assessed.

9. CONCLUSION:

- 9.1. The site and the proposed dwelling are both unique in nature and this poses a number of potential challenges to the acceptability of any proposed development. Issues with design and impact on the Woodland Drive Conservation Area character have been addressed with the reduction in scale of the proposal as amended, and impact on neighbouring amenity and transport is also likely to be limited. The dwelling would provide an acceptable family accommodation unit utilising the restricted plot layout and size and contemporary design. Overall, it accords with the relevant policies and is recommended for approval subject to conditions.

10. EQUALITIES

- 10.1. New residential buildings are expected to be built to a standard whereby they can be adapted to meet the needs of people with disabilities without major structural alterations. Conditions will be applied to ensure the development complies with Requirement M4(2) of the optional requirements in Part M of the Building Regulations.