

<u>No:</u>	BH2021/01031	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Reserved Matters		
<u>Address:</u>	Land South Of Ovingdean Road Brighton		
<u>Proposal:</u>	Reserve Matters application pursuant to outline approval BH2016/05530 amended by BH2020/02836 for approval of appearance relating to the construction of 45no dwellings.		
<u>Officer:</u>	Luke Austin, tel: 294495	<u>Valid Date:</u>	22.03.2021
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	21.06.2021
<u>Listed Building Grade:</u>	<u>EOT:</u>		
Agent:	N/A		
Applicant:	Brookworth Homes Limited	Brookworth House	99 Bell Street
	Reigate RH2 7AN		

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	FA 20 - 1779- 105		22 March 2021
Proposed Drawing	FA 20 - 1779- 106		22 March 2021
Proposed Drawing	FA 20 - 1779- 110		22 March 2021
Proposed Drawing	FA 20 - 1779- 111		22 March 2021
Proposed Drawing	FA 20 - 1779- 112		22 March 2021
Proposed Drawing	FA 20 - 1779- 113		22 March 2021
Proposed Drawing	FA 20 - 1779- 115		22 March 2021
Proposed Drawing	FA 20 - 1779- 116		22 March 2021
Proposed Drawing	FA 20 - 1779- 120		22 March 2021
Proposed Drawing	FA 20 - 1779- 121		22 March 2021
Proposed Drawing	FA 20 - 1779- 125		22 March 2021
Proposed Drawing	FA 20 - 1779- 126		22 March 2021
Proposed Drawing	FA 20 - 1779- 130		22 March 2021
Proposed Drawing	FA 20 - 1779- 131		22 March 2021
Proposed Drawing	FA 20 - 1779- 135		22 March 2021
Proposed Drawing	FA 20 - 1779- 136		22 March 2021
Proposed Drawing	FA 20 - 1779- 140		22 March 2021
Proposed Drawing	FA 20 - 1779- 141		22 March 2021
Proposed Drawing	FA 20 - 1779- 145		22 March 2021
Proposed Drawing	FA 20 - 1779- 146		22 March 2021

Proposed Drawing	FA 20 - 1779- 150		22 March 2021
Proposed Drawing	FA 20 - 1779- 151		22 March 2021
Proposed Drawing	FA 20 - 1779- 155		22 March 2021
Proposed Drawing	FA 20 - 1779- 156		22 March 2021
Proposed Drawing	FA 20 - 1779- 160		22 March 2021
Proposed Drawing	FA 20 - 1779- 161		22 March 2021
Proposed Drawing	FA 20 - 1779- 165		22 March 2021
Proposed Drawing	FA 20 - 1779- 166		22 March 2021
Proposed Drawing	FA 20 - 1779- 170		22 March 2021
Proposed Drawing	FA 20 - 1779- 171		22 March 2021
Proposed Drawing	FA 20 - 1779- 175		22 March 2021
Proposed Drawing	FA 20 - 1779- 176		22 March 2021
Proposed Drawing	FA 20 - 1779- 180		22 March 2021
Proposed Drawing	FA 20 - 1779- 181		22 March 2021
Proposed Drawing	FA 20 - 1779- 185		22 March 2021
Proposed Drawing	FA 20 - 1779- 186		22 March 2021
Proposed Drawing	FA 20 - 1779- 190		22 March 2021
Proposed Drawing	FA 20 - 1779- 191		22 March 2021
Proposed Drawing	FA 20 - 1779- 195		22 March 2021
Proposed Drawing	FA 20 - 1779- 196		22 March 2021
Proposed Drawing	FA 20 - 1779- 197		22 March 2021
Proposed Drawing	FA 20 - 1779- 198		22 March 2021
Proposed Drawing	FA 20 - 1779- 200		22 March 2021
Proposed Drawing	FA 20 - 1779- 201		22 March 2021
Proposed Drawing	FA 20 - 1779- 205		22 March 2021
Proposed Drawing	FA 20 - 1779- 206		22 March 2021
Proposed Drawing	FA20 - 1779 - 300		22 March 2021
Proposed Drawing	FA20 - 1779 - 320		22 March 2021
Proposed Drawing	FA20 - 1779 - 305		22 March 2021
Proposed Drawing	FA20 - 1779 - 310		22 March 2021
Proposed Drawing	FA20 - 1779 - 315		22 March 2021
Proposed Drawing	FA20 - 1779- 350		22 March 2021
Proposed Drawing	FA20 - 1779- 351		22 March 2021
Proposed Drawing	FA 20 - 1779- 100		22 March 2021
Location Plan	BRS.4783_04-1B		22 March 2021
Block Plan	FA20-1779-050	H	22 March 2021
Block Plan	FA20-1779-050	H	22 March 2021

2. No development above ground floor slab level of any part of the development hereby permitted shall take place until details relating to embodied carbon levels of materials and details 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) details of all brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) details of all cladding to be used, including details of their treatment to protect against weathering
 - c) details of all hard surfacing materials

- d) details of the proposed window, door and balcony treatments
- e) details of all other materials to be used externally

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

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and policies CP8 and CP12 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. SITE LOCATION

- 2.1. The application relates to a parcel of land located on the southern side of Ovingdean Road, to the west of Falmer Road (B2123) and to the east of The Vale. The application site comprises approximately 3.72 hectares. Historic maps show that the site has always comprised open agricultural downland.
- 2.2. The boundary of the site is currently defined by a wire fence and posts to the east, west and north and by a hedgerow to the south. The site comprises a large field which has been divided into smaller paddocks for the keeping and grazing of horses. Stables and associated buildings are located in the southwestern corner of the site.
- 2.3. Immediately to the north of the site are residential properties, with other horse paddocks/grazing land beyond, known as Ovingdean Road Horse Paddocks. The residential area of Woodingdean is located further to the north-west of the site, with agricultural fields located immediately to the east of the site, on the opposite side of Falmer Road. Residential properties are located to the west/southwest of the site on The Vale. Playing fields, associated with Longhill School/Deans Leisure Centre, are located directly to the south of the site, with the school/leisure centre building, additional school playing fields and Rottingdean village located further to the south.
- 2.4. The site generally falls across the site from east to west, from between approximately 60m (AOD) adjacent to the Falmer Road (B2123) to approximately 45m (AOD) along the western edge of the site, adjacent to The Vale. To the east of the site and Falmer Road the land rises to an area known as The Bostle. The land to the west of the site and The Vale rises to a ridge (known as Longhill).
- 2.5. Boundaries of the South Downs National Park (SDNP) are located to the east of the site, on the opposite side of Falmer Road, and to the north of the residential properties located on the northern side of Ovingdean Road.

- 2.6. A boundary of the Ovingdean Conservation Area is located to the west of the site, on the western side of Longhill Road whilst boundaries of the Rottingdean Conservation Area are located to the south of the site, either side of The Rotyngs.
- 2.7. The nearest Listed Buildings are located to the south of the site on Falmer Road (New Barn Farm) in Rottingdean and to the west on Ovingdean Road in Ovingdean (part of Ovingdean Hall School and The Nook, Flints and The Cottage). Buildings located directly opposite the site, to the north of Ovingdean Road, which once formed part of Woodingdean Farm but have since been converted to housing, are considered to be 'non-designated' heritage assets and as such are included on the Council's adopted local list of heritage assets.
- 2.8. The application site is not covered by any designations, statutory or non-statutory, for nature conservation interest. However, Sites of Nature Conservation Importance (SNCIs) are located to the west (Wanderdown Road Open Space), north-east (Cowley Drive Paddocks) and north (Ovingdean Road Horse Paddocks) of the site but these areas do not immediately adjoin the site. Beacon Hill, which is a Local Nature Reserve, is located to the south of the site between Ovingdean and the coast, whilst Castle Hill, which is a National Nature Reserve and a Site of Special Scientific Interest, is located to the north-east, beyond Woodingdean
- 2.9. The site currently comprises semi-improved neutral grassland, scrub and ruderal vegetation, hedgerow with scattered trees and buildings.
- 2.10. The site is shown as forming part of The Vale character area of Ovingdean, in the Council's Urban Characterisation Study. The Vale is stated to have "very low density housing in a curved street pattern on the ridge of the valley slope, mainly in the form of bungalows, but surrounded by mature planting which gives it a rural feel".

3. RELEVANT HISTORY

- 3.1. **BH2020/02836** - Variation of conditions 4 (drawings) and 20 (parking site plan) of application BH2016/05530 (Outline planning application with appearance reserved for the construction of 45 no one, two, three, four and five bedroom dwellings with associated garages, parking, estate roads, footways, pedestrian linkages, public open space, strategic landscaping and part retention/reconfiguration of existing paddocks. New vehicular access from Ovingdean Road and junction improvements.) in order to revise site layout and landscaping. Approved 17/03/2021.
- 3.2. **PRE2020/00065** - Reserved matters application for appearance of 45 dwellings, pursuant to outline consent ref: BH2016/05530. Also to run concurrently with the above would be an application for non-material amendment to the layout and landscaping approved under the same outline reference.
- 3.3. **BH2016/05530** - Outline planning application with appearance reserved for the construction of 45 no one, two, three, four and five bedroom dwellings with

associated garages, parking, estate roads, footways, pedestrian linkages, public open space, strategic landscaping and part retention/reconfiguration of existing paddocks. New vehicular access from Ovingdean Road and junction improvements. Allowed at Appeal 26/06/2018.

- 3.4. **BH2014/02589** - Outline planning application with appearance reserved for the construction of 85 no. one, two, three and four bedroom dwellings with associated garages, parking, estate roads, footways, pedestrian linkages, public open space and strategic landscaping. New vehicular access from Ovingdean Road and junction improvements. Refused 29/01/2015. Dismissed at Appeal 29/03/2015.

4. APPLICATION DESCRIPTION

- 4.1. Outline permission (ref. BH2016/05530) was granted on the site at appeal in 2018 for the construction of 45 dwellings with associated garages, parking, estate roads, footways, pedestrian linkages, public open space, strategic landscaping and part retention/reconfiguration of existing paddocks. All matters were assessed other than appearance.
- 4.2. A subsequent S.73 application (ref. BH2020/02836) was approved to vary the layout of the site approved of application BH2016/05530 in order to amend the layout to accord with the topography of the land in addition to other associated amendments.
- 4.3. The approved scheme comprised the following accommodation split (including 40% affordable housing):
- 1 bedroom x 2 (both affordable)
 - 2 bedroom x 8 (all affordable)
 - 3 bedroom x 27 (including 8 affordable)
 - 4 bedroom x 5, and
 - 5 bedroom x 3
- 4.4. This current application is for the Reserved matters pursuant to Section 73 outline permission BH2020/02836 relating to 45 new residential units. The application seeks approval for the following remaining outstanding reserved matters:
- Appearance
- 4.5. Following consultation comments received from Urban Design, the applicant submitted additional information and justification for the proposed appearance.

5. REPRESENTATIONS

- 5.1. **One (1)** letter has been received objecting to the proposed development for the following reasons:
- Adverse impact on conservation area
 - Additional traffic

- Environmental impact

6. CONSULTATIONS

Internal:

6.1. **City Regeneration:** No objection

City Regeneration support this application from the perspective that it will provide 45 additional homes for the city and contribute to addressing the ongoing challenges the city faces in respect of its housing needs.

6.2. **Private Sector Housing:** Comment

Some of the houses the means of escape route from first floor bedrooms is via an open plan lounge or lounge/kitchen, these rooms are considered "high risk" in terms of fire and therefore the applicant may wish to consider rearranging the layouts.

6.3. **Heritage:** No Comment

6.4. **Planning Policy:** No Comment

6.5. **Sustainable Transport:** No objection / Objection / Comment

6.6. **Urban Design:** Initial comment - seek further information/amendments

The general design approach is derived from prevailing architectural and visual character and presents a keen attention to detail achieving a varied and high-interest appearance throughout the development. This general approach is supported.

6.7. However, proposals lack analysis of prevailing architectural and visual context to justify their proposed form and materiality, and this is considered essential to ensure proper integration into context.

6.8. In addition, there is concern with the proposed building form on plots 33-38, and that no information is presented regarding embodied or operational carbon performance of proposals.

Second Comment:

6.9. Following earlier urban design comment, the applicant has submitted additional contextual analysis which is useful, and presents a varied architectural context. This analysis justifies the proposed varied roof forms and porches. Regarding plots 33-38, the additional information shows how the site topography would limit a lower eaves line to these buildings, as well as highlights a number of 3 storey, shallow pitch, villa typology buildings in Ovingdean. This justifies proposed built form here and the specified materiality of painted brick rather than render is also supported.

6.10. It is understood that full material specifications and embodied carbon calculations are being sought by condition.

External:

- 6.11. **B&H Archaeological Society:** Comment
The Brighton and Hove Archaeological Society consider that the archaeological investigations conducted by Archaeology South East cover the archaeological condition. However, it is the decision of the County Archaeologist.
- 6.12. **County Landscape Architect:** No Comment
- 6.13. **Environment Agency:** No objection
- 6.14. **Natural England:** No objection
Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.
- 6.15. **Scotia Gas Networks:** Comment
Maps have been provided of gas pipes within the vicinity of the site.
- 6.16. **South Downs National Park Authority:** Comment
The design and appearance of the proposed dwellings appears to have been simplified in comparison to the indicative drawings included within the Design and Access Statement for the original outline application. We would therefore advice the City Council to ensure that they are satisfied that the design and appearance (including materials) of the proposed dwellings is appropriate for this sensitive rural edge location.
- 6.17. **Southern Water:** Comment
A letter has been provided for the applicant requesting details of anticipated occupation dates and build out rate for the site.
- 6.18. **Sussex Police:** Comment
Crime prevention methods and measures including passive surveillance and lighting are recommended.
- 6.19. **UK Power Networks:** Comment
Maps and records have been provided of electrical lines and points in the vicinity of the site.

7. MATERIAL CONSIDERATIONS

- 7.1. 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
- 7.2. 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 JAAP (adopted October 2019).

7.3. 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.

8. POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP2	Sustainable economic development
CP7	Infrastructure and developer contributions
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Flood risk
CP12	Urban design
CP13	Public streets and spaces
CP14	Housing density
CP15	Heritage
CP16	Open space
CP17	Sports provision
CP18	Healthy city
CP19	Housing mix
CP20	Affordable housing
SA4	Urban Fringe
SA5	The Setting of the National Park
SA6	Sustainable Neighbourhoods

Brighton and 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
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
NC4	Sites of Nature Conservation Importance

HE6	Development within or affecting the setting of conservation areas
HE10	Buildings of local interest
HE12	Scheduled ancient monuments and other important archaeological sites

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. The weight given to the relevant CPP2 policies considered in determining this application is set out in the Considerations and Assessment section below where applicable.

DM1	Housing Quality, Choice & Mix
DM18	High Quality Design & Places
DM20	Protection of Amenity
H1	Housing Sites and Mixed-Use Sites
DM22	Landscape Design and Trees
DM44	Energy Efficiency and Renewables

Supplementary Planning Documents:

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

9. CONSIDERATIONS & ASSESSMENT

9.1. Planning permission is sought for reserved matters of the approved outline scheme reference BH2020/02836 (original ref. BH2016/05530). Matters seeking approval are:

- Appearance;

9.2. The layout, scale, landscaping and access of the development have previously been granted permission under the original Outline application BH2016/05530 and amended by BH2020/02836. The main considerations in the determination of this application relate to the design and appearance of the proposed development.

Principle of Development:

9.3. The principle of development has already been established through approval of the Outline application BH2016/05530 and therefore does not form part of the consideration of this current application.

Design and Appearance:

9.4. The NPPF attaches great importance to the design of the built environment and identifies good design as a key aspect of sustainable development. This is reflected in policy CP12 of the City Plan Part One which seeks to raise the

standard of architecture and design in the city. CP12 requires new development in particular to establish a strong sense of place by respecting the diverse character and urban grain of the city's identifiable neighbourhoods.

- 9.5. New development should respect its context and should be designed to emphasise and enhance the positive qualities of the local neighbourhood, taking into account the local characteristics in order to accord to design policies in the local plan. Successful higher density development will depend upon a 'design-led' approach that respects its local context and minimises impacts on its surroundings.
- 9.6. City Plan Part One policy SA5 states that development within the setting of the park must respect and not significantly harm the National Park and its setting.
- 9.7. The site is undeveloped land used for horse paddocks and the surrounding area is sparsely developed with low rise development following Falmer Road is a linear fashion. The prevailing character comprises detached properties set within generous plots interspersed between open field and small areas of woodland. The site slopes from east to west and is visible from a number of nearby vantage points with the adjacent South Downs National Park. On this basis, the dwellings must be designed sensitively in order to make best use of the site whilst paying respect to the rural setting and surrounding character.
- 9.8. As set out above, matters relating to scale, layout, access and landscaping have been approved and therefore this application relates only to the appearance of the dwellings.
- 9.9. The proposal includes 45 dwellings set along a spine road which meanders along the site, running from north to south. The proposals include a range of building typologies including; detached, semi-detached, terraced and villa type terraces with garages at lower ground level. Some properties include detached garages whilst some include adjoining or integral garages or allocated parking areas.
- 9.10. The proposed properties are generally of traditional design and proportions and each dwelling typology would benefit from their own individual character due the wide range of features and material finishes. The roof forms would range from hipped roofs with catslide sections to full gables with projecting bays whilst entrances would be defined by inset porches and projecting porches with canopies above. With regards to materials, the finish would range from a number of different facing bricks with feature flint, brick, hanging tiles and clad sections. Full details of materials will be secured by condition.
- 9.11. Initial concerns were raised due to the lack of contextual analysis of the prevailing character in order to inform and justify the proposed material, elevational composition and features. Furthermore, concerns were raised regarding the lack of justification of the proposed villa-like architectural form to two of the central terraces forming plots 33-38. In response, the applicant submitted a character assessment which provides an analysis of the range of local massing, heights, porches, roof pitches in addition to a justification for the

design response. The document illustrates that there is a range of vernacular within the local area and presents clear justification for the typology, finish and features proposed. The document also provides a further narrative for the proposed villa style terraces and explains that the properties are split level in order to make best use of the substantial level changes across the site. Furthermore, a number of examples of historical three storey properties within the Ovingdean Conservation area. On this basis, it is considered that sufficient justification has been provided for the overall design and the villa-style terraces.

- 9.12. The general design approach is considered to positively address the above policy CP12 as well as emerging CPP2 Policy DM18. The wide-ranging composition of building and roof forms, materials and details, achieving a high level of visual interest throughout the development as well as on individual buildings. The proposed 3D visualisations are indicative of a high-quality attention to detailing and robust, low maintenance materials.

Other matters:

- 9.13. Comments from Urban Design have requested details relating to the embodied carbon calculations for the proposed materials in order to address City Plan policy CP8. The applicant has been unable to provide the requested material within the timeframe of the assessment application and therefore details of the embodied carbon shall be secured via condition.

Conclusion:

- 9.14. As set out above, the design, appearance and material finish of the proposed dwellings is considered appropriate for the site and would accord with the prevailing character of the area, whilst respecting the local context and setting of the adjacent South Downs National Park, in accordance with City Plan Part One policies CP12 and SA4 and emerging policy DM18.

- 10. EQUALITIES**
None identified

