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| <u>No:</u> | BH2021/01013 | <u>Ward:</u> | Patcham Ward |
| <u>App Type:</u> | Full Planning | | |
| <u>Address:</u> | 4 Keymer Road Brighton BN1 8FB | | |
| <u>Proposal:</u> | Erection of a two storey two bedroom attached dwelling (C3). | | |
| <u>Officer:</u> | Emily Stanbridge, tel: 293311 | <u>Valid Date:</u> | 22.03.2021 |
| <u>Con Area:</u> | | <u>Expiry Date:</u> | 17.05.2021 |
| <u>Listed Building Grade:</u> | Not Applicable | <u>EOT:</u> | |
| <u>Agent:</u> | Jones Architects Stone House Studio The Crescent Steyning BN44 3GD | | |
| <u>Applicant:</u> | Mr R Comer 26 Varndean Gardens Brighton BN1 6WL | | |

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 |
|------------------|------------------|----------------|----------------------|
| Block Plan | A020 | | 22 March 2021 |
| Proposed Drawing | A100A | | 19 May 2021 |
| Proposed Drawing | A200A | | 14 May 2021 |
| Location Plan | A000 | | 22 March 2021 |

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

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

3. No extension, enlargement or other alteration of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes 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 character of the area and for this reason would wish to control any future development to comply with policy QD14 of the Brighton & Hove Local Plan.

4. No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

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

5. No development shall commence until the existing /outbuildings as shown on drawing A100A have been demolished and the ground made good.

Reason: To ensure that a suitable private amenity area is provided to 4 Keymer Road in line with Policy HO5 of the Brighton and Hove Local Plan.

6. 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/details of all brick and tiling
- b) samples/details of all hard surfacing materials
- c) details of the proposed windows, doors, balconies and railings treatments
- d) details of all other materials to be used externally

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

Reason: To ensure a satisfactory appearance to the development and to comply with policy CP12 of the City Plan Part One.

7. 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 food-bearing plants and 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 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.

8. The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development 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 and SPD14: Parking Standards.
9. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.
Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.
10. The dwelling(s) hereby permitted shall be completed in compliance with Building Regulations Optional Requirement M4(2) (accessible and adaptable dwellings) prior to first occupation and shall be retained as such thereafter. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
11. 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 City Plan Part One.
12. None of the residential units hereby approved shall be occupied until each residential unit built has achieved a water efficiency standard using not more than 110 litres per person per day maximum indoor water consumption.
Reason: To ensure that the development is sustainable and makes efficient use of water to comply with policy CP8 of the City Plan Part One.
13. A bee brick shall be incorporated within the external wall of the dwelling 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.

14. Three (3) swift bricks/boxes shall be incorporated within the external walls 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.

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 a formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please contact Southern Water.
The applicant is also advised to consult with the sewerage undertaker to agree a drainage strategy including the proposed means of foul water disposal and an implementation timetable. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (tel 0330 303 0119), or www.southernwater.co.uk.
3. The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency's Groundwater Protection Policy. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.
4. The water efficiency standard required is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC; 8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg washing machine; or (b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.
5. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.
6. Swift bricks/boxes can be placed on any elevation, but ideally under shade-casting eaves. They should be installed in groups of at least three, at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors. Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place.

2. SITE LOCATION

- 2.1. The application relates to the area of garden to the side (east) of a two-storey semidetached house on the south side of Keymer Road. The area is predominantly characterised by pairs of semi-detached properties, although to the north are four small groups of terraced houses. The site is not located within a conservation area.

3. RELEVANT HISTORY

- 3.1. **BH2020/03668:** Certificate of Lawfulness for proposed loft conversion incorporating hip to gable roof extension, rear dormer and front rooflights. **Approved January 2021.**
- 3.2. **BH2017/02490:** Erection of 1no two storey two-bedroom house (C3). Refused March 2018. Appeal dismissed December 2018
 1. The proposed development, by reason of the loss of the spacing and separation between dwellings that typifies the character of the locality, results in an inappropriate sub-division of the plot. Consequently, the width, scale and roof form of the resulting dwelling would appear cramped and unduly prominent within the streetscene. The proposed development would therefore fail to respect, reinforce or contribute to a sense of place and will have a significantly detrimental impact on the character and appearance of the site and would compromise the quality of the local environment, contrary to policies CP12 and CP14 of the Brighton and Hove City Plan Part 1.
- 3.3. This application determined that owing to the re-positioning of the dwelling further to the west the overbearing impact previously identified no longer existed and had been satisfactorily addressed.
- 3.4. This later application was also subject of an appeal. The Planning inspector dismissed this appeal upholding that the appeal proposal would be harmful to the character and appearance of the area owing to the loss of spacing and roof bulk contrary to Policies CP12 and CP14.
- 3.5. **BH2016/05748:** Erection of single two-storey detached dwelling. **Refused March 2017.**
 1. The proposed dwelling, by reason of its proximity to no. 4 Keymer Road and the shared boundaries with no. 6 Keymer Road and no. 87 Fernhurst Crescent would appear unduly cramped, lacking the sense of space and separation which typifies the character of the locality. The proposed roof form, similarly, would fail to respect the character of the locality and would further add to the cramped appearance of the development. Furthermore, the property would relate poorly to the urban grain, being a detached house which would be an alien form of development in this location. For these reasons, the proposed development would have a significantly detrimental

impact on the character and appearance of the site and the wider streetscene, contrary to policy CP12 of the Brighton and Hove City Plan Part 1 and policy QD5 of the Brighton and Hove Local Plan.

2. The proposed dwelling, by virtue of its height, bulk, scale, form, positioning and proximity to shared boundaries, would have an overbearing impact on occupiers of no. 6 Keymer Road and no. 87 Fernhurst Crescent, resulting in overshadowing and an increased sense of enclosure. Furthermore, the proposed development would result in an inappropriately small provision of outside amenity space to the occupiers of no. 4 Keymer Road. As such, the proposed development would have a significantly detrimental impact on the amenity of occupiers of neighbouring properties contrary to policy QD27 of the Brighton and Hove Local Plan.

- 3.6. In order to address the concerns raised by these previous refused applications the following amendments have been made resulting in the current scheme:

- The width of the of the dwelling has been reduced by approximately 1.3m
- The ground floor level has been raised to respect the topography
- The eaves towards the east have been lowered to line through with No.2
- Reduction of the extended ridge compared to the previous application
- An assessment made of the wider character of the area

- 3.7. During the lifetime of the current application amendments have been recieved in response to officer comments regarding the design of the scheme. The following amendments have been made:

- Increase in height of the main ridge to match No.4 adjacent
- The front roof pitch is now on plane with the roof of No'4
- Additional window added to the front elevation

4. APPLICATION DESCRIPTION

- 4.1. Planning permission is sought for the erection of a two-storey two-bedroom property attached to No.4 Keymer Road.

- 4.2. A site visit was undertaken to this property in June 2021.

5. REPRESENTATIONS

- 5.1. **Eighteen (18)** letters have been received, objecting to the proposed development on the following grounds:

- Overlooking
- Reduced natural light
- Loss of privacy
- Additional traffic
- Loss of view
- Overdevelopment
- Impacts on parking

- Overshadowing
- Harm to the spacious character of the area
- Smaller amenity space for the existing house
- The property would form a terrace
- Increased depth at the front and rear
- The application would set a precedent
- Sense of enclosure
- Proximity to the boundary
- Poor standard of living conditions
- Additional roof bulk
- Loss of spacing
- Loss of property value
- Not significant amendments to previous refusal
- Loss of outlook
- Inaccuracies in the application

5.2. **One (1)** letter of representation has been received supporting the proposed development on the following grounds:

- The development utilises a suitable plot of land
- Design is proportionate to the location

5.3. Following a re-consultation process after amended plans were received, **Two (2)** further letters of objection has been received raising the following:

- Increased roof height
- Sense of enclosure
- Proximity and size of the building will cause harm
- Additional window to study/landing could be used as additional bedroom
- Overlooking
- Overshadowing
- Impact on neighbouring accommodation

5.4. **Councillor McNair** has objected to the application. A copy of his representation is attached to the end of this report.

6. CONSULTATIONS

External

6.1. **Southern Water** No objection subject to informatives.

Internal

6.2. **Highways** No objection subject to conditions

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 Joint Area Action Plan (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 |
| CP8 | Sustainable buildings |
| CP9 | Sustainable transport |
| CP10 | Biodiversity |
| CP12 | Urban design |
| CP14 | Housing density |
| CP16 | Open space |
| CP19 | Housing mix |

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

| | |
|------|---|
| TR7 | Safe Development |
| TR14 | Cycle access and parking |
| QD15 | Landscape design |
| QD18 | Species protection |
| QD27 | Protection of amenity |
| HO5 | Provision of private amenity space in residential development |
| HO13 | Accessible housing and lifetime homes |

Brighton & Hove City Plan Part 2 (Proposed submission October 2020)

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 key CPP2 policies considered in determining this application is set out below where applicable.

| | |
|------|--------------------------------|
| DM18 | High quality design and places |
| DM20 | Protection of Amenity |

| | |
|------|---|
| DM21 | Extensions and alterations |
| DM22 | Landscape Design and Trees |
| DM33 | Safe, Sustainable and Active Travel |
| DM36 | Parking and Servicing |
| DM37 | Green Infrastructure and Nature Conservation |
| DM40 | Protection of the Environment and Health - Pollution and Nuisance |

Supplementary Planning Documents:

| | |
|-------|-----------------------------------|
| SPD11 | Nature Conservation & Development |
| SPD14 | Parking Standards |

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of the development, the visual impact of the development on the character and appearance of the site and wider area, the standard of accommodation provided and any potential impact on the amenities of neighbouring properties, in addition to transport and sustainability issues.

Principle of development

- 9.2. This application seeks to erect 1 no. new dwelling within the garden of an existing property.
- 9.3. Policy CP1 sets out the housing targets for the plan period with a provision target of 13,200 new homes for the city up to 2030. The council's most recent housing land supply position against this minimum target was published in the SHLAA Update 2020 and shows a five-year housing supply shortfall of 342 (equivalent to 4.7 years of housing supply).
- 9.4. However, on 24 March 2021 the City Plan Part One reached five years since adoption. National planning policy states that where strategic policies are more than five years old, local housing need calculated using the Government's standard method should be used in place of the local plan housing requirement. In addition, following an amendment to the standard method set out in national planning practice guidance, from 16 June 2021 onwards Brighton & Hove is required to apply an additional 35% uplift as one of the top 20 cities in the urban centres list.
- 9.5. The local housing need figure for Brighton & Hove using the standard method (including the 35% uplift) is 2,331 homes per year which gives a five-year housing supply shortfall of 6,604 (equivalent to 2.2 years of housing supply).
- 9.6. 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).

- 9.7. As a principle of development, therefore, the provision of a new dwelling must be given significant weight. Further, residential development on a residential site would be appropriate, however the specific impacts of additional dwellings on this plot must be considered as to whether the development is appropriate on the land and whether visual harm and/or harm to neighbouring amenity would occur. This detailed assessment is set out below.

Design and Appearance

- 9.8. City Plan Part 1 Policy CP12 expects all new development to raise the standard of architecture and design in the city, establish a strong sense of place by respecting the character of existing neighbourhoods and achieve excellence in sustainable building design and construction.
- 9.9. Further, City Plan Part 1 Policy CP14 allows for infill development within the city when a high standard of design is achieved and the resulting development would make a positive contribution to the surrounding area and that emphasises and enhances the positive characteristics of the local neighbourhood.
- 9.10. The proposed dwelling would result in the existing semi-detached properties being read as a small terrace of three. It is considered that the principle of a terrace in this location would be acceptable as there are several examples of terrace properties within the wider area. The appeal inspector in relation to application BH2017/02490, also noted that a resultant terrace of properties would be more in keeping and more integrated than the detached dwelling first proposed in application BH2017/02490.
- 9.11. It is acknowledged that No's 2 and 4 Keymer Road are set on spacious plots and that both gardens have large side gardens. This spacious character is typical for the wider area. Information has been submitted as part of this application to demonstrate that the key open spaces of the area are situated on the road junctions and that it is these spaces that contribute most greatly to the open character of the wider area. Properties on surrounding roads between junctions are laid out in small clusters and the application site would sit within one of these clusters. On this basis, the scheme layout and the infill of the plot frontage is considered to be in keeping with the area.
- 9.12. It is noted that owing to the topography of the area, that the application site would be highly visible from the junction of Keymer Road with Carden Hill. Careful consideration has been given to the spacing between properties. In response to the previous refusal, this application reduces the width of the property by approximately 1.3m, which has increased the separation distance of the property to the shared boundary with No.6 Keymer Road. At its narrowest point, the new dwelling retains a distance of 4.4m from this boundary.
- 9.13. The officer report in relation to the 2017 refused application stated that the new dwelling would appear cramped within the streetscene. The appeal inspector further highlighted that: "...the introduction of the appeal proposal would erode this spacing and would consequently be harmful to the character and appearance of the area."

- 9.14. In response to this the applicant has also undertaken a study of the separation distances between properties in the wider area. Spacing between properties varies in the area measuring between 1.7m and 16.1m to the rear on Fernhurst Crescent. However adjacent to the application property, No.2 Keymer Road is separated from 102 Carden Hill by a distance of 7.1m.
- 9.15. When considering the properties in close proximity to the site, the average distance measured between two properties is 11.8m. The proposal would retain a distance of 13.7m between the side wall of the proposed dwelling and the rear wall of No.6 Keymer Road. It is considered that the reduction in width of this property, compared to that of the earlier application, would allow for sufficient spacing to be retained and ensures that the new dwelling would not appear as a cramped addition to the streetscene.
- 9.16. It is acknowledged that No.4 Keymer Road would lose a significant proportion of the existing garden space. However, the resultant garden area to the rear would be broadly similar to the rear of No's 85 and 87 Fernhurst Crescent. It is also acknowledged that the resultant plot size of the new dwelling proposed would be smaller than what is typical for the area, however following the various amendments made to the design of the scheme, the dwelling no longer appears squeezed into the plot. On balance, given the revisions made under this scheme which increase the spacing of the dwelling within the Keymer Road streetscene, in addition to the proportions and mass of the property, it is considered that the dwelling would be in keeping with surrounding properties and would allow it to sit appropriately in the plot.
- 9.17. The decision on the previous application (BH2017/02490) raised concerns regarding the design of the dwelling, specifically in relation to its mass and proportions. Owing to a reduction in width, the new scheme would now measure no more than No.2 Keymer Road and would result in a more balanced appearance.
- 9.18. Concerns were also raised regarding the bulk of the roof form proposed. This was further supported by the planning inspector in relation to this application who stated: "The introduction of the appeal proposal would also significantly increase the overall scale and bulk of the current semi-detached properties, particularly the roof where the ridge-line would then be extended to approximately double the length of the current properties".
- 9.19. Amendments were sought during the lifetime of this application with regards to the roof form proposed. Requests were made for the ridgeline of the new property to match No.4 as it was considered the lower roof form did not relate well to the existing semi-detached pair. As a result of the amendments received, re-consultation of the application was undertaken.
- 9.20. The ridge height of the existing property was to be extended by 7.6m under application BH2017/02490. This has now been significantly reduced to 4.9m. It should though be noted that a lawful development certificate was approved in 2019 allowing a hip to gable roof extension at No.4 and therefore the extended

roof line beyond this permitted change, to provide the new dwelling would measure 1.6m

- 9.21. The current proposal would ensure that the eaves height of the front and rear projections lines through with No.2 resulting in a more balanced and sympathetic appearance. The property would include a small front gable projection, and whilst gable ends are not typical to this section of the streetscene, they can be seen further along Keymer Road. Furthermore, it is considered acceptable given that the streetscene is not homogenous in character so would not adversely harm the visual amenities of the streetscene.
- 9.22. The fenestration proportions of the dwelling closely match that of the existing semi-detached pair. In addition, the materials of the dwelling, which comprise red brick and tile hanging at first floor will match closely with No's 2 and 4 Keymer Road, ensuring a coherent development. A condition is recommended to ensure that the final external materials are acceptable.
- 9.23. The proposed development is therefore considered to form an acceptable addition to the site that would not compromise the character of the surrounding area in accordance with Policy CP11 of the City Plan Part One and DM18 of the City Plan Part 2.

Standard of accommodation

- 9.24. 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, Policy DM1 of Draft City Plan Part 2 proposes to adopt them and can now be given significant weight.
- 9.25. The Local Planning Authority considers both quantitative and qualitative issues raised with regards to the standard of accommodation for future occupiers.
- 9.26. The proposal provides a two storey two-bedroom property. The property overall would provide approximately 78sqm of internal floor space, which meets the minimum standards set out within the NDSS for the number of bedrooms and potential occupiers proposed.
- 9.27. At ground floor the property comprises an open plan kitchen/dining/living area, a utility room and W/C. At first floor the property proposes two bedrooms and a bathroom. The bedrooms, when measured above 1.5m in head height would measure approximately 10.7sqm and 12sqm. These rooms would both exceed the minimum standard in the NDSS.
- 9.28. Furthermore, the property would provide sufficient floor area for the placing of likely furniture items required by future occupiers whilst retaining sufficient useable floor area and circulation space. In addition, each habitable room would benefit from acceptable levels of light, outlook and ventilation.

9.29. Policy HO5 of the Local Plan and emerging policy DM1 of the City Plan Part 2 (which can be given significant weight) require the provision of private amenity space in new development. This dwelling would feature a garden area to the rear accessed via the kitchen and also an area of amenity space to the side of the property accessed from the living area. Whilst it is acknowledged that the provision of external amenity space is less than what is typical for the area, the garden space is considered adequate given the additional useable space to the side of the dwelling. Further, the previous application (BH2017/02490) raised no objection to the level of external space provided for the new dwelling.

9.30. It is therefore considered that the proposed dwelling would likely meet the needs of future occupiers and would be in compliance with Policies QD27 and HO5 of the Local Plan and Policy DM20 of the City Plan Part 2.

Impact on Amenity:

9.31. Policy QD27 of the Brighton & Hove Local Plan and emerging policy DM20 of the City Plan Part 2 (which can be given significant weight) state 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.

9.32. The properties most likely to be affected by the proposals are No's 4 and 6 Keymer Road and No's 85 and 87 Fernhurst Crescent. Following a site visit to the application site, the impact on these adjacent properties has been fully considered in terms of daylight, sunlight, outlook and privacy, and no significant harm has been identified.

9.33. The dwelling proposed is broadly similar to that previously proposed under application (BH2017/02490). The officer report in relation to this application stated that whilst No.4 Keymer Road would suffer a substantial reduction in private outdoor amenity space, it was considered that the resultant garden in this case would be sufficient for the number of occupiers. The proposed plans indicate that the existing extensions to the rear of No.4 are to be demolished and a condition is sought to ensure that the extensions are removed to ensure that garden space is suitable.

9.34. No concerns were raised in relation to this previous scheme, which had a bulkier roof form, with regards to any overbearing impact to 6 Keymer Road or 87 Fernhurst Crescent. There are no material changes resulting in a different conclusion being reached to that made in response to the previous application (BH2017/02490).

9.35. To the rear of the property two windows are proposed at first floor, one serving the bathroom and one serving the second bedroom. Any views obtained from these windows would likely be similar to that already existing from No. 4 Keymer Road. Further, owing to the character and urban grain of the area, rear gardens already feature some level of overlooking. Owing to the orientation of the site the proposed dwelling would not be situated so that direct views from the first-floor rear facing bedroom would be had to the rear elevation of No's 85 and 87

to the rear. Further the window to this bedroom has been positioned so that only limited views of the rear would be had in the centre of the room.

- 9.36. The proposed plans also indicate that a native planting area with taller species is to be located along the rear boundary with No.87. A landscaping condition is attached to ensure that details of suitable screening plants are provided to further reduce the potential for overlooking.
- 9.37. The proposed development is therefore considered to be in accordance with Policy QD27 of the Local Plan and Policy DM20 of the City Plan Part 2 which is given significant weight.

Sustainable Transport:

Cycle Parking

- 9.38. This proposal requires a minimum of two cycle spaces for the proposed and existing dwelling. Full details of these stores are sought be condition.

Servicing

- 9.39. A refuse and recycling area is proposed and is deemed acceptable. There also appears to be sufficient space on-site for residents to store bins on collection day.

Car Parking

- 9.40. The applicant is proposing no parking associated with the new dwelling. This accords with the Parking Standards in SPD14. Any overspill parking would likely be onto the highway but parking is unrestricted in this area, so restrictions could be introduced if this was of concern.

Ecology

- 9.41. Policy CP10 of the City Plan Part One seeks to ensure that all new development proposals conserve existing biodiversity, protecting it from the negative indirect effects of development including noise and light pollution.
- 9.42. The Council has adopted the practice of securing minor design alterations to schemes with the aim of encouraging the biodiversity of a site, particularly with regards to protected species. Conditions requiring bee bricks and the installation of swift bricks 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.

Sustainability

- 9.43. Policy CP8 of the Brighton and Hove City Plan Part One require new development to demonstrate a high level of efficiency in the use of water and energy. Policy CP8 requires new development to achieve 19% above Part L for energy efficiency, and to meet the optional standard for water consumption. As such a condition is sought to secure these measures.

Community Infrastructure Levy

- 9.44. Under the Regulations of the Community Infrastructure Levy (CIL) 2010 (as amended), Brighton & Hove City Council adopted its CIL on 23 July 2020 and began charging on all CIL liable planning applications on and from the 5 October 2020. It is estimated that the amount of CIL liability for this application is £11,814.52. The exact amount will be confirmed in the CIL liability notice which will be issued as soon as it practicable after the issuing of planning permission.

10. EQUALITIES

- 10.1. Policy HO13 requires all new dwellings to fully meet lifetime home standards. From the plans submitted it would appear that the dwellings would be capable of complying with lifetime home standards and therefore compliance is sought by condition.

