

<u>No:</u>	BH2023/00424	<u>Ward:</u>	Rottingdean & West Saltdean Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	7 Saxon Close Saltdean Brighton BN2 8GA		
<u>Proposal:</u>	Erection of 1no detached part 1/part 1.5 storey three bedroom dwelling (C3) with associated parking, bin store and landscaping on land at 7 Saxon Close, including subdivision from 7 Saxon Close.		
<u>Officer:</u>	Rebecca Smith, tel: 291075	<u>Valid Date:</u>	06.03.2023
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	01.05.2023
<u>Listed Building Grade:</u>		<u>EOT:</u>	07.07.2023
<u>Agent:</u>	Lewis And Co Planning SE Ltd 2 Port Hall Road Brighton BN1 5PD		
<u>Applicant:</u>	Investsave Ltd C/O Lewis And Co Planning SE Ltd 2 Port Hall Road Brighton BN1 5PD		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to **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
Location and block plan	TA 1398/09	A	19 July 2023
Proposed Drawing	TA 1398/11	C	19 July 2023
Proposed Drawing	TA 1398/12	C	19 July 2023
Proposed Drawing	TA 1398/13	C	19 July 2023
Proposed Drawing	TA 1398/14	C	19 July 2023
Proposed Drawing	TA 1398/15	C	19 July 2023
Proposed Drawing	TA 1398/16	C	19 July 2023
Proposed Drawing	TA 1398/17	C	19 July 2023
Proposed Drawing	TA 1398/18	B	19 July 2023
Proposed Drawing	TA 1398/19	B	19 July 2023
Proposed Drawing	TA 1398/10	C	19 July 2023
Report/Statement	Ecological report		19 July 2023
Report/Statement	Ecological report appendix		19 July 2023
Report/Statement	Heritage Report		13 February 2023

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 any details shown on the approved plans, no development above ground floor slab level of any part of the development hereby permitted shall take place until 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) Samples/details 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/details of all hard surfacing materials
 - d) samples/details of the proposed window, door and balcony treatments
 - e) samples/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 DM18/DM21/DM26 of Brighton & Hove City Plan Part 2 and CP12/CP15 of the Brighton & Hove City Plan Part One.

4. Prior to occupation of the development hereby permitted, a scheme for landscaping, for both 7 Saxon Close and the new dwelling, 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 the 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 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 DM22 of Brighton & Hove City Plan Part 2, and CP12 and CP13 of the Brighton & Hove City Plan Part One.

5. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Confidential Badger Appendix (David Archer Associates, July 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, as required by paragraphs 174 and 180 of the National Planning Policy Framework, Section 40

of the Natural Environment and Rural Communities Act 2006, Policy CP10 of the Brighton & Hove City Plan Part One and Policy DM37 of the City Plan Part Two.

6.
 - i) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
 - ii) The archaeological work shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority for approval in writing within 3 months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in advance and in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policies DM31 of Brighton & Hove City Plan Part Two, and CP15 of the Brighton & Hove City Plan Part One.

7. 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 DM33 of the Brighton & Hove City Plan Part Two.

8. No extension, enlargement, alteration of the dwellinghouse 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, 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 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 Dm20 & DM21 of Brighton & Hove City Plan Part 2, and CP12 of the Brighton & Hove City Plan Part One.

9. The dwelling hereby approved shall be implemented in strict accordance with the internal layouts detailed on the proposed floorplans TA1398/11 C and TA1398/12 C received on 19th July 2023. The internal layouts shall be retained as first implemented thereafter.

Reason: To ensure an acceptable standard of accommodation for future occupiers is provided and maintained thereafter and to comply with policy DM1 of the Brighton and Hove City Plan Part Two.

10. The new crossover and access 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 CP9 of the City Plan Part One.
11. The vehicle parking area 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 and shall be maintained so as to ensure their availability for such use at all times.
Reason: To ensure that adequate parking provision is retained and to comply with policy CP9 of the Brighton & Hove City Plan Part One, policy DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.
12. The development hereby permitted shall not be occupied until the dwelling 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 DM1 of Brighton & Hove City Plan Part 2.
13. The development hereby approved should achieve a minimum Energy Performance Certificate (EPC) rating 'B' for new build residential.
Reason: To improve the energy cost efficiency of existing and new development and help reduce energy costs to comply with policy DM44 of the Brighton & Hove City Plan Part Two.
14. The residential unit hereby approved shall not be occupied until the building 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.
15. Prior to first occupation of the development hereby approved, details of the photovoltaic array referred to on drawing TA1398/10 C shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic array shall then be installed in accordance with the approved details.
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance and to comply with policies CP8 and CP12 of the Brighton & Hove City Plan Part One.
16. At least one 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 DM37 of Brighton & Hove City Plan Part 2, Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

17. No development shall take place until an ecological design strategy (EDS) addressing enhancement of the site to provide biodiversity net gain, in accordance with the recommendations in the Preliminary Ecological Appraisal (David Archer Associates, July 2023) has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:
- a) purpose and conservation objectives for the proposed works;
 - b) review of site potential and constraints;
 - c) detailed design(s) and/or working method(s) to achieve stated objectives;
 - d) extent and location /area of proposed works on appropriate scale maps and plans;
 - e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
 - f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - g) persons responsible for implementing the works;
 - h) details of initial aftercare and long-term maintenance;
 - i) details for monitoring and remedial measures;
 - j) details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 174 and 180 of the National Planning Policy Framework, Policy CP10 of the Brighton & Hove City Council City Plan Part One and Policy DM37 of the City Plan Part Two.

18. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policies CP8 & CP11 of the Brighton & Hove City Plan Part One.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. In order to be in line with Policy DM33 of the City Plan cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Highway Authority's preference is for purpose-built secure cycle stores (e.g., Tri-metal). Alternatively stores such as sheds made from other materials such as wood must be covered and include a concrete base with Sheffield type stands

to ensure the main frame of the bicycle can be secured. All must be spaced in line with the guidance contained within the Manual for Streets section 8.2.22.

3. The planning permission granted includes a vehicle crossover which requires 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 by law to be constructed under licence from the Highway Authority. The applicant must contact the Council's Streetworks team (permit.admin@brighton-hove.gov.uk 01273 290729) prior to any works commencing on the public highway.
4. The applicant is advised that Part L - Conservation of Fuel and Power of the Building Regulations 2022 now requires each residential unit built to have achieved a 31% reduction in carbon emissions against Part L 2013.
5. The water efficiency standard required by condition 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.
6. The applicant should be aware that the site may be in a radon affected area. If the probability of exceeding the Action level is 3% or more in England and Wales, basic preventative measures are required in new houses, extensions, conversions and refurbishments (BRE2011). Radon protection requirements should be agreed with Building Control. More information on radon levels is available at <https://www.ukradon.org/information/ukmaps>
7. The applicants are advised that badgers may be present on site. Badgers and their setts are protected under the Protection of Badgers Act 1992. It is a criminal offence to kill, injure or take badgers or to interfere with a badger sett. Should a sett be found on site during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.
8. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level and preferably adjacent to pollinator friendly plants.

2. SITE LOCATION

- 2.1. The application site is a two storey detached dwelling with a rear/side garden at the end of Saxon Close in Saltdean. The site is irregular in space, with the main dwelling located along the southern boundary, a large garden along the northern (side) boundary which extend west around the corner along the edge of the hammerhead of the cul-de-sac. The land slopes upwards to the north-west towards the end of the cul-de-sac to the north-west, with dwellings beyond the site on Tumulus Road sitting at a significantly higher level than the application site.
- 2.2. The site is not listed and is not within a conservation area. There are no Article 4 Directions covering the site which are relevant to the proposed development. It is noted that the site is within an Archaeological Notification Area (ANA).

3. APPLICATION DESCRIPTION

- 3.1. The application is seeking planning permission for the subdivision of the side garden from 7 Saxon Close and the erection of a new detached dwelling on the plot with a driveway to the front and garden to the rear.
- 3.2. The application has been amended since the application was originally submitted and a second round of consultation has been carried out. Initially the proposed design of the new dwelling was of a contemporary appearance. The amended plans have detailed a more sympathetic design which reflects the surroundings. This amended design has been slightly clarified in further revisions to address matters raised by consultees.
- 3.3. The representations listed below are from both (March and May 2023). This recommendation is considering only the latest plans (received July 2023).

4. RELEVANT HISTORY

- 4.1. **BH2022/03233** - Partial demolition and remodelling of the existing dwelling and erection of 1no four bedroom dwelling and 1no three bedroom dwelling (C3). Withdrawn

5. REPRESENTATIONS

- 5.1. **Seventeen (17)** letters have been received, objecting to the proposed development for the following reasons:
 - Additional traffic
 - Detrimental effect on property value
 - Inappropriate height of development
 - Overdevelopment
 - Overshadowing and loss of light
 - Poor design

- Restriction of view
- Too close to the boundary
- Increased noise from additional dwelling and garden
- Potential land subsidence to properties on Tumulus Close
- Potential flood risk
- Loss of privacy
- Would set a precedent for other development in Saltdean.
- Housing has been built nearby already.
- Properties in Saxon Close are not selling.
- Saxon Close already has a lack of parking.
- Building will be on a Saxon burial site.
- Disruption to neighbours during build
- Impact on existing drainage / potential drainage issues,
- Loss of tree in rear garden and biodiversity.
- Impact on protected species
- Development is for private gain not the community.
- Schools and doctors are full.
- Cars will not be able to turn around in the end of the road.
- Will create issues for refuse collection lorries.
- Saxon Close is subject to a design covenant.
- Impact on retaining wall between Saxon Close properties and Tumulus Close properties.
- Security risk from flat roof.
- Drawings look incorrect in terms of retaining wall.
- Takes away the view from Tumulus Road

5.2. **Councillor Fishleigh** has objected to the application and called the application to planning committee. A copy of the representation is attached.

6. CONSULTATIONS

Internal:

6.1. **Sustainable Transport:** No objection

Initial concerns have been overcome with an amended boundary wall design that provides an acceptable visibility splay for the vehicle parking area. Car parking provision has been reduced to align with SPD14. The proposal is now acceptable in transport terms subject to the suggested conditions.

6.2. **Urban Design:** No objection

First Comment - seek amendments/more information:

This application presents proposals for a new dwelling on land from 7 Saxon Close. From an urban design perspective, there appears sufficient space to accommodate one small (2-3 bed) new dwelling with private external amenity that draws upon the valuable characteristics of the local context. In this regard, development here could be supported in principle in urban design terms.

6.3. The proposals present a 3-bedroom detached dwelling to the North of 7 Saxon Close, with parking and private external amenity, using some of the existing

garden of 7 Saxon Close. This makes number 7's garden s lightly smaller but this is not considered detrimental to the quality of external amenity for this existing property.

- 6.4. Proposals present a number of positive elements :
- An overall appearance that is congruent with the street scene;
 - Appropriately sized development for the plot size;
 - High quality private external amenity.
 - However, there are a number of concerns:
 - The existing character of the street namely the landscaping at the end of Saxon Close is impacted by the proposed new development;
 - Insufficient information on aspects of the development including, approach to low-carbon and sustainability, detail on materials, SUDs and landscape strategies.
- 6.5. Second comment (following submission of plans dated July 2023):
- Revised plans look to respond positively to comments on rationalising the rear roofscape by replacing the two smaller dormers with one continuous one, replacing the rear steep roof to ground floor with a flat roof would further rationalise the roofscape.
 - Revised plans also include additional information on the low-carbon approach to space heating with an air-source heat pump proposed which is welcome.
 - The low-carbon approach in general is still lacking in information, especially in regard to the material strategy and construction of the building. Drawings lack information on materiality which remains a concern in this regard, as well as assessment of overall appearance. If further information is not to be provided at this stage, this requires condition.
 - The ecology officer comments / recommendations could be considered in relation to urban design comments on materiality, sustainable urban drainage and landscape design,
 - The introduction of a window in the kitchen is welcome for improved natural ventilation.

External:

- 6.6. **Brighton & Hove Archaeological Society: Comment**
Saltdean has produced a number of interesting finds in the past from prehistoric and Bronze Age flintwork to Saxon burials. Very little is known about archaeology in Saltdean, so there is the potential for new find spots.
- 6.7. The Brighton and Hove Archaeological Society would suggest that you contact the County Archaeologist for his recommendations.
- 6.8. **County Archaeology: No objection**
The proposed development lies within an Archaeological Notification Area (a non-designated heritage asset) associated an Anglo-Saxon cemetery.

- 6.9. There is no objection subject to conditions for the implementation of a programme of archaeological works in accordance with a written scheme of investigation prior to the commencement of the development.
- 6.10. **Ecology:** No objection subject to the recommended conditions
 Following the submission of a report concerning protected species there are no objections from an ecological perspective, providing that the methodology within the ecological reports is followed and a scheme to increase biodiversity is secured by condition.

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 City Plan Part Two (adopted October 2022);
 - 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).

8. RELEVANT POLICIES & GUIDANCE

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
CP15	Heritage
CP19	Housing mix

Brighton & Hove City Plan Part Two:

DM1	Housing Quality, Choice and Mix
DM3	Residential conversions and the retention of smaller dwellings
DM18	High quality design and places
DM20	Protection of Amenity
DM21	Extensions and alterations
DM22	Landscape Design and Trees

DM31	Archaeological Interest
DM33	Safe, sustainable and active travel
DM36	Parking and servicing
DM37	Green Infrastructure and Nature Conservation
DM43	Sustainable Drainage
DM44	Energy Efficiency and Renewables

Supplementary Planning Documents:

SPD11	Nature Conservation & Development
SPD12	Design Guide for Extensions and Alterations
SPD14	Parking Standards

9. CONSIDERATIONS & ASSESSMENT

- 9.1. The main considerations in the determination of this application relate to the principle of subdividing the existing garden to allow for a new dwelling, the design and appearance, impacts on the retained 7 Saxon Close, the proposed standard of accommodation, impacts on neighbour amenity, ecology and transport matters.

Principle of the Development:

- 9.2. Policy CP1 in City Plan Part One sets a minimum housing provision target of 13,200 new homes for the city up to 2030. 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.
- 9.3. The local housing need figure for Brighton & Hove using the standard method is 2,328 homes per year. This includes a 35% uplift applied as one of the top 20 urban centres nationally. The council's most recent housing land supply position is published in the SHLAA Update 2022 which shows a five-year housing supply shortfall of 7,711 (equivalent to 1.8 years of housing supply).
- 9.4. 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).
- 9.5. As noted above, 7 Saxon Close benefits from a large rear side and front garden, with the front garden extending along the end of the road. The proposed subdivision would infill the side garden, with the original dwelling remaining unaltered, other than having a smaller garden.
- 9.6. Subject to other considerations such as the design and appearance of the proposed dwelling and impacts on neighbours, the highway and the local environment being acceptable the development can be supported in principle.

Design and Appearance:

- 9.7. The proposed design has been significantly amended since the application was received. Initially a linear and contemporary designed detached property design was proposed, two storeys in height. This was superseded by a part one/part 1.5 storey dwelling which is what is now being considered. I
- 9.8. It is noted that planning permission was granted for an infill development at what is now 9 Saxon Close (BH2012/02168) but which previously formed part of the rear garden of 71 Lustrells Crescent. The subdivision of plots is not therefore unprecedented in the immediate vicinity.
- 9.9. In terms of this proposal, the three-bedroom dwelling proposed would be in keeping with the character of the area in terms of plot sizes and would utilise the same building line as other properties within Saxon Close. The overall size of the plot is comparable with that relating to other dwellings within the Close.
- 9.10. The design of the property now better reflects the character and appearance of the other properties within 7 Saxon Close. The substantial difference in height of the original submission has been removed, the size of the dwelling has been reduced by a bedroom and there has been a reduction in parking spaces. Further amendments were made to address the comments of the Urban Designer and provide clarity on specific aspects such as accessibility and sustainable design.
- 9.11. The proposed dwelling would have a style which is in keeping with the neighbouring properties in terms of form and scale. It would have the appearance of a bungalow with accommodation at roof level, with a rear dormer similar to the existing dwelling at no. 7 Saxon Close. It While the other dwellings of Saxon Close have a two-storey appearance, this approach is considered appropriate given the upward incline of the road towards the rear gardens of Tumulus Road. The overall height of the new dwelling would match that of 7 Saxon Close. Further details of the material finish of the dwelling are sought via condition.
- 9.12. The design would incorporate a front balcony area which is considered to be proportionate to the dwelling and in keeping with other properties within the street which have small balconies overlooking the street. The proposed dwelling would have large window openings at ground floor and smaller openings in the rear dormer at first floor level. The rear ground floor bay will have a projecting seam roof.
- 9.13. It is considered to relate well to the appearance and character of the existing streetscene and would sit comfortably within the plot with access to the rear garden possible on both sides of the dwelling.
- 9.14. Although the dwelling is considered to be well sited within the plot and in relation to the topography of the locality, it is considered that removal of 'permitted development rights' would be justified in this instance as any enlargement of the property could result in harm to the character of the area or neighbouring

amenity if not appropriately overseen. Therefore, a condition is recommended removing such rights.

- 9.15. Therefore, subject to the conditions noted above, the proposed new dwelling is considered acceptable in terms of its design and appearance as a detached dwelling and relationship to Saxon Close and would be in accordance with polices CP12 of the City Plan Part One and polices DM18 of the City Plan Part Two and SPD12 guidance.

Standard of Accommodation:

- 9.16. 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. They form a useful guide in assessing the standard of new residential accommodation. These space standards have been formally adopted into the Brighton and Hove City Plan Part Two through Policy DM1.
- 9.17. The proposed development would result in a three-bedroom, five-person dwelling with an overall internal floor area of 110sqm, exceeding the minimum required (93sqm sought by Policy DM1).
- 9.18. The proposed internal layout would have the primary living spaces on the ground floor comprising a kitchen/dining room (23.54sqm) and living room (22.15sqm), alongside a double bedroom (12.77sqm) and a shower room. On the first floor there would be two bedrooms; a double (13.15sqm) and a single (8.94sqm) occupancy room and a bathroom. The bedrooms would accord with the relevant requirements of the NDSS, with the remaining areas considered to be of sufficient size.
- 9.19. The bedrooms and living areas would benefit from windows providing sufficient natural light, outlook and ventilation to the dwelling for future occupiers. The windows are considered to be of a good size for the spaces that they serve.
- 9.20. Externally, as described above the plot would be subdivided and to ensure that 7 Saxon Close retains a usable garden, it is recommended that landscaping details are provided prior to occupation of the new dwelling so that both properties are provided with useable outdoor space, not just the new dwelling considered here. The retained garden for 7 Saxon Close is considered to be of an appropriate size for the dwelling. Similarly the garden for the new dwelling would provide ample space to the rear and a landscaped front garden surrounding the off-road parking area.
- 9.21. The proposed dwelling would meet the space standards set out within policy DM1 of the City Plan Part Two and the garden spaces of the two dwellings would be appropriate for the size of the dwellings. It is also noted that the new dwelling would have internal spaces which benefit from good natural light, ventilation and outlook. Accordingly, the proposal is in accordance with policy DM1 of the City Plan Part Two.

Impact on Amenity:

- 9.22. Policy DM20 of City Plan Part Two states that planning permission for development will be granted where it would not cause unacceptable loss of amenity to the proposed, existing, adjacent or nearby users, residents, occupiers or where it is not liable to be detrimental to human health.
- 9.23. A new dwelling within the side garden will result in an increase in trips to and from Saxon Close. However the additional uplift in activity associated with a single new dwelling is not considered to be so great or intense as to warrant refusal of the application on the basis of increased noise and disturbance to neighbours.
- 9.24. It is noted that there would be a small window in the south elevation at first floor level serving the smaller bedroom. However, this would overlook the blank flank wall of 7 Saxon Close so there would be no loss of privacy resulting.
- 9.25. In terms of the other windows to the rear, these would not result in any significant overlooking or loss of privacy towards the neighbouring properties on Tumulus Road and Winton Avenue over and above the existing views from no. 7 Saxon Close. There are no windows in the side elevation facing the gardens of Tumulus Close.
- 9.26. It is also noted that as the ridge height of the proposed dwelling would not exceed the height of 7 Saxon Close. The proposed dwelling would be set back from the retaining wall to the north and would not protrude more than approximately 0.56m above this wall. There is considered sufficient separation distances from the rear of the properties on Tumulus Road and also Winton Avenue to the east to ensure the proposal would not have an overbearing or enclosing impact on these properties or result in any significant loss of light or outlook.
- 9.27. Sufficient separation has been provided from the proposed dwelling and the host dwelling at 7 Saxon Close to ensure that there is no significant overbearing impact, or loss of outlook, light or privacy to the existing property.
- 9.28. Overall, the proposals are in accordance with DM20 of the City Plan Part Two.

Sustainable Transport:

- 9.29. The proposed new dwelling is located in a cul de sac at the head of the road. There are no restrictions on on-street parking.
- 9.30. It is noted that there have been objections relating to parking stress. The dwelling would provide one off street parking space in accordance with SPD14 on parking standards. The Local Highway Authority (LHA) are satisfied with the team in respect of parking provision.
- 9.31. It is noted that the design of the front garden has also been amended, with the wall adjacent to the parking space lowered to improve visibility. This change has overcome the initial concerns of the LHA. It is considered necessary to add a condition securing the retention of this parking area to limit any impacts of overspill parking that might arise.

- 9.32. The proposal incorporates an electric vehicle charging point within the driveway/parking area and dedicated space to park cycles, therefore future occupiers will be able to make sustainable travel choices. Further detail of the proposed cycle parking is sought via condition to ensure that the cycle parking is policy compliant. It is acknowledged that depending on the size of vehicle parked on the drive it may be tight to get a cycle in and out, this will be something for a future occupier to manage appropriately.
- 9.33. In terms of the impacts on trip generation, the proposal would not represent a significant impact to the local highway network, and it is noted that the no. 27 bus which connects Saltdean with the city centre has bus stops at the end of the Close giving future residents a further option of sustainable travel.
- 9.34. Accordingly, the proposal, subject to the recommended conditions, is in accordance with policy CP9 of the City Plan Part One and policies DM33 and DM36 of the City Plan Part Two and the SPD14 Parking Standards.

Landscaping and Ecology:

- 9.35. The proposal would result in a loss of garden space for no. 7 Saxon Close and it is noted that the existing large garden is well landscaped, including the side garden where the dwelling would be sited and the front garden over the end of the road.
- 9.36. As shown in the plans the site is to be subdivided and a parking space provided to the front of the new dwelling. The works would result in the majority of the existing landscaping being lost during the works. To ensure that following the development the landscaping is maintained, making a positive contribution to the street scene and to improve biodiversity outcomes, further details of the landscaping arrangements for both properties is sought via condition.
- 9.37. The site is not designated for its nature conservation interest, and there is nothing designated nearby that would be affected by a development on this scale. .
- 9.38. It is noted that a number of representations cite that there are protected species within the vicinity of the site. In response to the neighbour comments and the Ecologist's comments on the site further investigation of the site has been undertaken and a report has been provided which includes a method statement for dealing with any protected species during the works. This has been reviewed by the Ecologist and found to be acceptable. A condition is recommended to ensure that protected species are appropriately managed, and that the biodiversity of the site is enhanced.
- 9.39. Subject to the recommended conditions above, the development would provide appropriate landscaping and would be acceptable in regards to ecology issues accordance with policy CP10 of the City Plan Part One and policies DM22 and DM37 of the City Plan Part Two.

Sustainability:

- 9.40. The proposed dwelling has been designed with sustainability in mind; solar panels would be incorporated into the design of the dormer roof and an air source heat pump situated beside the northern elevation. The proposal would also be subject to a condition securing the energy performance of the building at EPC rating B and a restriction to ensure that the dwelling utilises water efficient technologies in accordance with policy CP8 of the City Plan Part One and policy DM43 of the City Plan Part Two.

Other Considerations:

- 9.41. It is noted that the site lies within an Archaeological Notification (ANA) area, as a result the County Archaeologist has recommended that prior to the commencement of any works on site archaeological surveys are undertaken. This is secured by condition and would be in accordance with policy DM31 of the City Plan Part Two.
- 9.42. It is noted that the representations cite concerns about the potential impacts on the stability of the retaining wall. This is addressed through other regulation so is not a material planning consideration.

10. EQUALITIES

- 10.1. Condition 12 will require that the dwelling is accessible and adaptable, and the internal layout includes a ground floor bedroom and shower room so once inside a person could comfortably live on the ground floor.

11. CLIMATE CHANGE/BIODIVERSITY

- 11.1. The scheme would incorporate various measures of benefit to climate change and biodiversity including a bee brick, swift bricks/boxes, a biodiversity improvement plan, air source heat pump, solar panels, cycle parking, and an EV charging point. Further, it would make more efficient use of brownfield land.

12. COMMUNITY INFRASTRUCTURE LEVY

- 12.1. 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 £23,914.67. 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.