

<b><u>No:</u></b>	<b>BH2023/01799</b>	<b><u>Ward:</u></b>	<b>Preston Park Ward</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Garages Rear Of 10 Bavant Road Brighton BN1 6RD</b>		
<b><u>Proposal:</u></b>	<b>Redevelopment of existing garage block to provide 2no chalet style dwellings (C3). (amended plans received)</b>		
<b><u>Officer:</u></b>	Michael Tucker, tel: 292359	<b><u>Valid Date:</u></b>	11.07.2023
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	05.09.2023
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b>Agent:</b>	Dowsettmayhew Planning Partnership Place Brighton BN1 4DU	Mocatta House	Trafalgar
<b>Applicant:</b>	Mr Paul Corcut 10 Bavant Road Brighton BN1 6RD		

## 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.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	PL07		26 June 2023
Proposed Drawing	PL08	A	7 September 2023
Proposed Drawing	PL09	A	7 September 2023
Proposed Drawing	PL10	A	7 September 2023
Proposed Drawing	PL11	A	7 September 2023
Proposed Drawing	PL12	A	7 September 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.
- (a) No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the local planning authority:
- (i) A desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with industry best practice guidance such as BS 10175:2011+A2:2017 - Investigation of Potentially Contaminated Sites - Code of Practice and BS 5930 Code of Practice for Ground Investigations;

And if notified in writing by the local planning authority that the desk top study identifies potentially contaminant linkages that require further investigation then,

- (ii) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS 10175:2011+A2:2017;

And if notified in writing by the local planning authority that the results of the site investigation are such that site remediation is required then,

- (iii) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

- (b) The development hereby permitted shall not be occupied or brought into use until there has been submitted to, and approved in writing by, the local planning authority a written verification report by a competent person approved under the provisions of condition 3(a)(iii) that any remediation scheme required and approved under the provisions of condition 3(a)(iii) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the local planning authority in advance of implementation). Unless otherwise agreed in writing by the local planning authority the verification report shall comprise:

- (i) built drawings of the implemented scheme;
- (ii) photographs of the remediation works in progress;
- (iii) certificates demonstrating that imported and/or material left in situ is suitable for use.

**Reason:** To safeguard the health of future residents or occupiers of the site and to comply with policy DM41 of City Plan Part 2.

- 4. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

**Reason:** As this matter is fundamental to protecting the trees which are to be retained on and near to the site during construction works in the interest of the visual amenities of the area and for biodiversity and sustainability reasons, to comply with policies DM22 and DM37 of Brighton & Hove City Plan Part 2, and CP8, CP10 and CP12 of the Brighton & Hove City Plan Part One and SPD06:Trees and Development Sites.

- 5. 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) 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 DM18, DM21 and DM26 of Brighton & Hove City Plan Part 2 and policies CP12 and CP15 of the Brighton & Hove City Plan Part One.

6. 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 the type, position, design, dimensions and materials and any sustainable drainage system used;
- b. a schedule detailing sizes and numbers/densities of all proposed and retained 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 provide ecological and sustainability benefits, to comply with policies DM22 and DM37 of Brighton & Hove City Plan Part 2, and CP8, CP10, CP12 and CP13 of the Brighton & Hove City Plan Part One.

7. The development hereby permitted shall not be occupied until a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to occupation of the development and shall thereafter be retained at all times.

**Reason:** To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies DM18/DM21/DM21/DM27 of Brighton & Hove City Plan Part 2, and CP12/CP15/CP13 of the Brighton & Hove City Plan Part One.

8. Notwithstanding the plans hereby approved, 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 DM33 of Brighton & Hove City Plan Part 2, and SPD14: Parking Standards.

9. The development hereby permitted shall not be occupied until the redundant vehicle crossover onto Bavant Road has been converted back to a footway by raising the existing kerb and footway.

**Reason:** In the interests of highway safety and to comply with policies DM33 of Brighton & Hove City Plan Part 2, CP9 of the Brighton & Hove City Plan Part One.

10. 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.

11. The development hereby approved should achieve a minimum Energy Performance Certificate (EPC) rating 'B'.

**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.

12. None of the residential units hereby approved shall be occupied until each residential unit built has achieved as a minimum, a water efficiency standard of not more than 110 litres per person per day maximum indoor water consumption.

**Reason:** To ensure that the development is sustainable and makes efficient use of water to comply with policy CP8 of the Brighton & Hove City Plan Part One.

13. The room labelled as a 'study' on the approved floorplan PL09 rev A received 7th September 2023 shall at no time be used as a primary bedroom.

**Reason:** To protect the amenity of future occupiers and to comply with Policies DM1 and DM20 of the City Plan Part Two.

14. The rooflights in the side elevations of the development hereby permitted shall be obscure glazed and non-opening and thereafter permanently retained as such.

**Reason:** To safeguard the privacy of the occupiers of the adjoining property and to comply with Policies DM20 of Brighton & Hove City Plan Part 2.

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 to contact the Council's Streetworks Team (permit.admin@brighton-hove.gov.uk 01273 290729) for necessary highway approval from the Highway Authority prior to any works commencing on the adopted highway to satisfy the requirements of the condition.
3. 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.
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.

## 2. SITE LOCATION

- 2.1. The application relates to a block of nine single-storey garages on a back-land site accessed from Bavant Road. The site adjoins the rear boundaries of properties on Bavant Road, Preston Drove and Harrington Villas. The area is verdant in character, comprising predominantly residential buildings set in spacious plots. There are two nurseries to the north and south of the site.
- 2.2. The site is located within the Preston Park Conservation Area.

## 3. RELEVANT HISTORY

- 3.1. **BH2022/03434** - Erection of 2no. two storey two bedroom dwellings (C3) with associated landscaping and cycle parking to replace existing garage block. Refused, appeal submitted. The reason for refusal was:  
*“The proposed dwellings, by reason of their depth and full two-storey scale, would appear as intrusive and incongruous additions to the back-land site, at odds with the character of the area and the type of development that would be expected in this back-land location. In addition, the height, depth and proximity to the site boundaries of the two-storey flank walls would have a harmful impact upon the amenity of neighbouring residents by way of being overbearing and resulting in a degradation of outlook. The proposal is therefore contrary to Policy CP12 of the City Plan Part One and Policies DM18 and DM20 of the City Plan Part Two.”*

3.2. **PRE2022/00067** - Proposed development of site with 2 x three-bedroom dwellings Response issued

3.3. **BH2010/02615** - Outline application for the erection of 1no detached three bedroom house and 2no two bedroom semi-detached houses. **Refused, appeal dismissed**

#### **4. APPLICATION DESCRIPTION**

4.1. Planning permission is sought for the replacement of the existing garages with two residential dwellings. The proposals would take the form of semi-detached chalet-style bungalows., finished in brick with tiled roofs. The dwellings would each have two bedrooms and would have south-facing rear gardens.

4.2. The plans have been amended since the initial submission to revise the proposed roof form and layout.

#### **5. REPRESENTATIONS**

5.1. The application was first advertised in July 2023. Upon receipt of amended plans the application was then re-advertised in September 2023.

5.2. A total of **Twenty-nine (29)** letters of objection have been received, raising the following points:

- Loss of daylight
- Poor design, harm to conservation area
- Disturbance during construction
- Overdevelopment
- Poor standard of accommodation
- Harm to ecology and nearby trees
- Not substantially changed since previous refused applications
- Lack of vehicle access, including for emergency vehicles
- Overlooking
- Questions regarding strength of western boundary wall
- Queries regarding capacity of sewers
- Loss of garages
- Light spill from the access path
- Asbestos in garages
- Inaccuracies on plans

5.3. Additional points made during the re-advertisement in September 2023 include:

- The amendments are minor and do not address all the concerns raised
- More rooflights will create further overlooking

5.4. **Councillor Pickett** has objected to the application and asked for it to be heard at Planning Committee. A copy of this objection is attached to this report.

- 5.5. Full details of representations received can be found online on the planning register.

## 6. CONSULTATIONS

- 6.1. **East Sussex Fire and Rescue:** No comment received
- 6.2. **Environmental Health:** No objection  
There is a risk of contamination from this site due to the former use as garages. A contamination assessment should be secured by condition.
- 6.3. **Heritage:** No objection  
The proposed development is to the rear of unlisted buildings and should not be visible from within the conservation area, therefore there is no objection to the scheme on heritage grounds.
- 6.4. **Sustainable Transport:** No objection  
Cycle parking and the reinstatement of the crossover back to a footway should be 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 Joint Area Action Plan (adopted October 2019).

## 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
CP15	Heritage

Brighton & Hove City Plan Part Two

DM1	Housing Quality, Choice and Mix
DM18	High quality design and places
DM20	Protection of Amenity
DM22	Landscape Design and Trees
DM26	Conservation Areas
DM33	Safe, Sustainable and Active Travel
DM37	Green Infrastructure and Nature Conservation
DM41	Polluted sites, hazardous substances & land stability
DM43	Sustainable Drainage
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. The main considerations in the determination of this application relate to the principle of the development, the design, appearance and Heritage impact of the proposals, and the impact upon neighbouring amenity. The standard of accommodation to be provided and sustainable transport matters are also material considerations.

**Principle of 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. 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.
- 9.3. 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. No objection in principle is raised to the development of the site for residential purposes. The provision of two additional dwellings would make a contribution towards the housing supply of the city at a time when the Council is unable to demonstrate a five-year supply of housing.
- 9.6. The proposal achieves a density of 39dph (dwellings per hectare). This is below the density target of 50dph identified within Policy CP14, however it is considered that any additional number of dwellings on site would be incongruous with the urban grain of the area and would give rise to further concerns regarding the impact upon neighbours.

**Design and Appearance:**

- 9.7. When considering whether to grant planning permission for development in a conservation area the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 9.8. Case law has held that the desirability of preserving or enhancing the character or appearance of a conservation area must be given "considerable importance and weight".
- 9.9. No objection is raised to the loss of the existing garages on design grounds. These are nondescript single-storey structures that do not contribute positively to the character of the area.
- 9.10. The proposed building as amended comprises a semi-detached pair of single-storey dwellings. There would be further accommodation within the hipped roof form, which includes front and rear dormers and side rooflights. The dwellings would each have a side porch and would be finished in brick and tile hanging, with a tiled roof.
- 9.11. The ridge height of the proposed building would be 5.5m compared to the 8.2m of the refused scheme, with an eaves height of 3.5m compared to 5.3m.
- 9.12. The surrounding area is characterised by spacious gardens and occasional low outbuildings. It is considered that the scale of the proposals (reduced from two storeys at the previous application) is acceptable for its back-land location, achieving the necessary subservience to the established surrounding built form and reducing its intrusiveness within its setting.
- 9.13. The visibility of the proposals from the public realm would be limited, available only in glimpsed views. The proposed material finish would relate well to the surrounding buildings and would be in keeping with the character of the Conservation Area. In accordance with the views of the heritage consultee it is considered that the proposal would not be harmful to the Preston Park Conservation Area. The impact in heritage terms is considered to be neutral, with neither the existing or proposed buildings having a significant visual presence within the conservation area. Whilst the Conservation Area would not necessarily be enhanced, it would be preserved and this would be in accordance with Policy DM26.

9.14. It is therefore considered that the current application has positively responded to the design-based parts of the reason for refusal of the previous application. The scheme as proposed is considered to be an acceptable addition to the site that would not relate poorly to its surrounds, and would not have a harmful impact upon the Preston Park Conservation Area.

9.15. No conflict with Policies CP12 and CP15 of the City Plan Part One and Policies DM18 and DM26 of the City Plan Part Two is therefore identified. Conditions are recommended to secure full details of the material finish for the dwellings, and to secure details of boundary treatments.

**Landscaping:**

9.16. A full landscaping scheme is recommended to be secured by condition. This would include the access path and planting across the site.

9.17. There are mature trees surrounding the site, particularly towards the southern boundary. No Tree Survey has been provided and the Council's Arboriculturist has not assessed the proposals. However, the proposed dwellings would be located towards the northern end of the site, away from the most substantial trees. A condition is recommended to secure a comprehensive Tree Protection Plan prior to the commencement of development to ensure these trees are not damaged during construction.

**Impact on Amenity:**

9.18. Policy DM20 of the City Plan Part Two states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

9.19. The proposed dwellings are not anticipated to result in an unacceptable increase in noise or disturbance for neighbours. With two bedrooms each, the proposed dwellings would be modest in terms of the likely number of occupants and relative to the potential of the existing use as nine garages, the number of comings and goings is unlikely to be increased.

9.20. The proposal includes two side-facing windows at ground floor level. These would look out onto the boundary wall and as such would not give rise to overlooking concerns. The concerns raised in public representations regarding the addition of rooflights at first floor level are noted however the applicant has confirmed these are to be obscure glazed and non-opening which would be secured by condition.

9.21. The windows in the front and rear dormers would face north and south with louvres to obstruct oblique views east or west. As such these windows would not afford views towards the closest neighbours to the east and west. Views to the south would be obstructed by the significant trees on this boundary, and there would be a separation of 25m to nearest neighbour that would be overlooked to the north (which is a nursery).

- 9.22. No concerns are held regarding direct overshadowing or loss of light to neighbouring windows, as the proposed dwellings would have a single-storey flank with an eaves height of 3.5m, and would be spaced approximately 19m from the neighbouring building facades.
- 9.23. It is considered that the reduced scale of the building has addressed previous concerns regarding overshadowing of garden areas. Whilst the flank walls would be increased in breadth (11m compared to 9m previously), their significantly reduced height (3.3m compared to 5m previously) is considered to help compensate for this.
- 9.24. Whilst the proposals would remain visible in views from neighbouring dwellings, it is considered that due to its reduced height the scheme would no longer constitute a dominant, oppressive or otherwise harmful feature in this outlook, and would not cause harm in this respect.
- 9.25. The proposals are therefore considered unlikely to result in a significant harmful impact upon the amenity of neighbouring occupiers and would not be contrary to Policy DM20 of the City Plan Part Two.

**Standard of Accommodation:**

- 9.26. The proposed dwellings would have mirrored layouts, each providing 97sqm of gross internal area spread over two storeys. The dwellings would comprise a bedroom, kitchen and dining/living space on the ground floor and a bedroom and study on the first floor. The first floor rooms would have significant amounts of sloping ceilings, reducing the useable proportion of floorspace in these rooms.
- 9.27. The ground floor bedroom would be 11.8sqm in area, the first floor bedroom would be 8.6sqm in area (with 2m or more of headroom) and the study would be 5sqm in area (with 2m or more of headroom). The study is considered not to be suitable for use as a third bedroom due to its limited size, and a suitably worded condition is recommended to restrict this.
- 9.28. Notwithstanding the sloping ceilings, all habitable rooms would be of regular proportions allowing space for furniture and circulation, and each habitable room would benefit from at least one window providing access to outlook. Access to natural light would be slightly restricted, particularly at first floor level due to the proposed layout and the location of the dormer windows. The proposed rooflights would assist, albeit only to a moderate extent due to these being obscure glazed.
- 9.29. It is recognised that the proposals represent a compromise between providing generous internal natural light and minimising any impact on neighbouring privacy that additional fenestration might incur. Overall, it is considered that the proposals strike a reasonable balance in this regard and that future occupiers would not suffer significant harm to their amenity due to inadequate natural light.
- 9.30. The proposals would comply with the Nationally Described Space Standards (NDSS) in terms of Gross Internal Area (GIA), headroom and storage.

9.31. The proposed dwellings would each have access to approximately 70-80sqm of private outdoor amenity space in the form of a rear garden. This is considered commensurate to the scale of dwelling proposed.

9.32. Overall, the proposed dwellings are therefore considered to provide an acceptable standard of accommodation in accordance with Policies DM1 and DM20 of the City Plan Part Two.

**Sustainable Transport:**

9.33. A TRICS survey identifying predicted vehicle movements to/from the site has been submitted and reviewed by the Local Highway Authority consultee. The proposals are considered likely to result in a reduction in trips to the site over the existing use as garages so is considered acceptable in this regard.

9.34. The existing garages provide space for nine cars to park on site, and their loss would result in some overspill demand. The site is located within a Controlled Parking Zone (CPZ 10) and as such any increase in demand for on-street parking permits can be managed by the Council in its capacity as Local Highways Authority. The Travel Survey submitted by the applicant confirms there is sufficient capacity on the nearby streets to accommodate this demand.

9.35. The proposed access to the dwellings is pedestrian only, via the existing (currently vehicular) access from Bavant Road. Gates, piers, and planting are proposed to be installed to narrow the access path. A condition is recommended to secure the reinstatement of the redundant crossover back to a footway.

9.36. The site is proposed as car-free, with no on-site car parking. This is considered acceptable in accordance with SPD14 maximum standards. As above, the site is located within a Controlled Parking Zone (CPZ) and as such any increase in demand for on-street parking permits can be managed by the Council in its capacity as Local Highways Authority. The Transport consultee has confirmed that CPZ 10 currently has a permit uptake rate of 50% and considers there is sufficient capacity on-street to accommodate the demand likely to arise from the development.

9.37. Cycle parking is proposed in the rear gardens, to be accessed via the side passages. These passages are 1.3m and 1.0m in width at the narrowest point which is too narrow for cycles to be wheeled through in an accessible and convenient manner. A revised location for the cycle parking is recommended to be secured by condition.

**Sustainability:**

9.38. Energy and water efficiency standards in accordance with Policy CP8 and Policy DM44 can be secured through suitably worded recommended conditions.

**Other Considerations:**

9.39. A condition requiring at least one bee brick has been attached to improve ecology outcomes on the site in accordance with the Policy CP10 of the Brighton & Hove City Plan Part One and Supplementary Planning Document SPD11 Nature Conservation and Development.

## **10. COMMUNITY INFRASTRUCTURE LEVY**

- 10.1. 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. 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.

## **11. CONCLUSION**

- 11.1. The proposal is considered acceptable in principle. It is further considered that the current application has positively responded to the reason for refusal of the previous application through its significant reduction in scale. Matters relating to design, amenity, standard of accommodation and transport are considered acceptable, subject to the recommended conditions.

## **12. EQUALITIES**

- 12.1. The proposal is not easily accessible for mobility impaired occupants/visitors, due to the absence of disabled parking on site and the length of the pedestrian access route from the highway.

