

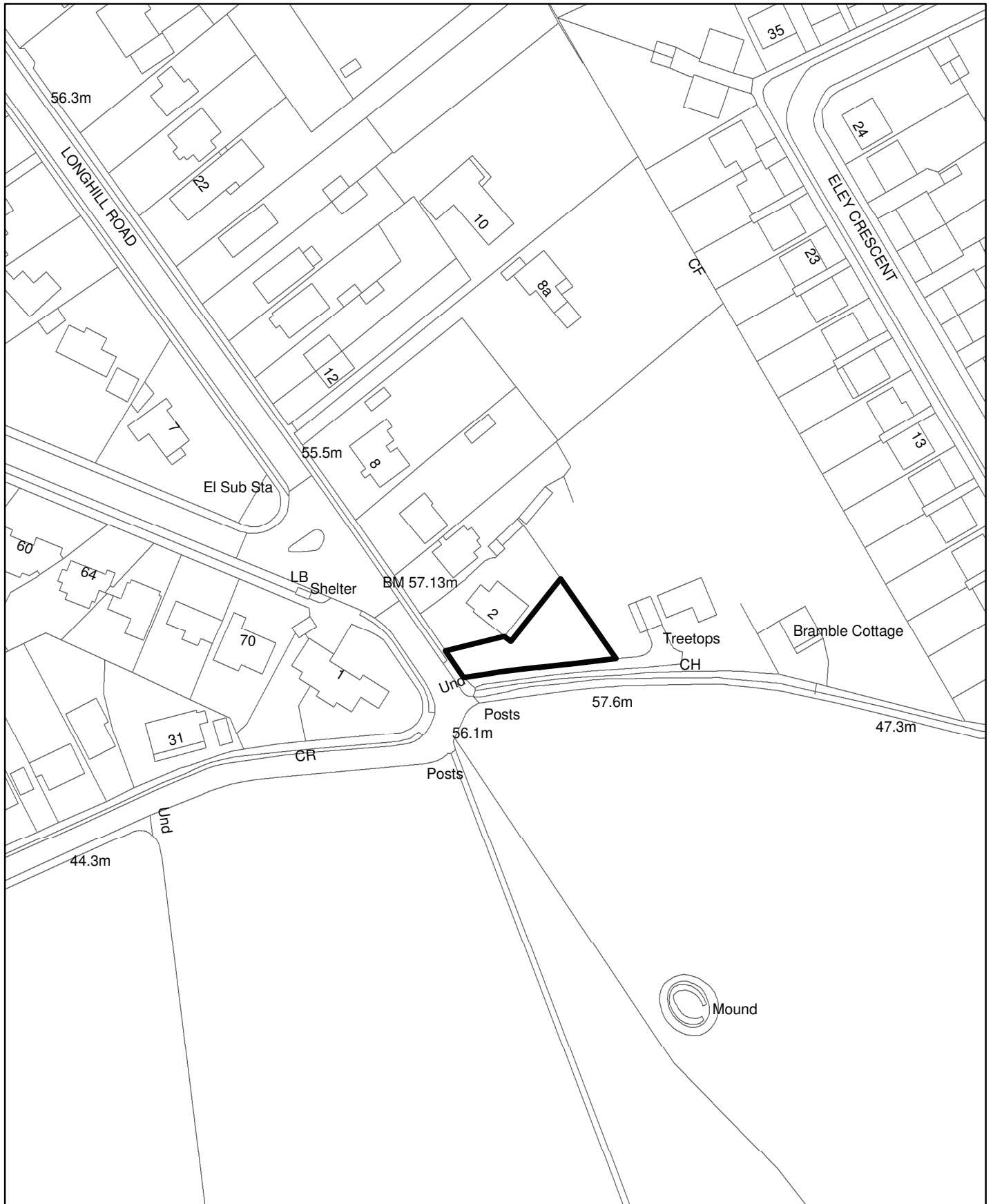
**PLANS LIST  
ITEM I**

**Land adjacent to 2 Longhill Road, Brighton**

**BH2012/01652  
Full planning consent**

**29 AUGUST 2012**

# BH2012/01652 Land adjacent to 2 Longhill Road, Brighton.



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2012/01652</b>	<b><u>Ward:</u></b>	<b>ROTTINGDEAN COASTAL</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Land adjacent to 2 Longhill Road, Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of a new two storey dwelling.</b>		
<b><u>Officer:</u></b>	Chris Swain Tel: 292178	<b><u>Valid Date:</u></b>	13/06/2012
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	08/08/2012
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Landivar Architects Ltd, Former Ironworks, Cheapside, Brighton		
<b><u>Applicant:</u></b>	Mr Derek Thompson, C/O Landivar Architects Ltd		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **REFUSE** planning permission for the reason(s) set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site relates to a plot of land adjacent to No. 2 Longhill Road to the north east of Longhill Road on the junction with Beacon Hill. The land, formally party of the garden of No.2 is enclosed by both a timber fence to the north and a mature hedge to the rear and south. To the south of the plot is an access drive to the two properties to the east, Treetops and Bramble Cottage, and beyond this the South Downs National Park. A number of foundation trenches have been dug on the site.

## 3 RELEVANT HISTORY

**BH2010/03582:** Certificate of lawfulness for proposed development consisting of the erection of a single two storey dwelling house with new access off Longhill Road in accordance with planning permission reference BH2006/02525 as granted by Inspector's decision letter dated 21 March 2007. Approved on 14 December 2010.

**BH2010/00625:** Extension to time limit for planning permission BH2006/02525. Withdrawn 17 December 2012.

**BH2006/04211:** Construction of a two-storey, four bedroom detached house with new access from Longhill Road (Resubmission of refused application BH2006/02525). Refused on 16 February 2007.

**BH2006/02525:** Construction of a two storey detached house with new access from Longhill Road. Granted on appeal on 21 March 2007.

## 4 THE APPLICATION

- 4.1 Planning permission is sought for the creation of a new two storey, timber clad dwelling. The dwelling would be based loosely on an L-shaped design, approximately 12.5m in depth and 14m in width at the farthest points of the

building. It would include 4 bedrooms at ground and first floor level with additional floorspace at basement level. There would be a terraced area to the front of the property.

## 5 PUBLICITY & CONSULTATIONS

### External

5.1 **Neighbours: Four (4)** letters of representation have been received from **50 Ainsworth Avenue, 9 Longhill Road (x2), Threeways, Ovingdean Road, objecting** to the application for the following reasons:

- Inappropriate design, out of character with the neighbourhood and South Downs National Park,
- The siting of the proposal on a tight bend would result in danger to road users and pedestrians,
- Overshadowing and loss of light to the neighbouring property,
- Increased parking stress.

5.2 The **Ovingdean Residents and Preservation Society object** to the proposal on the grounds that it would terminate the most important uninterrupted green ridge view from the SDNP. The incongruous design would result in a futureless box, with alien materials that would harm the character and appearance of the surrounding area.

5.3 **Twenty six (26)** letters of representation have been received from **72 Cobden Road (x2), 33 Holland Street, 1 Somerhill Avenue, 29 Billy Lows Lane (Potters Bar), 14 Westbourne Villas, 103 Holland Road, Ivy Cottage, Pad Hams Green (Mountnessing), 95 Bounds Green Road (London), 37 Luther Street, 10 Park Gate, Somerhill Road, Kents Farm Cottage, Strethall Road (Littlebury), 70 Rylans Road, 40 Womerseley Road (London), Perrylands Farm, 13 Argyle Road, 22 Palmeira Square, 18 Woodman Mead (Warminster), 32 Aldrington Avenue, 13 Gordon Road (Burgess Hill), Foxes Heath Road, (Ramsdean Heath), 12A Hanover Lofts, Finsbury Road, 26 Frederick Road (Birmingham), 32 Albion Hill and 3 unspecified addresses supporting** the application for the following reasons:

- High level of sustainable design,
- Good biodiversity credentials,
- Contemporary design considered appropriate in this location,
- Innovative and imaginative design.

### Internal:

5.4 **Environmental Health: No comment.**

5.5 **Sustainable Transport: No objection.** The applicant indicates that they intend to provide 4 cycle parking spaces, which is welcomed. The applicant has not provided any detailed drawings in relation to the nature of the stands. The Highway Authority are confident that cycle parking to the proposed level can be accommodated within the red line boundary, and would therefore recommend that this is secured by condition.

- 5.6 The applicant proposes to implement a new vehicle crossover from Longhill Road, this is considered to be acceptable.
- 5.7 To comply with the Brighton & Hove Local Plan 2005 policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions approved by Cabinet on the 17th February 2011 the applicant is expected to make a financial contribution of £1,500. While it is acknowledged that the Temporary Recession Relief Measures are in place and this contribution will not be sought these comments are included as the recession measures are only temporary.
- 5.8 **South Downs National Park:** It is acknowledged that the site lies on the edge of Ovingdean but given it is located in a residential area and would be seen against a backdrop of surrounding residential properties from views within the National Park, it may not appear overly prominent within the wider landscape as the plans show it to be a comparative height to no. 2 Longhill Road and there is a high hedgerow alongside the footpath immediately south of the site.
- 5.9 A new dwelling has previously been permitted on this site which is higher and of a different design, albeit the dwelling now proposed appears to be of a greater bulk and massing. The visual impact upon the wider setting of the National Park should be a consideration for development close to its boundary, in order to conserve and enhance its natural beauty (the first purpose of designating a National Park). In this regard, no objection is raised as its visual impact is likely to be mitigated by its proposed height and siting where the dwelling would be seen in the context of surrounding residential properties when viewed from public footpaths to the south, within the Park. Its bespoke contemporary design may, however, draw walkers' attention to the property rather than its scale and therefore, subject to your consideration on whether it is in keeping with the character and appearance of the area, appropriate materials should be used to ensure it integrates with its surroundings.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- The Regional Spatial Strategy, The South East Plan (6 May 2009);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999);
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006);
  - Brighton & Hove Local Plan 2005 (saved policies post 2004).
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.

- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.5 All material considerations and any policy conflicts are identified in the considerations and assessment section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Strategic Impact
QD5	Design – Street frontages
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes
NC5	Urban Fringe
NC7	Sussex Downs Area of Outstanding Natural Beauty
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty

#### Supplementary Planning Guidance:

SPGBH4 Parking Standards

#### Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application are the planning history, the impact of the development upon the character and appearance of the site and the surrounding area, amenity issues, traffic issues, sustainability and waste minimisation.

### **Planning History**

- 8.2 Two previous applications for a new residential dwelling have been refused on the site (applications BH2006/02525 and BH2006/04211). It was considered that the proposals asymmetrical design, external appearance and materials and plot coverage, would be visually incongruous and out of character with the existing pattern of development in the area. Application BH2006/02525 was subsequently allowed on appeal on 21 March 2007. An application for a certificate of lawfulness for the proposed development (BH2006/02525) was granted on 14 December 2010 as it was considered that the development had commenced by virtue of the digging of the foundations. As such there is a commenced consent for the two storey dwelling proposed in BH2006/02525. Since permission was granted for application BH2006/02525 the adjoining land to the south is now within the South Downs National Park.

### **Principle of Use**

- 8.3 The site is currently in residential use and is located within the Built-up Area as designated in the Brighton & Hove Local Plan, albeit on the boundary with designated countryside within the South Downs National Park. As discussed in the planning history section there is a commenced consent, therefore there is no objection to the principle of a residential dwelling on the site. However, this is subject to the provision of a suitably designed building that does not cause detriment to the existing street scene or the South Downs National Park, does not harm neighbouring amenity and provides quality living conditions for future occupiers.

### **Design**

- 8.4 The proposed dwelling would be sited on the same general building line as the adjoining property to the north, No.2 Longhill Road and also with the neighbouring property to the east, Treetops. The commenced consent is set out over two floors, ground and first, with the main angled, mono pitch roof resulting in a significantly smaller floor area at first floor level. The proposed scheme would add a basement level to the scheme and also a larger floor area at first floor.
- 8.5 The current scheme consists of a box like structure at ground floor level, loosely L-shaped in design with the main frontages aligned with the frontage of the adjoining property, No.2 and the driveway to Treetops and the SDNP to the south. At first floor level would be another full height storey, fronting the SDNP. On the elevation fronting No.2 Longhill Road the first floor would be set in a further 1.2m from the side elevation and 3m from the front elevation. This element would be predominantly glazed and set down 0.8m from the main southern section of the building. The light shaft for the stairwell would protrude out a further 0.3m above the highest part of the roof. The building would be predominantly finished with dark timber cladding. The proposed fenestration would protrude out slightly from the elevations and would be of both vertical and horizontal emphasis.
- 8.6 The proposal is considered to have a bulky, overly dominant appearance, especially when viewed from the National Park and would detract from the visual amenity of the area.

- 8.7 Whilst the floor area of the proposal is similar to the floor area of the commenced scheme at ground floor level the footprint at first floor level is much larger than the commenced scheme and this in conjunction with the L-shaped design which is wider and deeper at the extremities of the building than the commenced scheme, would appear larger in scale from views from both the west and the south.
- 8.8 Whilst the existing residential development in the vicinity does not follow a uniform design, it is characterised predominantly by detached houses and bungalows of traditional appearance with pitched roofs. Any development on the site would need to respect this existing character of surrounding development, provide a suitable 'end' to the residential development along Longhill Road as it adjoins the adjacent SDNP. An inspector has already considered a contemporary design acceptable however it should be in character. The Inspector considered that the distinctive asymmetrical, mono-pitched roof of the commenced scheme was in keeping with some of the more diverse buildings in the area which he described as having large roof planes, balconies and a lightweight appearance which responded to the coastal location. It is considered that any contemporary scheme should respect the existing built form in regards to the roof treatment. The flat roofed design of the current scheme would be an alien roof form within the surrounding area and at odds with the existing roofscape.
- 8.9 Whilst the consent has an awkward, asymmetrically design with a dominant mono pitched roof it does still appear predominantly as a single storey dwelling with accommodation in the roof and in this regards has an acceptable relationship to the adjoining property, No.2 Longhill Road. The current scheme appears clearly as a two storey dwelling and the additional bulk and mass, on this relatively confined site would result in an overly dominant building in this prominent location. The proposal would also appear larger and more bulky than the adjoining property, No.2 impacting adversely on street scene views from the north and west.
- 8.10 The surrounding properties are predominantly brick built or rendered with tiled roofs. The use of dark stained timber cladding throughout would further accentuate the boxy and bulky design and further detract from the appearance of the property and the surrounding area.
- 8.11 The highest and bulkiest part of the building would be situated adjacent to the SDNP and would provide an abrupt termination of the building that would detract from the visual amenity of the area. Rather than attempting to blend in with the natural environment on this urban fringe the elevation adjacent to the National Park is the dominant element of the design, and appears out of context with its surroundings.
- 8.12 It is noted that the South Downs National Park Planning Authority have not objected to the scheme and have stated that subject to appropriate materials it would be viewed against a backdrop of existing residential development. These



comments are noted, though it is considered that the proposal would still result in a degree of harm to the National Park due to its overly dominant appearance.

- 8.13 In design terms, the overall composition of the building appears disjointed with the separate flat roofed elements at different heights and set backs at odds with each other. The protruding stairwell would further add to the awkward design as would the lack of cohesion in the fenestration and the proposed shutters. The windows have both horizontal and vertical emphasis, whilst some are flush and other protruding. These elements result in a somewhat ad hoc appearance which fails to result in a coherent and easily read overall design.
- 8.14 No details have been provided for the proposed solar panels to the flat roof and their impact on the design cannot be assessed.
- 8.15 Overall, it is considered that the proposed dwelling is both poorly designed and would relate poorly to the existing residential form within the area as well as the context of the site.
- 8.16 Whilst an appropriate contemporary design may be acceptable in this location, the proposed design must respect the character of the area and the context of the site. The proposal would be significantly bulkier than the extant permission, especially on the boundary with the SDNP and would result in an incongruent, boxy structure that would detract from the appearance and character of the surrounding area and the SDNP.

**Impact on Amenity:**

- 8.17 No significant impact on neighbouring residential amenity has been identified. The proposal would be set 1.6m away from the boundary with No.2 Longhill Road. This would be 0.7m further away from the boundary than the consented scheme and whilst the proposal has a bulkier form at first floor level it is set in a sufficient distance from the boundary to ensure that there would not be any significant overshadowing or loss of light to this property.
- 8.18 The existing boundary fence shared with No.2 would ensure that there would be not be any significant overlooking into the adjoining property from the ground floor level windows and doors to the rear. Whilst the first floor kitchen window would be sited closer to the boundary than in the consented scheme it is not considered to result in any significant or increased loss of privacy.
- 8.19 The proposal would be sited over 20m away from the residential property to the east (Treetops) which would also be screened by an existing outbuilding and there is not considered to be any significant loss of privacy to this property. Whilst there would be some longer views afforded to the garden of Treetops they would be largely screened by the existing trees on the boundary.
- 8.20 Furthermore, a significant degree of screening would be provided by the proposed landscaping works on the boundaries to both No.2 Longhill Road and Treetops. Landscaping works would be controlled by condition if the application was acceptable in all other regards.

8.21 The terraced area to the front elevation is set approximately 6m from No.2 Longhill Road. Whilst there would be views afforded to the front garden and oblique views to the two dormer windows it is not considered that there would be a significant detrimental impact on the privacy of the adjoining property. Furthermore, it is not considered to result in any significant noise disturbance to the adjoining properties.

**Living Conditions for Future Occupiers**

8.22 Policy HO5 requires the provision of usable private amenity space in residential development, appropriate to the scale and character of the development and QD2 relates to key principles for neighbourhoods. The proposal would provide an adequate private outdoor garden space to the rear.

8.23 Policy HO13 requires residential units to be lifetime homes compliant, new residential dwellings should fully comply with the standards. The applicant has submitted a Lifetime Homes Standard checklist and on examination of the plans, the scheme appears to be acceptable.

8.24 Policy QD27 will not permit development which would cause a material nuisance or loss of amenity to the proposed, existing and/or adjacent users, residents or occupiers where it would be liable to be detrimental to human health. The proposed resultant dwelling is considered to provide a good standard of living accommodation for future occupiers with a satisfactory floor area, providing adequate levels of light and ventilation to the majority of the accommodation with the exception of some of the basement accommodation. The standard of accommodation at basement level would be of a poorer standard with natural light provided by a single lightwell to the front elevation and with no natural ventilation or outlook. The main living area is located at first floor level and the rooms at basement level are generally considered to be of a secondary nature and this arrangement is considered to be acceptable.

8.25 There are no windows to the elevation adjoining No.2 Longhill Road and whilst there would be a degree of overlooking to the garden from No.2 there is considered to be an acceptable level of privacy for future occupiers.

8.26 The proposed house would therefore provide suitable living conditions for future occupiers.

**Sustainable Transport:**

8.27 Policy TR1 confirms that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling.

8.28 Policy TR2 relates to public transport accessibility and parking and confirms that permission will only be granted where the development proposal has been assessed to determine the level of accessibility to public transport.

8.29 The provision of one car parking space is acceptable for this site, outside of a controlled parking zone and the application accords with the guidance set out in the Supplementary Guidance on Parking Standards (SBGBH4).

- 8.30 In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. Whilst the applicant has stated that they would provide parking provision for 4 cycles, no detailed information has been submitted. It is considered that suitable secure storage could be accommodated on site and if the application were to be acceptable in all other regards this could be secured by condition.
- 8.31 The comments from the Sustainable Transport Team are noted, requiring a sustainable transport contribution. Current recession measures mean that such requests for contributions are not being pursued for schemes under 5 units or accommodation and as such no such request has been made of the applicant.
- 8.32 Whilst there have been objections received stating that the siting of the access on the corner of Longhill Road and Beacon Hill could result in potential danger to road users, the Sustainable Transport team have not raised this as a concern. The access arrangements are already approved as part of the commenced consent.

**Sustainability:**

- 8.33 Policy SU2 of the Brighton & Hove Local Plan requires new development to demonstrate efficiency in the use of energy, water and materials.
- 8.34 The applicant has provided information stating that Level 5 of the Code for Sustainable Homes would be met. The Sustainability Checklist outlines that the building would be orientated to make the best use of solar gain, include photo voltaic panels to the roof and other suitable water and energy conserving features. It is considered that the building could achieve Code Level 5 and this would be secured by condition if the application was acceptable in all other regards.
- 8.35 SU2 requires all dwellings to provide secure refuse and recycling storage. No precise details are provided for where this would be located. There is considered to be sufficient space on site and details could be secured by condition if the application was acceptable in all other regards.
- 8.36 It is considered that adequate information has been provided to demonstrate compliance with SU2 and SPD 08.
- 8.37 Policy SU13 and the Supplementary Planning Document on Construction and Demolition Waste seek to reduce construction waste and require a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme in order to reduce the amount of waste being sent to landfill. Information has been submitted with the application to demonstrate how these requirements have been met, in the form of a waste minimisation statement and it is considered that the proposal adheres to policy SU13 and SPD03.

Ecology/Nature Conservation:

- 8.38 The applicant has provided information on a planting/landscaping scheme and also for the addition of bat and bird boxes to the building. These details are welcomed and could be secured by condition if the application was acceptable in all other regards.

**9 CONCLUSION**

- 9.1 The proposed dwelling, by reason of its design, massing, bulk and materials, would result in an overly dominant and visually incongruous development that fails to relate to the context of the site and detracts from the character and appearance of the surrounding area and the setting of the South Downs National Park.
- 9.2 The disjointed composition and form of the building, in conjunction with the abstract window arrangement would result in a poorly designed building that detracts from the appearance and character of the site.

**10 EQUALITIES**

- 10.1 None.

**11 REASON FOR REFUSAL / INFORMATIVES**

11.1 Reasons for Refusal:

1. The proposed dwelling by reason of its design, massing, bulk, scale and materials, would result in an overly dominant and visually incongruous development that would detract from the character and appearance of the surrounding area and the setting of the South Downs National Park contrary to policies QD1, QD2, QD5 and NC8 of the Brighton & Hove Local Plan.
2. The proposed dwelling, by reason of its disjointed composition and form and an incoherent fenestration layout would result in a poorly designed and detailed building that detracts from the appearance and character of the site, contrary to policy QD1 of the Brighton & Hove Local Plan.
3. The proposed dwelling, by reason of the inappropriate flat roof would result in an incongruous roof form, out of character with the prevailing roof form of the residential buildings within the surrounding area, contrary to policies QD1, QD2, QD5 and NC8 of the Brighton & Hove Local Plan.

11.2 Informatives:

1. This decision is based on the drawings listed below:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	A.01		29 May 2012
Existing site plan	A.02		13 June 2012
Proposed elevations	D.01		29 May 2012
Proposed plans	D.02		13 June 2012
Proposed landscaping plan	D.03		29 May 2012
Strategic view within national park	D.04		29 May 2012
Strategic view on boundary	D.05		29 May 2012
Proposed elevations	D.06		13 June 2012