

**PLANS LIST  
ITEM G**

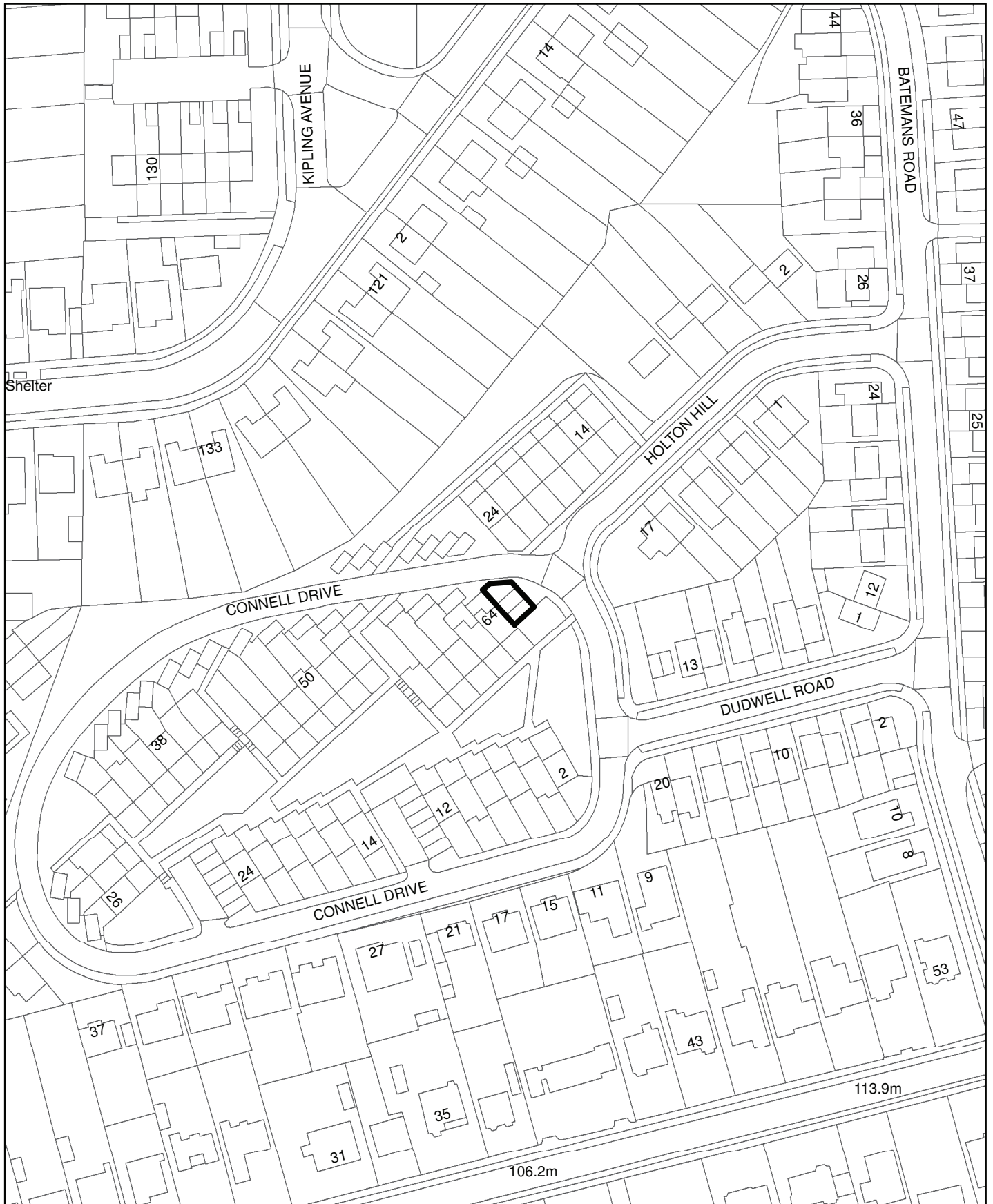
**Land adjoining 64 Connell Drive, Brighton**

**BH2012/01394**

**Full planning consent**

**21 NOVEMBER 2012**

# BH2012/01394 Land adjoining 64 Connell Drive, Brighton.



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

PLANS LIST – 21 NOVEMBER 2012

<b><u>No:</u></b>	<b>BH2012/01394</b>	<b><u>Ward:</u></b>	<b>WOODINGDEAN</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>Land adjoining 64 Connell Drive, Brighton</b>		
<b><u>Proposal:</u></b>	<b>Demolition of existing garages and erection of a 2no storey, 3no bedroom end of terrace dwelling.</b>		
<b><u>Officer:</u></b>	Wayne Nee Tel: 292132	<b><u>Valid Date:</u></b>	08/06/2012
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	03/08/2012
<b><u>Listed Building Grade:</u> N/A</b>			
<b><u>Agent:</u></b>	Mr Malcolm Lewis, Brgy Narra, San Manuel, Pangasinan, Phillipines 2438		
<b><u>Applicant:</u></b>	Mr G Wells, 12 Holton Hill, Brighton		

**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 reasons set out in section 11.

**2 SITE LOCATION & DESCRIPTION**

- 2.1 The application relates to a plot of land at the end of a terrace on the southern side of Connell Drive at the junction with Holton Hill. It is currently occupied by two garages that lead out onto Connell Drive. The land slopes downwards from southeast to northwest at this point.
- 2.2 The terrace consists of two storey properties with pitched roofs. The existing end of terrace property (64 Connell Drive) has a gable end with a blank brick side elevation. There is urban open space to the south-east of the properties, which also includes a section of open space to the side (south-east) of the garages which currently consists of dense hedging.

**3 RELEVANT HISTORY**

**66/745:** Erection of 41 two storey dwellings in terraced groups – granted 19/4/1966.

17 Holton Hill

**BH2007/03410:** Outline application for a pair of semi-detached houses. All matters reserved for further determination – refused 24/12/2007 (Appeal dismissed 24/11/2008).

**4 THE APPLICATION**

- 4.1 Planning permission is sought for the demolition of the existing garages and the erection of a two storey, 3 no. bedroom end of terrace dwelling.

4.2 The details are:

- Demolition of the existing garage on the site.
- Erection of a two storey, three bedroom house, which would be located on the side elevation of 64 Connell Drive.
- *Size:* The footprint of the building would be approximately 1.4m wider than the adjoining property, 64 Connell Drive. The roof would be pitched, extending the existing roof ridge of the group of terraces with a side gable.
- *Siting:* The dwelling would be in line with the front elevations of the existing group of terraces. At the rear, the dwelling would extend as far back as the existing rear elevation of 64 Connell Drive.
- *Fenestration:* At ground floor level there would be doors and windows on the front and rear elevations, with first floor windows on the front rear and side (north-east) elevations.
- *Materials:* Brickwork and tiles are proposed to match the existing properties in the terrace and the windows are proposed to have uPVC frames.
- *Amenity Space:* Front and rear gardens are proposed.
- *Car parking:* No car parking spaces are proposed.
- *Cycle storage:* Proposed for the rear garden area.
- *Refuse Storage:* Proposed for the rear garden area.

## 5 PUBLICITY & CONSULTATIONS

### External

5.1 **Neighbours: Three (3) letters of representation have been received from 62 Connell Drive and 17 & 24 Holton Hill objecting to the application for the following reasons:**

- Overlooking and loss of privacy to properties on Holton Hill;
- Loss of garden to 64 Connell Drive;
- Area already has parking problems – loss of garages would worsen this;
- Large lorries and building materials would increase danger;
- Location on bend would make road dangerous and congested for residents;
- Council refused planning permission for houses in garden of 17 Holton Hill on grounds of congestion.

### Internal:

5.2 **Access Officer: Comment.** There should be a weather protection canopy over the front entrance. There should be at least 300mm clear space, on the 'pull' side, at the leading edge of the entrance door and both kitchen doors. The minimum permissible unobstructed width of the hallway is 900mm. (The bottom stair reduces the hallway to around 700mm). The lounge door needs to have a clear width of at least 900mm (scales around 700mm). The kitchen door to the hallway needs to have a clear width of at least 750mm. (scales less than 700mm). The entrance door needs to have a minimum clear width of 800mm (scales around 750mm). The entrance level WC should be fully accessible with a width of at least 1400mm and at least 1100mm clearance in front of the WC. The drainage and the floor construction should be suitable to enable the future installation of a level entry shower. There should be at least 1100mm clearance in front of the first floor WC.

- 5.3 **Environmental Health:** Comment. A contaminated land discovery condition is recommended.
- 5.4 **Sustainability:** Support. Sustainability policy has been addressed well by the proposals, therefore approval is recommended. As a brown field site the sustainability standard expected is Code level 3. The proposals volunteer a Code 5 dwelling, with several positive features which include: greywater recycling and renewables in the form of a large solar array. It is recommended that a condition be used to secure the sustainability features proposed, including the greywater recycling and substantial solar PV and solar thermal array. Code level 3 should be conditioned 'as a minimum' as this is the standard required by SPD08 on brownfield land.
- 5.5 **Sustainable Transport:** Support. Recommended approval as the Highway Authority have no objections to this application.
- 5.6 *Car Parking* - The potential overspill car parking generated from the new residential unit and 64 Connell Drive (as the garages are to be lost) is not considered to have a significant impact upon parking stress in the local area.
- 5.7 *Cycle Parking* - The Highway Authority are confident that cycle parking to the minimum standards can be accommodated within the red line boundary, and would therefore recommend that this is secured via condition.
- 5.8 *Reinstatement of redundant crossing* - The Highway Authority would recommend that the existing crossover is reinstated back to footway via the inclusion of the suggested Grampian condition.
- 5.9 *Developer Contribution* - It is acknowledged that the Temporary Recession Relief Measures are in place.

## 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
TR2	Public transport accessibility and parking
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	Design – strategic impact
QD14	Extensions and alterations
QD15	Landscape design
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

#### Supplementary Planning Guidance:

SPGBH4	Parking Standards
--------	-------------------

#### Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 Matters relating to building works are not material planning considerations. The main considerations in the determination of this application relate to the principle of development on the site, the impacts of the proposed dwelling on the character and appearance of the street, the impacts on the amenities of adjacent occupiers, the standard of accommodation to be provided, and sustainability, transport and lifetimes home issues.

**Planning Policy:**

- 8.2 Policies QD1 and QD2 of the Brighton & Hove Local Plan seek to ensure all new development demonstrates a high standard of design and makes a positive contribution to the visual quality of the environment; with policy QD3 seeking to make efficient and effective use of sites, subject to the intensity of development being appropriate to the locality and/or the prevailing townscape.
- 8.3 Policy QD27 of the Brighton & Hove Local Plan 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.
- 8.4 Local Plan policy HO13 states that proposals for conversions and changes of use to provide residential accommodation will be expected to demonstrate that wherever it is practicable, Lifetimes Homes criteria have been incorporated into the design.
- 8.5 Policy SU2 of the Brighton & Hove Local Plan, including SDP08 'Sustainable Building Design', requires new development to demonstrate a high level of efficiency in the use of water, energy and materials.
- 8.6 Brighton & Hove Local Plan policy TR1 requires all new development to provide for the travel demand it creates, whilst policy TR14 requires that new development must provide covered cycle parking facilities for residents.

**Principle of Development**

- 8.7 The site is located within the Built-up Area as designated in the Brighton & Hove Local Plan and currently consists of attached garages. The loss of the garages would not materially impact upon parking provision in the area; therefore no objection to the demolition is raised in this instance. Residential use of the site would be consistent with the NPPF that encourages the effective use of land by reusing land that has been previously developed (brownfield land). The overall acceptability of development on this site would be subject to the provision of a suitably designed building which does not cause detriment to the existing street scene or to neighbouring living conditions, and which provides a suitable standard of living conditions for future occupiers.

**Design and Appearance:**

- 8.8 The proposed end of terrace property would have very similar dimensions, materials and detailing to the existing terraced properties that would ensure that it would blend in with the surrounding neighbouring properties. However it is the proposed siting and its impact on the wider street that is of concern.
- 8.9 The character of the estate are groups of terraced houses with spaces near the road for low structures such as flat roofed domestic garages, or additional open space. The existing site provides garage structures as well as open space between the terraced houses and the road. The Planning Inspector in a recent appeal decision for a proposed pair of semi-detached houses at no. 17 Holton

Hill referred to the importance of the open character and appearance of Holton Hill and Connell Drive.

- 8.10 The proposed dwelling would occupy a prominent position at a bend in the road, and the side elevation would be highly visible being located directly opposite the junction. The character of the road is different to front and rear; the front of the properties are grouped around grassed amenity areas and to the rear, Connell Drive at this point principally runs below the general level of housing to one side with garages to the other.
- 8.11 This is a site of limited size and it occupies a very prominent position at the junction of Connell Drive and Holton Hill. Its siting means that the dwelling would be visible from a number of vantage points. The sloping of the road down to the north-west adds to the prominence of the site from further down the road. The proposed dwelling in this position is considered to represent an overdevelopment of the site. The fact that the dwelling would be close to the bend in the road would only make this overdevelopment more prominent on the street scene.
- 8.12 The proposed front (south-east) elevation of the property would consist of a small window (serving a WC) next to a front door and a large window (serving the living room) on the ground floor. At first floor level, two windows are proposed to serve two bedrooms on the same front elevation. The proposed front elevation fenestration would not replicate the character of the terrace it would be connected to, of which, a centrally located first floor window, is an original and dominant feature. This in turn, reflects the fact that the footprint of the proposed dwelling would be approximately 1.4m wider than the adjoining property, furthermore supporting the contention that the proposal constitutes an overdevelopment of the site.
- 8.13 Overall, it is considered that the proposed development would significantly harm the character and appearance of the street scene, and as such it would be contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

#### **Standard of Accommodation**

- 8.14 The proposed building would accommodate a three-bedroom house with private amenity space in the form of an approximate 18 sq.m rear garden space. There would also be a front garden area with low lying brick boundary walls, although this forms part of the landscaping of the street and so the space has limited privacy.
- 8.15 The three-bedroom house as proposed forms a good sized standard of accommodation with adequate provision of natural light and ventilation. The proposal incorporates; level access; entrance level bed space; a ground floor WC and sufficient turning area for wheelchair users in many rooms. The entrance door and many of the internal doors do not appear to meet the minimum widths required. However these criteria could be met with a planning condition. As such, the application is considered to comply with policy HO13: Lifetime Homes Standards.



- 8.16 The level of private amenity space provided by the rear garden, however, is considered inappropriate in relation to the scale of the development. The other terraces along the group generally benefit from larger plot sizes, and so most of the other properties in the terrace, as well as the majority of properties on the estate, have substantially larger private amenity spaces.

**Impact on Amenity:**

- 8.17 Objections have been received on the basis of potential overlooking and loss of privacy to properties on Holton Hill. The proposed side and rear windows would have views towards this neighbouring street, as well as the front gardens and windows of properties to the north of the proposed dwelling. However these views would be from over the street nearly 10m away where there are upper floor windows of existing properties which have similar opportunities for overlooking. Therefore it is considered that any increase in overlooking would not be so significant as to warrant refusal of the application.
- 8.18 The views towards the rear gardens of neighbouring properties on Connell Drive would be similar to existing upper floor windows and so no significant overlooking issue is envisaged here.
- 8.19 Due to the proposed height of the dwelling and its siting in relation to surrounding properties, the proposed dwelling is unlikely to result in any overshadowing or loss of light to neighbouring residences.
- 8.20 The proposed dwelling would result in the reduction in size of the private amenity space of 64 Connell Drive. This property has rear extensions that have already resulted in the loss of part of the garden space. However the subdivision of the land in this way would result in a rear garden that would significantly reduce the amount of private outdoor space for occupants of no. 64 Connell Drive to enjoy. As such the proposal is considered contrary to policy QD27.

**Sustainable Transport:**

- 8.21 The Traffic Manager raises no objection to the scheme and takes the view the proposal would not significantly increase parking demand. This is subject to further details regarding cycle storage being provided and that the footway is reinstated as outlined in the consultation comments.
- 8.22 Objections have been raised by neighbouring residents over road safety and the current parking problems that the street has. It is considered that the result of the loss of two garage spaces would not significantly impact upon parking demand in the local vicinity.
- 8.23 Cycle storage is proposed for the rear garden however this is not shown the plans. Further information could be required by planning condition.

**Sustainability:**

- 8.24 Proposals for new build residential development of this size on previously developed land should include a completed sustainability checklist, should achieve Level 3 of the Code for Sustainable Homes, and should meet all

Lifetimes Homes Standards. The completed sustainability checklist details that the proposal would meet Code Level 5, to include greywater recycling, solar equipment and food growing facilities. The solar PVs are not shown on the plans but further information could be achieved through a planning condition. Subject to conditioning to ensure at least code level 3, it is considered that the proposal is in line with the requirements of SPD08.

- 8.25 Policy SU2 requires all new developments to make provision for adequate refuse and recycling storage facilities. The applicant has identified the rear garden for the location for bin storage. However further details for this could be conditioned.

Waste Management:

- 8.26 Policy SU13 and Supplementary Planning Document 03 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. The submitted statement acceptably details how waste is to be minimised during demolition and construction works with regard to this policy.

## **9 CONCLUSION**

- 9.1 In conclusion it is considered that the proposed building, by virtue of the limited plot size as well its positioning and projection towards the bend in the street, would create a cramped form of development that be an incongruous addition on the road junction. Further, it is considered that the proposal makes insufficient allowance for private amenity space for future occupiers of the application property, as well as the significant reduction in private amenity space for the occupants of 64 Connell Drive. As such, the application is considered contrary to policies QD1, QD2, QD3, QD27 and HO5 of the Brighton & Hove Local Plan.

## **10 EQUALITIES**

- 10.1 The proposed dwelling would comply with policy HO13: lifetime homes standards subject to a planning condition.

## **11 REASONS FOR REFUSAL / INFORMATIVES**

11.1 Reasons for Refusal:

1. The proposed building, by virtue of the limited plot size and uncharacteristic design as well its positioning towards the bend in the street, would create a cramped form of development would be an incongruous addition on the road junction. The proposal would be an overdevelopment of the site thereby detracting from the character and appearance of the surrounding area, contrary to the policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.
2. The proposed development makes insufficient provision of private amenity space for the future occupiers of the dwelling. Furthermore the proposal

## PLANS LIST – 21 NOVEMBER 2012

would result in a substantial loss of rear garden space for occupiers of the existing end of terrace property at 64 Connell Drive, as such the proposal is considered contrary to policies HO5 and QD27, which seek to protect the amenities of neighbouring properties and require the provision of private usable amenity space in new residential development appropriate to the scale and character of the development.

### 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>
Plans and elevations	A794/01A		07 June 2012
Existing garages plans & elevations	A794/02		08 June 2012
Proposed block plan	n/a		08 May 2012
Visual 1	n/a		08 May 2012
Visual 2	n/a		08 May 2012

