

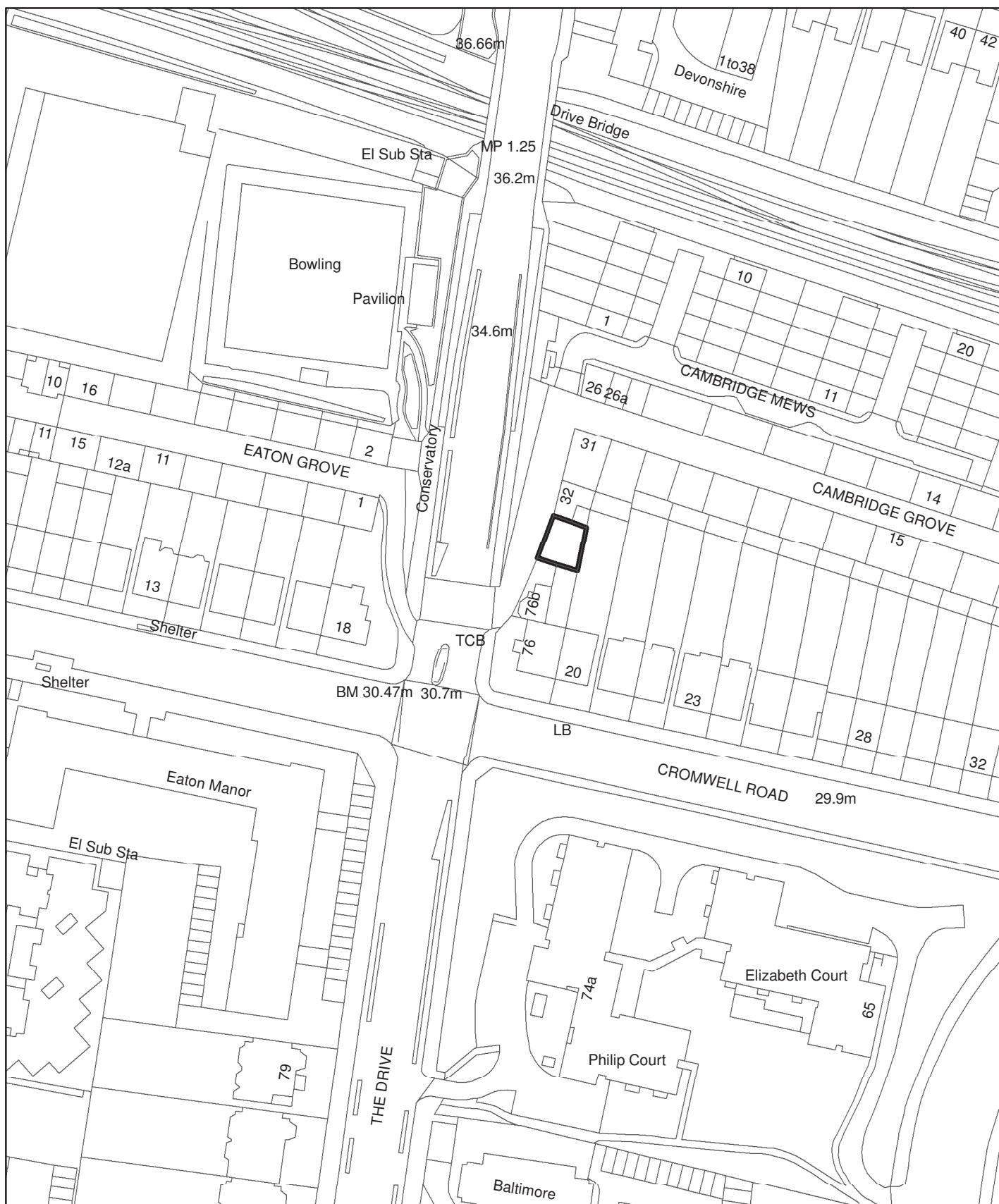
**PLANS LIST
ITEM C**

Land to South of 32 Cambridge Grove, Hove

**BH2013/00254
Full planning consent**

15 MAY 2013

BH2013/00254 Land to South of 32 Cambridge Grove, Hove.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/00254	<u>Ward:</u>	GOLDSMID
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land to the South of 32 Cambridge Grove, Hove		
<u>Proposal:</u>	Erection of 1no 3 bedroom dwelling.		
<u>Officer:</u>	Helen Hobbs Tel 293335	<u>Valid Date:</u>	31/01/2013
<u>Con Area:</u>	Willett Estate Conservation Area	<u>Expiry Date:</u>	28/03/2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Alan Phillips Architects, 31 Montefiore Road, Hove		
<u>Applicant:</u>	Mr John Cramer, 31 Montefiore Road, Hove		

This application was deferred at the last meeting on 24/04/13 for a Planning Committee site visit.

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 site is a plot of land to the north of 76 The Drive and originally formed part of the garden area of that house. The site is within the Willett Estate Conservation Area. Nos. 20-36 Cromwell Road and 76 The Drive form part of a group of grade II listed properties. Cambridge Grove is located to the rear of the listed properties on Cromwell Road and was originally the mews serving those properties. Properties in Cambridge Grove are generally two storeys in height and contain a mix of residential and commercial uses. No. 32 Cambridge Grove is a two storey dwelling located on the western corner and is at right angles to the rest of the terrace. Both the plot of 32 and the application plot would have originally formed part of the garden of 76 The Drive. The remaining properties in the Cromwell Road properties all retain their rear gardens. A temporary timber hoarding has recently been erected along the frontage of the plot.

3 RELEVANT HISTORY

- BH2012/02186:** Erection of detached dwelling house. Refused 17/10/2012.
BH2000/02207/FP Construction of 1 no. mews house. (Further revised proposals). Refused 07/03/2003. Appeal dismissed 29/12/2003.
3/88/1158 Outline application for a detached dwelling (on land adjoining) Refused 3/2/89. Appeal dismissed 15/01/1990.
3/88/0777 Outline Application. Demolition of existing dwelling and erection of three town houses. Refused 17/10/88.

4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of 1no. 3 bedroom dwelling. The dwelling would be two storey, although would only appear single storey from Cambridge Grove as it is to be constructed on excavated ground. The layout of the dwelling would include 3 bedrooms and a bathroom at lower ground level and an open plan kitchen/dining and living room and WC at ground floor level.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Ten (10)** letters of representation have been received from **Flat 4 – 4 Norfolk Terrace, 49 Elm Drive, 38 Marlborough Court – 46/48 The Drive, Medina Place, Flat 12 – 65 The Drive, 1 Wilbury Mansions – 39-41 Wilbury Villas, Flat 22 Girton House – 193 Kinsway, 104 Eaton Road, Flat 1 – 78A Lansdowne Place, 1 Parham House – Chatsworth Square** supporting the application for the following reasons:

- Enhanced and improved appearance of the land
- Sympathetic design and example of good architecture
- Sustainable approach to the development
- Help in combating the housing shortage

- 5.2 **Three (3)** letters of representation have been received from **76A The Drive, Flat 1 – 20 Cromwell Road and Flat 2 – 20 Cromwell Road** objecting to the application for the following reasons:

- Noise pollution
- Loss of privacy and overlooking
- Negative visual impact
- Pressure on the existing waste services
- Loss of light
- Out of character with the area
- Concerns over excavation works

Internal:

- 5.3 **Environmental Health: Comment.** The site is situated approximately 15m away from The Drive where noise due to traffic may have an impact on future residents.

- 5.4 It is noted that the proposed dwelling only has a ground floor level facing this road and that in contrast to the previous application, this is not directly facing The Drive. Additionally, I note that on this level is a toilet, kitchen and living room area and that there are not any windows facing the road.

- 5.5 Therefore, it is considered that in this instance an acoustic report will not be required especially as any potential purchasers/users of the property will be aware that it is situated near to a busy main road.

- 5.6 The proposed site is located close to several motor car garages along Cambridge Grove. Such uses may have resulted in localised land contamination both on site and adjacent to it. Additionally, there is a derelict

tank in Cambridge Grove. Therefore, whilst this site is not on potentially contaminated land, due to its close proximity to such sites a Contaminated Land Discovery condition would be suitable for this development simply for the unexpected situation that potential land contamination is discovered during works.

5.7 Heritage: Object

Statement of Significance

The site is located in the Willett Estate Conservation Area and adjoins a Listed Building (Nos. 76 & 76A The Drive). The site is currently vacant but originally appears to have been the rear garden of 76 Cromwell Road. It presently has a tall temporary timber site hoarding along its frontage.

5.8 The Willett Estate conservation area is characterised by large villas and villa style terraces, wide avenues and large gardens which allow for tall trees. To the south in Cromwell Road are rows of Listed semi-detached late Victorian villas and terraces in the buff gault brick “Willett style” with slate roofs.

5.9 Cambridge Grove is a late 19th C gault brick and slate tiled mews. Its former mews stables which have been converted to a mixture of residential and commercial uses whilst retaining its essential character. No 32 Cambridge Grove is an odd looking building. It incorporates some historic elements which are still visible including a brick boundary wall at ground floor level. It has part rendered and part painted facades and a flat roof with prominent overhanging eaves. The windows and door are unsympathetic plastic casements with fake glazing bars. It appears to be the result of alterations and extensions to an earlier structure. The building detracts from the character of this part of the conservation area. The roof of No. 31 also has been radically altered.

5.10 Relevant Design and Conservation Policies and Documents

- The Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on LPAs to “have special regard to the desirability of preserving the [listed] building or its setting or any features of special architectural or historic interest it possess” (section 16).
- The National Planning Policy Framework; The Historic Environment Planning Practice Guide (DCLG & EH);
- Local Plan policies QD1, QD2, QD3, QD4, HE1, HE3, & HE6.

5.11 The Proposal and Potential Impacts

The previously refused scheme was for a two storey dwelling above ground, to match the existing one to the north. This scheme is for a modern brick and glass two-storey dwelling but constructed on excavated ground so that only the top storey rises above the level of Cambridge Grove.

5.12 The Cambridge Grove façade wall is not aligned with the adjacent side garden wall of Nos. 76 & 76A The Drive and would be significantly taller than it. It would be significantly taller than typical side and rear garden walls in the Willett Estate generally. It would have three modern horizontal boarded doors in it. These doors would not be in keeping either with traditional doors or garden gates in

the vicinity. In view of this, it would not read as a garden wall but as a single storey building fronting onto Cambridge Grove.

- 5.13 The south elevation presents largely a blank brick wall with full height windows on its eastern corner to the rear windows of the Nos. 76 & 76A The Drive. It would be fully visible from the rear of the corner building and the other nearby listed villas in Cromwell Road.
- 5.14 The east elevation is virtually fully glazed. The design is modern and minimalist. It does not reflect either the Victorian mews architecture of Cambridge Grove or the surviving vinery / orangery glasshouses on their raised arcaded platforms in the rear gardens of the Cromwell Road villas. Whilst of itself the design is attractive, it would appear discordant in this locality which has a very strong and distinctive character and is almost entirely late Victorian.
- 5.15 The bricks are described as buff brick to match the facing brickwork on Cambridge Grove. This is gault clay, which is distinctive of the Willett Estate and is appropriate.
- 5.16 However, the wall fronting onto Cambridge Grove is shown as a “green” wall planted with ivy. It is not clear what material the wall is constructed of. As it will take some considerable time for the “green” wall to establish, its material would be visible for quite a time. “Green” walls are difficult to establish and there are a number of examples of failed or only partially successful ones around the city. It is considered that an additional dwelling on this site would detract from the character of this part of the conservation area by reason of the loss of the open space between the listed Cromwell Road frontage and the mews at the rear and thus a loss of character of this part of the conservation area and harm the setting of the listed buildings. This is further aggravated by the discordant nature of its design which would be out of character with the area.
- 5.17 **CAG:** Support. This development would tidy up this site and would be an improvement.
- 5.18 **Sustainable Transport:** Recommended approval as the Highway Authority has no objections to this application.
- 5.19 **Access Officer:** Comment. These comments are made without prejudice to any requirements that may be made under the Building Regulations.
- 5.20 All entrances should have level thresholds. Section A-A appears to show a step at the rear glazed doors.
- 5.21 300mm clear space is required at the leading edge of the door to the entrance level WC/shower.
- 5.22 **Arboriculture (comments from previous application BH2012/02186):** Comment. There is one small, juvenile Elm on site.

5.23 The Arboricultural Section would recommend that this tree is felled, and a suitable species planted on site to replace it, perhaps one or two fruit trees on dwarf root stock may be suitable for this location.

5.24 Overall, the Arboricultural Section has no objection to this application.

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:

- Brighton & Hove Local Plan 2005 (saved policies post 2007);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
- East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
- East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.

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.

6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.

6.6 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

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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
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
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
HO13	Accessible housing and lifetime homes
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD06	Trees & Development Sites
SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in the Favour of Sustainable Development
CP1	Housing delivery
CP8	Sustainable buildings
CP9	Sustainable transport
CP12	Urban Design
CP13	Public streets and spaces
CP14	Housing Density
CP15	Heritage

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations material to this application are the principle of development on the site, the impacts of the proposed dwelling on the character and appearance of the street, surrounding Willett Estate Conservation Area and the adjacent listed properties, the impacts on the amenities of adjacent occupiers, the standard of accommodation to be provided, and sustainability, traffic and lifetimes homes issues.

Principle of Development and its impact on the character of the area

- 8.2 The thrust of policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan is to require a high standard of design that emphasises and enhances the positive qualities of the neighbourhood and avoid town cramming. Local Plan Policies HE3 and HE6 seek to ensure that development does not have an adverse

impact on the setting of listed buildings or the character and appearance of conservation areas.

- 8.3 The properties to the south are large semi detached properties which are Grade II listed. These properties have long gardens, which abut the mews buildings fronting Cambridge Grove. No. 76 The Drive has been subdivided into flats and the original long garden has been divided into the garden space of 76A and 76B, as well as the application site. This subdivision appears to have been in place for over 10 years.
- 8.4 The properties fronting Cambridge Grove are two storey mews properties with small rear gardens. No. 32 Cambridge Grove is an anomaly within the area, in terms of design, appearance and siting. It is sited at right angles to Cambridge Mews, with an 'L' shaped footprint, flat roof and plain elevations, and appears to have been built later than the original mews buildings.
- 8.5 The site has had two previous refusals for the erection of a new dwelling house (refs: BH2000/02207/FP & BH2012/02186). The older application was subsequently dismissed at appeal on the grounds that the proposal would significantly affect the Willett Estate Conservation Area. The inspector stated that the proposed dwelling would 'fill a good proportion of the remaining gap between the Cromwell Road properties and the mews, fronting Cambridge Grove and harm the open relationship. As such the proposal would have an adverse effect on the openness of the garden area, interrupting the general view and outlook when seen from The Drive'.
- 8.6 The more recent application differed in size and design to that of the previously refused scheme in 2000, as it proposed a two storey property that would closely match the design and scale of No. 32 Cambridge Mews and in fact from the front would have been a mirror image of this property. This application was refused on similar grounds to the first application, due to the harmful loss of openness between the grade II listed properties and the mews buildings, the design of the dwelling appearing incongruous in this historic mews setting, as well as the dwelling having a overly dominant and overbearing impact upon the neighbouring gardens.
- 8.7 It is acknowledged that the proposed dwelling would appear single storey when viewed from the road, however the grounds for refusal still stand and the proposed dwelling would result in the loss of openness. The proposed modern design of the dwelling would also be out of keeping and the proposal is therefore considered to have a significantly harmful impact upon the Willett Estate Conservation Area and open setting to the rear of the listed buildings.
- 8.8 The dwelling would result in the loss of this plot which has historically formed garden land and this 3 bedroom property would result in an overdevelopment of the land. It would appear incongruous within this locality due to the loss of the important spacing around and between properties which currently exists, therefore resulting in town cramming, out of keeping with the surrounding conservation area.

- 8.9 Whilst the Inspector in 2000 stated that the site is far enough away from the listed buildings not to harm their setting, the Heritage Officer disagrees and states that the dwelling would have a harmful impact. The open rear gardens are clearly a key element in the character and setting of the listed properties and its important relationship to the mews properties to the rear. This spacing and visual break between the Cromwell Road properties and their mews remains largely intact.

Design

- 8.10 This site is to be excavated down approximately 3m, to accommodate a lower ground floor in the dwelling. It would appear as single storey from the front and would be built up to the front boundary of the plot, with the front wall of the building spanning the full width of the plot. It would have a height of 2.7m and it is proposed that this elevation would be a living green wall, planted with ivy, in attempt to appear as a hedgerow. Three timber slatted modern style doors would be positioned in the wall, providing an entrance into the property and a side entrance to the garden and the bin and cycle store to the south side of the property.
- 8.11 The applicant has stated that the design of this frontage would appear as a boundary hedgerow, however it would be significantly taller than typical side and rear garden walls in the Willett Estate, and bears no resemblance to the character of the surrounding buildings. The three doors are also incongruous features that relate poorly to the character of the adjoining properties, and would result in the frontage looking less like a wall and more as a single storey building. The Heritage Officer also raises concerns about the effectiveness of the green wall and how long it would take to establish as well as how it is proposed to maintain the planting. Insufficient information has been submitted with the application and it is not clear from the submitted plans where there is sufficient space for the green wall would be planted. The appearance of this frontage would appear out of keeping and overly dominant within the Cambridge Grove streetscene and would not be sympathetic to its surroundings. It would also result in the loss of the current open views across the gardens.
- 8.12 The applicant has stated within the Design and Access statement that there is currently a timber hoarding across the front boundary of the site, which would have a similar presence as the proposed frontage of the dwelling. This has recently been installed and has a height of 2.4m. This development is unauthorised and would require the submission of a planning application, however it is considered to be a significantly harmful and incongruous addition. The works have been referred to the Planning Enforcement Team for further investigation.
- 8.13 The green wall would be continued onto part of the rear elevation, although the rear elevation would be mainly glazing. The ground floor windows would also have a glazed balustrade to create a Juliette Balcony. A balcony would be created on the north east corner of the property where the elevation at ground floor would be angled, revealing a flat roofed area of the lower ground level. The

side elevations and a small part of the rear elevation would be buff brick. The dwelling would have a sedum roof.

- 8.14 The Heritage Officer states that the south elevation presents largely a blank brick wall. It would be fully visible from the rear of the corner building and the other nearby listed villas in Cromwell Road. Both storeys of the proposed dwelling would also be visible from views within Cambridge Grove and The Drive, and therefore given this large expanse of brick, the proposed dwelling would appear overly bulky, due to its depth and height, further exacerbating the loss of the openness. The design is modern and minimalist. It does not reflect either the Victorian mews architecture of Cambridge Grove or the surviving vinery / orangery glasshouses on their raised arcaded platforms in the rear gardens of the Cromwell Road villas. Whilst of itself the design is attractive, it would appear discordant in this locality which has a very strong and distinctive character and is almost entirely late Victorian.

Standard of Accommodation

- 8.15 The proposed dwelling would accommodate 3 bedrooms with the amenity space being provided at the rear lower ground level. The 3 bedroom house as proposed forms a good sized standard of accommodation. It is acknowledged that there would be no provision of natural light from the west elevation, however given the amount of glazing on the rear elevation, this would provide adequate light, ventilation and outlook. The amenity space has been slightly increased from the previously refused application (BH2012/02186) and given this central location, it is now considered acceptable.

Lifetime Homes

- 8.16 Local plan policy HO13 Accessible housing and lifetime homes, states that proposals for new residential homes will only be permitted if they are built to Lifetime Home Standards, whereby they can meet the needs of people with disabilities without major structural alterations.
- 8.17 The applicant has stated within the Design and Access Statement that it will be built to lifetime home standards. The Access Officer has commented on the application and advises that all entrances should be level and currently the plans show a step from the rear doors into the garden. The entrance level WC/shower is also too small. If the proposal were acceptable, these issues could be addressed by condition.

Impacts on the Amenity of Adjacent Occupiers

- 8.18 Policy QD27 seeks to protect proposed, existing and/or adjacent users, residents and occupiers from harmful development or changes of use and development.
- 8.19 The gardens of the properties on Cromwell Road are set at a lower level than the application site. The proposed dwelling itself, given that it would only be single storey above the existing ground level coupled with the distance from the boundary is unlikely to result in a loss of light or overshadowing to the neighbouring residential properties.

- 8.20 However there are serious concerns regarding the impact of the proposed increase to the rear boundary fence. There appear to be some inaccuracies on the plans in terms of the height of the existing rear boundary fence and the ground level of the garden and outbuilding of No. 20 Cromwell Road. However the degree to which the fence would be increased, which has been amended during the life of this application in an attempt to address concerns of overlooking from the neighbouring properties, would result in an unacceptable impact in terms of overbearing and sense of enclosure to the garden of No. 20 Cromwell Road. It is also unclear what boundary would be put in place between the application site and 32 Cambridge Grove. Currently the boundary is in the form of 2m high trellising which allows light through and does not have the same impact as a solid fence panel would. Therefore any changes to this boundary could have a harmful impact upon this neighbouring garden space.
- 8.21 The rear glazing at ground floor level despite the increase in the height of the rear boundary fence, is still considered to result in an unacceptable loss of privacy and overlooking to the adjoining gardens in Cambridge Grove and Cromwell Road. There is only 3m from the eastern boundary and the section demonstrates clear potential for overlooking. These windows, along with the proposed balcony would also provide direct views into the garden and side windows of No. 32 Cambridge Grove.

Sustainability

- 8.22 Policy SU2 requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within supplementary planning document 08, sustainable building design, recommends that a development of this scale incorporates a sustainability checklist and meets Level 5 of the Code for Sustainable Homes (CSH).
- 8.23 The application is accompanied by a sustainability checklist which indicates an aim to achieve at least Level 4 of the CSH. This is below the level required by policy. It is not considered appropriate to require the attainment of Level 5 through condition as there is no evidence to suggest that this could be achieved within the constraints of the proposed design. The sustainability measures to achieve Code Level 5 should instead have been taken into account in the initial design stage, with information submitted to demonstrate how the building would meet the required standards at this planning application stage. For this reason the refusal of permission is recommended.
- 8.24 Policy SU2 requires all new developments to make provision for adequate refuse and recycling storage facilities. The applicant has identified a location for bin storage at the front of the dwelling, and so further details for this could be conditioned, if the proposal were considered acceptable.

Transport

- 8.25 Brighton and 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 and secured cycle parking facilities for residents. The development does not provide any off-street parking and the site is located within a controlled parking zone.

- 8.26 The Transport Officer states that the proposal is in compliance with the standards set out in SPG04, and therefore has no objections in principle. The site is within close proximity to a range of public transport including Hove railway station and local facilities; therefore if the application were acceptable, a standard condition requiring the development to be car free would be attached to any approval.
- 8.27 The plans show two cycle parking spaces that would be covered and secure, positioned on the south side of the dwelling, which are deemed to be policy compliant. If the application were to be acceptable, a condition would be attached to any approval ensuring to secure this.

Arboriculture

- 8.28 The Council's Arboriculturalist has raised concerns regarding a small, juvenile Elm on site. It is recommended that if the development were to go ahead, the tree is felled and a suitable species planted on site to replace it. Therefore a condition would need to be attached to any approval, requiring further details of a landscaping scheme.

Environmental Health

- 8.29 The Environmental Health Officer has commented on the application and advises that as the site is situated approximately 15m away from The Drive where noise due to traffic may have an impact on future residents.
- 8.30 It is noted that the proposed dwelling only has a ground floor level facing this road and that in contrast to the previous application, this is not directly facing The Drive. The only proposed accommodation on this level is a toilet, kitchen and living room area. There would be no windows facing the road.
- 8.31 An acoustic report will not be required especially as any potential purchasers/users of the property will be aware that it is situated near to a busy main road.
- 8.32 The proposed site is located close to several motor car garages along Cambridge Grove. Such uses may have resulted in localised land contamination both on site and adjacent to it. Additionally, there is a derelict tank in Cambridge Grove. Therefore, whilst this site is not on potentially contaminated land, due to its close proximity to such sites a Contaminated Land Discovery condition would be suitable for this development simply for the unexpected situation that potential land contamination is discovered during works. This could be addressed by condition if the scheme were otherwise acceptable.

9 CONCLUSION

- 9.1 The development would result in a harmful loss of openness between the listed buildings fronting Cromwell Road and the mews buildings at the rear, to the detriment of the prevailing character and appearance of the Willett Estate conservation area. Furthermore the proposal would fail to respect or enhance the local context and the positive qualities of the local neighbourhood. The

development would be detrimental to the amenity of adjoining properties and fail to achieve a suitable level of sustainability.

10 EQUALITIES

- 10.1 The building would have to meet Part M of the Building Regulations, and could reasonably be controlled by condition, if the principle of the proposal were acceptable.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The development would result in a harmful loss of openness between the Grade II Listed properties on The Drive/Cromwell Road and the mews buildings in Cambridge Grove, to the detriment of the prevailing character and appearance of the Willett Estate Conservation Area, contrary to policies QD2, HE3 and HE6 of the Brighton and Hove Local Plan.
2. The development, by reason of its siting and scale as well as the increased height to the boundaries, would appear overly dominant and overbearing, particularly from the neighbouring gardens of Cromwell Road and constitutes a cramped form of development. The proposal would therefore fail to respect or enhance the local context and the positive qualities of the local neighbourhood and would have a negative impact upon the amenity of the adjoining properties, contrary to policies QD1, QD2, QD3 and QD27 of the Brighton and Hove Local Plan.
3. The proposed dwelling, by reason of its design, materials and detailing would appear incongruous within the historic mews setting, to the detriment of the Willett Estate Conservation Area, contrary to policies QD1, QD2, QD3, QD5 and HE6 of the Brighton and Hove Local Plan.
4. The rear windows would result in an unacceptable loss of privacy and overlooking to the adjoining gardens in Cambridge Grove and Cromwell Road. These windows would also provide unacceptable views into the side windows of No. 32 Cambridge Grove. The proposal would therefore have a harmful impact upon the amenity of these adjoining properties, contrary to QD27 of the Brighton and Hove Local Plan.
5. The applicant is reliant on the 'green wall' to screen the front of the proposed dwelling. Insufficient information has been submitted with the application regarding the space required for the planting of the ivy as well as how long it would take to establish and how it is proposed to maintain the planting, and therefore would not demonstrate that the proposal would not have harmful impact upon the streetscene and surrounding Willett Estate Conservation Area, contrary to policies QD15 and HE6 of the Brighton and Hove Local Plan.
6. The applicant has failed to demonstrate that Level 5 of the Code for Sustainable Homes can reasonably be achieved without significant alterations to the design and appearance of the dwelling. The proposal is therefore contrary to policy SU2 of the Brighton & Hove Local Plan, and Supplementary Planning Document 08, Sustainable Building Design.

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11.2 Informatives:

1. In accordance with the National Planning Policy Framework 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. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Location plan	CG.01		28/01/2013
Block Plan and aerial views	CG.02		28/01/2013
Context images	CG.03		28/01/2013
Site plan	CG.04		28/01/2013
Existing plans	CG.05		28/01/2013
Existing street/ rear elevations	CG.06		28/01/2013
Existing north elevation	CG.07		28/01/2013
Existing south elevation	CG.08		28/01/2013
Proposed ground floor site plan	CG.09	A	11/03/2013
Proposed ground floor plans	CG.10	A	11/03/2013
Proposed lower ground floor plan	CG.11		28/01/2013
Proposed roof plans	CG.12		28/01/2013
Proposed section A-A	CG.13	A	11/03/2013
Proposed street/ rear elevations	CG.14	A	11/03/2013
Proposed north elevation	CG.15		28/01/2013
Proposed south elevation	CG.16	A	11/03/2013
Site plan and sun path	CG.17		11/03/2013

