

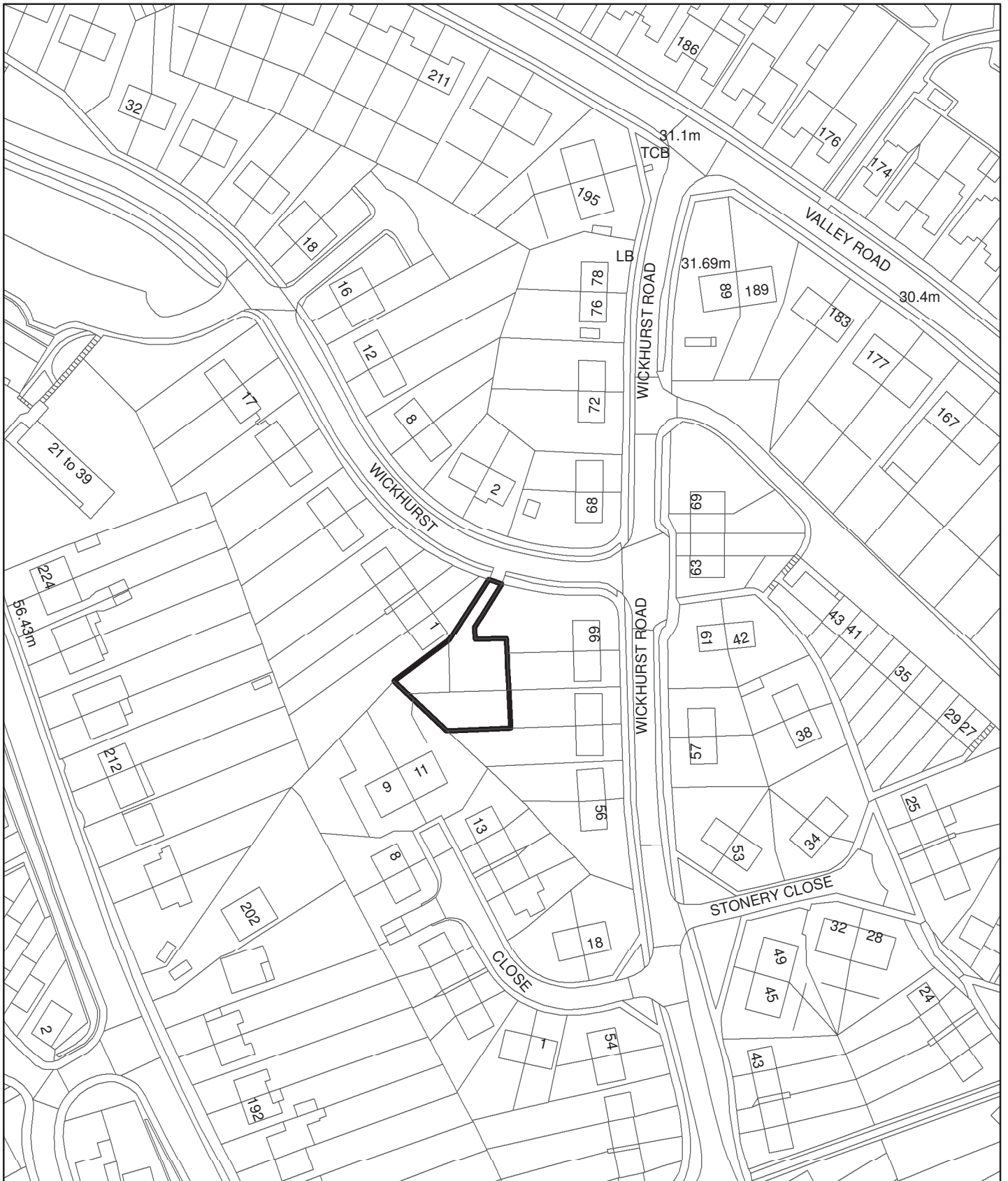
**PLANS LIST
ITEM A**

**Land to rear of 60-66 Wickhurst Road,
Portslade**

**BH2013/00393
Full planning**

05 JUNE 2013

BH2013/00393 Land to rear of 60-66 Wickhurst Road, Portslade.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2013/00393	<u>Ward:</u>	NORTH PORTSLADE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land to rear of 60-66 Wickhurst Road, Portslade		
<u>Proposal:</u>	Erection of 1no. 2 storey three bedroom detached dwelling house.		
<u>Officer:</u>	Christopher Wright Tel 292097	<u>Valid Date:</u>	14/02/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	11/04/2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Alan Phillips Architects, 31 Montefiore Road, Brighton		
<u>Applicant:</u>	Mr Karl Peete, 31 Montefiore Road, Hove		

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 **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a plot of land situated to the side of 1 Wickhurst Rise and to the rear of 62-66 Wickhurst Road. The plot has a 15 metre long vehicular access off Wickhurst Rise then widens out behind the garden of 66 Wickhurst Road to form a five-sided irregular plot measuring 26.5 metres across at its widest point and 21 metres in depth at its longest. The site slopes steeply upwards to the west and to the south.
- 2.2 The plot is 482 square metres in area (0.0482 hectares).
- 2.3 The site is currently occupied by small garage units.
- 2.4 To the north side of the site, on the opposite side of Wickhurst Rise, there are semi-detached dwellings. To the west is an end-of-terrace dwellinghouse with no flank windows. To the east of the site are two storey semi-detached houses fronting Wickhurst Road.
- 2.5 The area is not in a Controlled Parking Zone (CPZ) and there is on-street parking. Pedestrian flows are minimal, in keeping with the quiet, residential character of the locality.

3 RELEVANT HISTORY

- BH2012/01748:** Erection of 2 no. 3 bedroom semi-detached houses. Refused 9 August 2012.
- BH2007/03428:** Construction of a pair of semi-detached two storey dwellings. Refused 21 December 2007.

4 THE APPLICATION

- 4.1 The application seeks full planning permission for the erection of a detached, two storey family dwellinghouse with three bedrooms on the plot of land.
- 4.2 The proposed dwelling would line up with the terrace of 1, 3, 5 and 7 Wickhurst Rise and would be 7.2m deep to match those existing houses. The new dwelling would be 4m from the flank wall of 1 Wickhurst Rise.
- 4.3 The eaves height and ridge height of the new dwelling would be 4.9m and 7.7m respectively, which is the same height as the neighbouring terrace houses. The footprint would be rectangular and the roof form would be pitched and hipped to match the roof styles of surrounding properties.
- 4.4 The external materials and finishes proposed are part brick, part white render and wooden slatted walls; an artificial slate roof; anthracite powder coated aluminium windows; hardwood doors; timber fencing and gate; and a concrete driveway with permeable parking surface.
- 4.5 The applicant has submitted 9 letters from members of the Public to support his application, including 7 copies of an identical letter.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Seven (7)** letters of representation have been received from **12 Wickhurst Close; 64 Wickhurst Road (x2), 3 and 5 Wickhurst Rise (x2); and 66 Wickhurst Road, objecting** to the application for the following reasons:
- Noise and disturbance during construction.
 - Dust and breathing difficulties during construction.
 - Slow Worms in neighbours' gardens.
 - Loss of natural habitat for protected species.
 - Loss of privacy/overlooking.
 - Loss of view.
 - Loss of amenity.
 - Security issues.
 - Previous applications for development of the site have been refused.
 - Extra traffic due to increased people.
 - Exit from the new build dangerous to pedestrians.
 - Increased pollution from cars, fumes entering neighbouring back gardens.
 - Small turning into proposed access could create potential for accidents on the highway.
- 5.2 **One (1)** letter has been received from **27 Langridge Drive, in support** of the proposal for the reasons summarised as follows:-
- There will be no overlooking.
 - The proposed windows are angled in harmless directions.

Internal:

- 5.3 **Ecology: No objection.**

- 5.4 **Access Officer:** Comment. Access to all entrances should be level or gently sloping. There appears to be a step shown on and elevation at one of the entrances.
- 5.5 The required 300mm clearance has not been provided at the leading edge of the front entrance door.
- 5.6 **Sustainable Transport:** No objection. The proposed level of car parking is in line with the maximum standards and deemed acceptable.
- 5.7 The applicant indicates they intend to provide a bike store to the side of the property. The location is ideal and is easily accessible. Details of the cycle stands themselves can be secured by condition.
- 5.8 The applicant proposes to use an existing vehicular crossover from Wickhurst Road. There is adequate space within the site for vehicles to turn within the site and access and leave the site in a forward gear.

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) March 2012

Brighton & Hove Local Plan 2005:

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	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
HO13	Accessible housing and lifetime homes

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development; design, scale and impact on visual amenity; impact on residential amenity; ecology; sustainability; and impact on sustainable transport.

Principle of development:

- 8.2 The principle of development on this urban site is acceptable and the proposed residential use of the presently vacant land would make more efficient and effective use of the site and contribute to meeting housing need in the city. The density of the proposed development would not be out of keeping with the grain of existing residential development in the vicinity of the site.
- 8.3 Previous planning applications on the site have been refused, but these proposed two dwellings and there were concerns in respect of the design, bulk and siting of these proposals. The current submission for a single dwelling on the site, which is broadly in keeping with the scale and form of neighbouring

houses, is considered acceptable. The proposal is considered compliant with policies QD3, HO3 and HO4 of the Local Plan.

Design, scale and impact on visual amenity:

- 8.4 A high standard of design in a contemporary and modern style is acceptable in principle on this site. The general height, form and footprint of the proposed dwelling would be in keeping with the site context and the modern approach to the exterior details and finishes represents an acceptable approach that is supported by policies QD1 and QD2 of the Local Plan.
- 8.5 The dwelling would line up with the terrace of 1 – 7 Wickhurst Rise following the established building line, and would have an aspect facing towards the street. Some excavation and levelling of the site would take place and to the south and east the land would be banked up in slopes. The proposal would not have an unacceptably overbearing or unduly dominant appearance in the street scene and follows the pattern in the layout of adjoining housing.
- 8.6 There would be a 4m space between the proposed house and 1 Wickhurst Rise and a good degree of separation from properties in Wickhurst Road and Wickhurst Close. The proposal would therefore not have a cramped appearance within the plot.
- 8.7 Landscaping has been taken into consideration at the design stage, and tree planting is proposed along the eastern boundary of the site which adjoins the back gardens of houses in Wickhurst Road. In this regard policy QD15 of the Local Plan has been taken satisfactorily into consideration.
- 8.8 Accordingly the proposal is considered acceptable in visual design terms and would not detract from the positive characteristics of the locality.

Impact on Amenity:

Overlooking:

- 8.9 The proposed dwelling would be between 15m and 23m from the nearest facades of neighbouring properties in Wickhurst Close and Wickhurst Road. The dwelling would be set well away from the boundaries of the plot and this factor, combined with the orientation of the dwelling such that front and rear windows would not face towards neighbouring properties, together with the level of the site in relation to properties in Wickhurst Close, means that overlooking would not occur to an unacceptable degree. The front elevation of the dwelling has been designed with angled windows to prevent even acute angled views in the direction of houses in Wickhurst Road, and this, together with the tree screening proposed, would avoid material harm being caused due to loss of privacy. A planning condition is recommended in order to secure ground levels of the development.
- 8.10 A condition requiring obscure glazing of the landing window on the south-east flank elevation of the dwelling is recommended.

Overbearing impact:

- 8.11 The scale and siting of the proposed dwelling and proposed finished floor levels are such that its impact on neighbouring properties would be minimised and no adverse impact in terms of overshadowing or an overbearing effect is foreseen.

Noise and disturbance:

- 8.12 The proposed parking arrangement within the site would allow for motor vehicle manoeuvres in front of the new dwelling, with a landscaped buffer to the eastern plot boundary to minimise the impact of noise and disturbance from vehicular movements from having an adverse impact on occupiers of the properties in Wickhurst Road.

Ecology:

- 8.13 Neighbour letters report sitings of Slow Worms in back gardens. These are a protected species.
- 8.14 The Council Ecologist has carried out a site visit and is of the view the present characteristics of the site are not likely to provide a reptile habitat (e.g. for Slow Worms). As such, no objection is raised subject to a condition requiring details of nature conservation enhancement measures, in the event approval is granted. This is in accordance with policy QD17 of the Local Plan and more details of the policy position in this respect are contained in SPD11 and Annex 6 of SPD11.

Sustainable Transport:

- 8.15 The proposal includes off-street parking for one car per residential unit along with a secure cycle enclosure for 3 cycles. The level of off-street parking proposed is consistent with the maximum standards set out in SPGBH4: Parking Standards, and the level of cycle parking provision, subject to a condition requiring full details, is sufficient to exceed the minimum standards set out in SPGBH4. Sustainable Transport raises no objection to the proposal. There is sufficient space for vehicles to turn around within the site and re-enter the highway in a forward gear, thus minimising risk of conflict with existing highway users. As such the proposal is considered to be compliant with policies TR1, TR14 and TR19 of the Local Plan.

Sustainability:

- 8.16 The application site constitutes land that is not previously developed and which is therefore considered 'Greenfield'. In accordance with policy SU2 of the Local Plan and SPD08: Sustainable Building Design, the residential unit proposed should achieve a minimum of Level 5 of the Code for Sustainable Homes. The applicant proposes to achieve Level 5 and this is supported by the sustainability checklist submitted and the BRE Global Pre-Assessment Estimator Tool submitted.
- 8.17 The proposal features Microgeneration technologies including solar panels and vacuum tubes.
- 8.18 Policy HO5 of the Local Plan requires new development to provide private and useable amenity space appropriate to the scale and nature of the development.

In this instance the dwelling would benefit from private back and side gardens. The amount of private and useable amenity space proposed is considered appropriate to the nature and scale of the development albeit limited by ground levels and sloping edges.

- 8.19 In terms of policy HO13, the floor plans submitted indicate that Lifetime Home standards would be fully applied to the design and layout of the dwelling unit. Although the elevation drawings indicate there may be a small step at the front entrance, level access would be required to meet Lifetime Home standards. This requirement can be secured by condition.

Waste Management:

- 8.20 The applicant has submitted a comprehensive Waste Minimisation Statement in accordance with policy SU13 of the Local Plan which seeks minimisation and re-use of construction industry waste.
- 8.21 The minimum of materials to be segregated and re-used or recycling include timber; plastics; light active (plaster bags, packaging, cement bags etc.); plaster and gypsum products; spoil; and rubble.
- 8.22 Removal of waste to a tip will be the last resort and inert materials will be used on site for making up levels and backfilling as necessary. Given the large amount of excavation proposed to level the site, it is recommended a condition is imposed to ensure compliance with the Waste Minimisation Statement.

9 CONCLUSION

- 9.1 The proposed scheme for a single dwelling within the plot, of a scale and form which is in keeping with the site context yet featuring modern design details, and with siting that follows the pattern and layout of adjoining residential development, is considered acceptable and would not have a detrimental impact on visual amenity. The orientation and design of the property is such that neighbours would not be overshadowed or overlooked or harmed by reason of loss of outlook.
- 9.2 The proposal seeks to achieve a high level of sustainability, achieving Level 5 of the Code for Sustainable Homes, and the development would not have an adverse impact on the highway.
- 9.3 Accordingly approval is recommended.

10 EQUALITIES

- 10.1 The property should be accessible and meet Lifetime Home standards.

11 CONDITIONS / INFORMATIVES

11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

- 2) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

Reason: For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Location Plan	WR.01b		8 Feb 2013
Site Plan	WR.02b		8 Feb 2013
Existing Block Plan	WR.03b		8 Feb 2013
Floor Plans – As Proposed	WR.07		8 Feb 2013
Block Plan with Proposed Development & Site Dimensions	WR.05	B	10 April 2013
Elevations as Proposed	WR.08	A	12 Mar 2013
Section A-A As Proposed	WR.09	C	19 April 2013
Section B-B As Proposed	WR.10	D	3 May 2013
Section C-C As Proposed	WR.12	A	3 May 2013
Topographical Survey	001	A	10 April 2013

- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

- 4) The staircase window on the southeast flank elevation of the dwelling hereby permitted shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the internal finished floor height, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policy QD27 of the Brighton & Hove Local Plan.

- 5) Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to meet Lifetime Homes' standards prior to its first occupation and shall be retained as such thereafter.

Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

- 6) The hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to

direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

- 7) The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

- 8) All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and 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, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

- 9) The development hereby permitted shall be constructed in accordance with the approved drawings showing existing and proposed ground levels within the site and on land adjoining the site to OS Datum, by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures.

Reason: To ensure a satisfactory appearance to the development and to protect the amenity of surrounding neighbours in accordance with policies QD1, QD2, and QD27 of the Brighton & Hove Local Plan.

- 10) The waste minimisation measures set out in the Waste Minimisation Statement shall be implemented in strict accordance with the details.

Reason: To ensure the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

11.2 Pre-Commencement Conditions:

- 11) Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until:

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 5 for all residential units have been submitted to the Local Planning Authority; and

(b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 5 for all

residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

- 12) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development as indicated in the approved Arboricultural Report.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

11.3 Pre-Occupation Conditions:

- 13) The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

- 14) Unless otherwise agreed in writing by the Local Planning Authority, the residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 5 has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

- 15) The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development 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 TR14 of the Brighton & Hove Local Plan.

- 16) The development hereby permitted shall not be occupied until a scheme to enhance the ecological value of the site, including bat and bird boxes to be attached to mature trees retained within the site, has been submitted and approved by the Local Planning Authority and fully implemented. The development shall be retained as such thereafter.

Reason: To increase the biodiversity and nature conservation interest of the site, to mitigate any impact from the development hereby approved and to comply with policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD11: Nature Conservation and Development.

11.4 Informatives:

1. In accordance with the National Planning Policy Framework and policy SS1 of the Brighton & Hove City Plan Part One (submission document) 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 to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The proposed scheme for a single dwelling within the plot, of a scale and form which is in keeping with the site context yet featuring modern design details, and with siting that follows the pattern and layout of adjoining residential development, is considered acceptable and would not have a detrimental impact on visual amenity. The orientation and design of the property is such that neighbours would not be overshadowed or overlooked.

The proposal seeks to achieve a high level of sustainability, achieving Level 5 of the Code for Sustainable Homes, and the development would not have an adverse impact on the highway.
3. The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
4. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.
5. The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local

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Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).