

<b><u>No:</u></b>	<b>BH2016/01438</b>	<b><u>Ward:</u></b>	<b>EAST BRIGHTON</b>
<b><u>App Type:</u></b>	<b>Council Development (Full Planning)</b>		
<b><u>Address:</u></b>	<b>Land Adjacent Wellsbourne Health Centre 179 Whitehawk Road Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of 1no three storey block and 1no part three part four storey block containing 29no one, two and three bedroom flats (C3) with a separate single storey plant room containing communal boilers. Provision of 12no vehicle parking spaces with cycle racks and associated landscaping.</b>		
<b><u>Officer:</u></b>	Stewart Glassar Tel 292153	<b><u>Valid Date:</u></b>	11/05/2016
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	10 August 2016
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Brighton & Hove City Council, Property & Design Kings House Grand Avenue Hove BN3 2LS		
<b><u>Applicant:</u></b>	Brighton & Hove City Council, Mr Sam Smith Kings House Grand Avenue Hove BN3 2LS		

## 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 vacant piece of land located at the northern end of Whitehawk Road. The site is located on the eastern side of the road between Whitehawk Primary School car park and Wellsbourne Health Centre. To the rear of the site is Whitehawk Library and there are residential properties opposite the site. A public footpath from Whitehawk Road, which provides access to the school and library, separates the site from the school car park. The school, its car park and the library are set at higher ground levels than the application site. The area is a mix of two storey municipal housing and larger institutional buildings which are both traditional and contemporary in their design and appearance.
- 2.2 The site is roughly rectangular in shape and runs from the library to Whitehawk Road. It measures approximately 36 metres in width at its maximum between the car park and Health Centre and is on average 59 metres in length. In total,

the site covers 0.19ha and rises slightly in ground level from Whitehawk Road to the Library.

### **3 RELEVANT HISTORY**

None relevant.

### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the redevelopment of the site to provide 29 flats. The flats will be accommodated in two blocks. One block will be positioned towards the front of the site (West Block) with the second block located to the rear of the site (East Block). Access would be taken from the existing access to the south of the site which serves the Health Centre.
- 4.2 The West Block would be three storeys in height and provide 11 flats. Of these flats, three would be 1-bedroom units and the remaining 8 would be 2-bedroom units. The East Block would be a part three/part four storey building and accommodate 18 flats. The accommodation in the East Block would comprise of six 1-bedroom flats, five 2-bedroom flats and seven 3-bedroom flats.
- 4.3 The buildings would have a buff brick finish and incorporate balcony features on the front and rear elevations. There would be a central courtyard area between the two buildings which would provide an area for car parking and refuse/recycling bins. A plant room, finished to match the main buildings, would be located within this central area.

### **5 PUBLICITY & CONSULTATIONS**

#### **External**

- 5.1 **Neighbours:** None received.
- 5.2 **County Archaeologist:** No objection. Unlikely the proposal will have a significant archaeological impact.
- 5.3 **Southern Water:** No objection subject to conditions requiring a drainage strategy that details the proposed foul disposal and an implementation timetable.
- 5.4 **Sussex Police:** No objection
- 5.5 **County Ecologist:** Support subject to conditions
- Internal:**
- 5.6 **Highway Authority:** Recommend approval subject to conditions and s106 agreement.
- 5.7 **Housing Strategy:** Support as the scheme meets the Affordable Housing Brief.

5.8 **Regeneration:** Support subject to conditions and legal agreement.

5.9 **Sustainability:** Support subject to conditions.

5.10 **Arboriculture:** No objection.

## **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 City Plan Part One (adopted March 2016);
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
- 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) is a material consideration.

6.4 Due weight should be given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

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 City Plan Part One

SS1	Presumption in Favour of Sustainable Development
CP1	Housing delivery
CP7	Infrastructure and developer contributions
CP8	Sustainable buildings
CP9	Sustainable transport
CP12	Urban design
CP14	Housing density
CP19	Housing mix
CP20	Affordable housing

Brighton and Hove Local Plan (retained policies March 2016):

TR4	Travel plans
TR7	Safe Development
TR14	Cycle access and parking
QD5	Design - street frontages

- QD27 Protection of amenity
- HO5 Provision of private amenity space in residential development

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the principle of development, the design and appearance of the proposed blocks, their impact upon the amenity of neighbouring properties and uses, the standard of accommodation created, transport and sustainability issues. The impact of the scheme on the City's housing supply will also be taken into account.
- 8.2 **Principle of Development:**  
The site is located within the built area of the City and constitutes previously developed land, having originally formed part of the adjacent primary school site but has subsequently been declared surplus to requirements. It is surrounded on all sides by existing built development.
- 8.3 The fringes of the site are shown in the Policies Map as being open space. Policy CP16 states that the Council will work to promote and improve access to open space through the retention and enhancement of open space. However, the areas shown as being open space are the edges of the site which have become overgrown. Given that the bulk of the site is not allocated for open space and the fringes of the site will be retained for perimeter landscaping, it is considered that Policy CP16 would not be applicable.
- 8.4 It is therefore reasonable to conclude that the redevelopment of the site is acceptable in principle and that a residential use would be compatible with the surrounding land uses.
- 8.5 **Housing Supply, Mix and Density:**  
The City Plan Part 1 Inspector's Report was received February 2016. This supports a housing provision target of 13,200 new homes for the city to 2030. It is against this housing requirement that the five year housing land supply position is assessed following the adoption of the Plan on the 24<sup>th</sup> March 2016. The City Plan Inspector indicates support for the Council's approach to assessing the 5 year housing land supply and has found the Plan sound in this respect. The five year housing land supply position will be updated on an annual basis.
- 8.6 The application proposes a total of 29 new flats, which will make an important contribution towards the overall housing supply targets for the City. The development produces a density in excess of the minimum desired density set out in Policy CP14 of the City Plan, which encourages developments to make efficient use of land. It states that increased densities can be acceptable where the development is of a high standard and respects and reinforces the character

of the area and contributes positively to the sense of place. This site is relatively close to public transport, Whitehawk Way is on a bus route, and in addition to the community facilities that adjoin the site there are shops on Whitehawk Way. Both these factors are also identified in Policy CP14 as being necessary components of ensuring higher density developments are acceptable.

- 8.7 The scheme also proposes a mix of unit sizes. As noted in the supporting text to Policy CP19, it is estimated that 65% of the overall need/demand (for both market and affordable homes) over the City Plan period will be for two and three bedroom properties (34% and 31% respectively); 24% for 1 bedroom properties. Given that the majority of units proposed in this scheme are two and three bedroom units, the development is considered to accord with the objectives of both Policy CP14 and Policy CP19.
- 8.8 As the Council is the applicant/developer the intention is that the development will provide 100% 'affordable housing' and that when the development is completed the City Council will be able to nominate people from the housing register to the properties. It may also enable people to move into the new units thereby freeing up larger family homes elsewhere. Any permission would need to be subject to a condition which limited the housing in this way. Therefore, the application would accord with Policy CP20 of the City Plan.
- 8.9 **Design and Appearance:**  
The proposed buildings have been given a relatively simple but contemporary design, being finished in a lighter, buff brick with the central communal areas of both blocks and parts of the upper floor of the East Block detailed in metal cladding. The corner units on each block will have balconies.
- 8.10 The area comprises a mix of building types, styles and finished materials. The existing houses in Whitehawk Road are finished in lighter brown brick or rendered walls with brown clay roof tiles whereas the Health Centre has a render and wood clad finish with a flat roof design that is edged in green. Similarly, the Primary School to the rear is a larger, more visually imposing building with a brown brick and clay tile appearance it has a relatively conventional pitched roof design whereas the adjacent library has a brick and render finish with a more modern asymmetrical roof designs and curved walls displaying large expanses of glazing. The brick finishes in the area are generally darker than the buff brick proposed in the application and therefore whilst a brick finish is acceptable it may be that a slightly darker brick would be more in keeping. However, this can be controlled through a condition requiring the submission and approval of the specific finished materials.
- 8.11 The existing buildings in the area not only display a range of finishes but they have varying sizes and scale. Whilst the houses are conventional two storey buildings, the Health Centre, Library and School, which are also nominally two storey all have a much greater scale and are more visually imposing. The Library and School also sit at a higher ground level than Whitehawk Road and the application site. Whilst both of the proposed buildings will be higher than the Health Centre to the south of the site, neither will be higher than the existing school building to the north. Thus, in terms of townscape, they will provide a

reasonable stepping up in building heights from the Health Centre to the School. Because of the position of the site between Whitehawk Road and the Library, any development on this land will be likely to limit wider views of the library building from Whitehawk Road. However, in terms of the wider townscape this is unlikely to be detrimental and the building will still be able to be glimpsed between the new flats and the Health Centre.

8.12 Given this context it is considered that the design and appearance of the buildings is considered acceptable.

**8.13 Impact on Amenity:**

Policy QD27 states that planning permission for any development 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.

8.14 The closest residential properties to the site are those on the opposite side of Whitehawk Road. The West Block, which fronts on to Whitehawk Road, is set back into the site by some 5 metres meaning that the elevation-to-elevation distance between the existing houses and the West Block would be some 23 metres. There will be balconies at first and second floor at the corners of the building but these will not project beyond the front elevation of the block.

8.15 The redevelopment of the site will change the views and outlook from the houses in Whitehawk Road but the loss of the vacant site can be seen as a visual improvement. Given the distances between the West Block and the houses on Whitehawk Road and the orientation of the site, the existing houses are unlikely to have their outlook unduly impacted by the development nor is the development likely to block light or cast a shadow across these neighbours.

8.16 The Health Centre is closer to the site than the houses in Whitehawk Road but its position and the orientation of the buildings to one another mean that its amenity is not likely to suffer as a result of the development. Whilst the Health Centre does have some windows on its rear elevation the windows on the front and side elevations of the East Block, which at 10m are the closest elevations to the Health Centre, do not directly face onto the rear elevation of the Health Centre.

8.17 The main building to be affected by the development is the Library. The rear elevation of the East Block will be set in from the site boundary by approximately 4m and will at its closest be some 7m from the Library building although most of the building is between 9m and 11m from the Library. The proposed flats would be set at a lower ground level than the Library by approximately 1.75m. It is also noted that the top floor of the East Block is set in from the edge of the building and thus reducing its impact upon the neighbouring building. The proposed building will alter the outlook from the front of the library and it will diminish to some degree the light to the front of the building. However, the proposed building is to the west of the library and thus it will only be later in the day when the Library is likely to be closed that the new buildings will cast a shadow across the front of the Library.

8.18 Any redevelopment of this site will alter the outlook from the neighbouring buildings and their relationship with the site. Given the surrounding context the proposed scheme's impact upon the amenity of surrounding buildings and occupants is considered acceptable.

**8.19 Standard of Accommodation:**

The proposed flats have been designed to be of sufficient size to meet the Nationally Described Space Standards, which provide a useful guide to the standard of accommodation being provided. Although one of the bedroom types in the East Block is slightly narrower at one end than the Standards would ideally prescribe, its overall size meets the Standards. As the Standards are only indicative and the overall level of accommodation is of a good standard there is no objection to the scheme in this regard.

8.20 Both principle entrances to the buildings will provide suitable level access and the wheelchair accessible parking is adjacent to the main entrance to the East Block where the wheelchair accessible flats are provided. Each of the three wheelchair accessible flats on the ground floor of the East Block will comply with the Building Regulations Part M4(3) and all the other units will comply with Part M4(2) which relates to Accessible and Adaptable Dwellings. All of these aspects would be Lifetime Home compliant.

8.21 The development provides some landscaping to the site boundary and will retain the existing 4 Large Hybrid Elms along the site frontage, which are protected and have both an amenity value and provide screening and softening of the site. There is some concern as to likely shade levels to the block on West Block as the trees still have growth potential and are located to the Southwest of the building. Whilst some pruning may well be required to manage the situation the existing TPO provides adequate protection to prevent excessive works. However, there is no communal amenity space although each flat is provided with its own balcony. Given that the flats are designed for family accommodation, a balcony would in some circumstances be considered insufficient in relation to Policy H05. However, as the site is on the edge of the City and is in close proximity to large open areas of open space, the absence of on-site provision is less crucial in this instance.

8.22 Sussex Police have not raised concerns with regard to the overall design and layout of the scheme, noting in particular that there are good levels of observation across the development; that the parking is overlooked from active rooms and that the boundary treatments clearly indicate the difference between private and public space. Some observations have been made with regard to detailed matters such as locks, door entry systems and internal lighting. However, these are not planning matters and are issues for the applicants to consider.

**8.23 Sustainable Transport:**

The Highway Authority notes that the proposed 12 car parking spaces would be below that maximum permitted under SPG4 and that although there could be overspill parking of up to seven vehicles, the parking surveys undertaken as

part of the application submission confirm that there is sufficient capacity within the surrounding area to absorb the level of overspill parking that could be reasonably accepted from the development.

- 8.24 A trip generation exercise has also been prepared for the site and its conclusion has been agreed by the Highway Authority. Applying a standard contribution methodology to mitigate impacts of the trip generation produces a requirement for a £31,800 contribution which would be put towards real time transport information at bus stops and pedestrian route improvements. A Travel Plan which should include provision of a three month bus ticket per dwelling is also requested. As this is a council development, it is not possible to secure a legal agreement although a condition can be imposed requiring a Travel Plan, the details of which can include off-site works if they are directly related to the development.
- 8.25 The application will provide 30 cycle parking spaces within the ground floor of the West Block, which will be accessible to residents of both blocks. This provides the minimum of one space per unit as required by SPG4. In addition, five Sheffield stands are provided outside the entrances to each block, providing the minimum of ten visitor spaces. The Highway Authority have requested that a condition be imposed to ensure the details of the bike stores are provided.
- 8.26 Owing to the nature of the site within a residential area and being adjacent to a school and a health centre, the Highway Authority also recommends that a Construction Environment Management Plan (CEMP) be secured by condition. This would provide details of how the applicant will address the impacts of construction vehicle movements, including timing deliveries so as that these do not coincide with school drop off and collection periods.
- 8.27 **Sustainability:**  
City Plan policy CP8 sets out that all new residential dwellings must meet minimum energy and water efficiency standards. These are energy efficiency standards that require a 19% reduction in CO2 emissions over Part L Building Regulations requirements 2013; and a water efficiency standard of 110 litres per person per day. These are equivalent to the energy and water performance standards from the former Code for Sustainable Homes to Level 4.
- 8.28 The Design & Access Statement makes a commitment to achieve the minimum energy and water efficiency standards. Other aspects of Policy CP8 have also been addressed by the application including 17kWp PV panels to be sited on the roofs of each block together with energy efficiency measures such as: highly efficient fabric performance; low energy lighting; extremely efficient aluminium faced timber double glazed with argon filled double glazed windows; natural ventilation; and large windows which will provide good levels of daylight to habitable rooms. Heating is proposed to be provided via two community gas boilers sited in an energy centre with heat distribution units within each flat and low temperature radiators.
- 8.29 It is also noted that the design incorporates measures to reduce surface water runoff. Sustainable drainage techniques have been incorporated into the

scheme which aim to ensure the development will not increase the risk of flooding, or surface water runoff.

**8.30 Ecology:**

The site is predominantly hardstanding, with some amenity grassland, scattered trees and tall vegetation, and is of relatively low ecological value. Given the location, size and nature of the proposed development, the County Ecologist has confirmed that there are unlikely to be any impacts on any sites designated for their nature conservation interest and that the approach set out in the submitted ecological reports are acceptable.

8.31 The risk of reptiles being present on site is considered to be low. However, the ecology reports submitted with the application suggest a precautionary approach should be taken to site clearance and that it should be done under ecological supervision.

8.32 In addition, to avoid disturbance to nesting birds, any removal of scrub/trees that could provide nesting habitat should be carried out outside the breeding season (generally March to August) although as an alternative a nesting bird check could be carried out by an appropriately trained, qualified and experienced ecologist, prior to any demolition/clearance works. The scheme will provide bird and insect boxes as part of the final landscape/ecological works.

8.33 Any permission would be specifically linked to the works specified in the submitted ecological reports.

**8.34 Regeneration:**

The Council's City Regeneration officers support the scheme both in terms of the improvement it will make to towards the City's housing provision but also the enhancement to the local environment by using a vacant site.

8.35 They have requested a £14,500 payment towards the Local Employment Scheme but as with the request by the Highway Authority, it is not possible to secure such payments through a planning agreement as this is a Council development. However, the request that an Employment and Training Strategy which will commit to using at least 20% local employment during the construction phase and where possible the demolition phase can be covered by a planning condition.

**9 CONCLUSION**

9.1 In principle the redevelopment of this unused, previously developed site within the built up area of the City is acceptable for residential purposes. In addition, where residential development is acceptable it will be preferable if the density of development were at least 50 units per hectare in order to use the site as efficiently as possible.

9.2 The scheme as proposed represents a density of 150 units per hectare which exceeds the Council's minimum density requirements although it does reduce the amount of amenity space that can be provided. In this instance the amenity space is limited to a single balcony for each flat. However, the proximity of the

site to extensive areas of open space does help to compensate for the limited on-site provision.

- 9.3 The proposed buildings are set sufficiently far from the nearest houses on Whitehawk Road so as not to have an adverse effect either in terms of overlooking, overshadowing or loss of privacy. Similarly, the development is not likely to impact the Health Centre or Primary School. The block at the rear of the site will be close to the Library building and therefore views from the Library will now look out across a building rather than a vacant site. However, access to the Library and its day to day operations will be unaffected by the development.
- 9.4 The scheme will not have an adverse ecological impact and will meet the Council's requirements for sustainable buildings and development.

## 10 EQUALITIES

- 10.1 The site provides three disabled parking spaces and three ground floor flats in the East Block which will be wheelchair accessible.

## 11 PLANNING CONDITIONS & INFORMATIVES

### Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings and documents listed below.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	HOU010 001	A	11/05/16
Block Plan	HOU010 002	A	11/05/16
External Works Site Plan	HOU010 003	-	22/04/16
Proposed Floor Plans West Block	HOU010 004	-	22/04/16
Proposed Floor Plans East Block	HOU010 005	-	22/04/16
Proposed Elevations West Block	HOU010 006	-	22/04/16
Proposed Elevations East Block	HOU010 007	-	22/04/16
East Block Contextual Elevations	HOU010 008	-	22/04/16
West Block Contextual Elevations	HOU010 009	-	22/04/16
Site Section	HOU010 010	-	22/04/16
Energy Centre Plans and Elevations	HOU010 011	-	22/04/16

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Proposed Detail Elevations and Section	HOU010 012	-	22/04/16
Extended Phase 1 Habitat Survey and Bat Roost Assessment (13 April 2016)	3145AO/16	Rev 01	22/04/16

- 3) No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the affordable housing provision have been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate how the scheme provides 40% affordable housing. The scheme shall be implemented in strict accordance and retained hereafter.

**Reason:** To ensure the provision and retention of affordable housing in accordance with policy CP20 of the City Plan Part One.

Pre-Commencement Conditions:

- 4) Notwithstanding the submitted documentation, no development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
  - b) samples of all cladding to be used, including details of their treatment to protect against weathering
  - c) samples of all hard surfacing materials
  - d) samples of the proposed window, door and balcony treatments
  - e) samples of all other materials to be used externally

Development shall be carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory appearance to the development and to comply with policies QD14 of the Brighton & Hove Local Plan and CP12 of the City Plan Part One

- 5) No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be erected in accordance with BS5837 (2012) and shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

**Reason:** As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with policies QD16 of the Brighton & Hove Local Plan and CP12 of the City Plan Part One.

- 6) No development shall commence until an Employment and Training Strategy is submitted to and approved in writing by the Local Planning Authority. The strategy shall detail measures to secure 20% local employment during the construction phase and 20% during the demolition phase where possible. The

approved Strategy shall be fully implemented unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To secure training and job opportunities for local residents and to comply with Policy CP2 of the Brighton & Hove City Plan

- 7) No development shall commence until a drainage strategy, detailing the proposed means of foul and surface water sewerage disposal and an implementation timetable, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the approved strategy.

**Reason:** To ensure the development does not pose a flood risk or have any potential adverse effects on people or property in accordance with Policy CP11 of the Brighton & Hove City Plan.

- 8) Prior to the commencement of development details of the works to remove the redundant vehicle crossover adjacent to the site on Whitehawk Road and return it back to a footway by raising the existing kerb and footway shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be fully implemented prior to first occupation of the development.

**Reason:** In the interests of highway safety and to comply with policies TR7 of the Brighton and Hove Local Plan and CP9 of the City Plan Part One.

- 9) No development shall take place until a full scheme including layout and constructional drawings, setting out the access road and footway details have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.

**Reason:** To ensure that there suitable footway and public transport provision is provided to and from the development and to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.

- 10) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- i) The phases of the Proposed Development including the forecasted completion date(s);
- ii) A commitment to apply to the Council for prior consent under the Control of Pollution Act 1974 and not to Commence Development until such consent has been obtained;
- iii) A scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme);
- iv) A scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site;
- v) Details of hours of construction including all associated vehicular movements;

- vi) Details of the construction compound;
- vii) A plan showing construction traffic routes;
- viii) An audit of all waste generated during construction works.

The construction shall be carried out in accordance with the approved CEMP.

**Reason:** As this matter is fundamental to the protection of amenity, highway safety and managing waste throughout development works and to comply with policies QD27, SU9, SU10 and TR7 of the Brighton & Hove Local Plan, policy CP8 of the City Plan Part One, and WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

- 11) Unless otherwise agreed in writing by the Local Planning Authority, the site clearance works shall be undertaken in accordance with paragraphs 5.8 – 5.11 (inclusive) of the Extended Phase 1 Habitat Survey and Bat Roost Assessment (13 April 2016) prepared by PJC Consultancy and received by the Local Planning Authority on 11 May 2016.

**Reason:** To safeguard these protected species from the impact of the development in accordance with policies QD18 of the Brighton & Hove Local Plan and CP10 of the City Plan Part One.

Pre-Occupation Conditions:

- 12) 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.

- 13) Prior to first occupation of the development hereby permitted a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be provided in accordance with the approved details prior to first occupation of the development and shall thereafter be retained at all times.

**Reason:** To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD15 and QD27 of the Brighton & Hove Local Plan and CP12 of the City Plan Part One.

- 14) Prior to first occupation of the development hereby permitted, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

15) None of the residential units hereby approved shall be occupied until each residential unit built has achieved an energy efficiency standard of a minimum of 19% CO2 improvement over Building Regulations requirements Part L 2013 (TER Baseline).

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

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

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

17) Within three months of the date of first occupation, a Travel Plan for the development shall be submitted to in writing to the Local Planning Authority for approval. The measures shall include, but not be limited to, the following:

- The provision of a welcome pack for new residents providing details of sustainable transport facilities within the vicinity of the site, including cycle and bus routes and timetable brochures;
- The provision of a three-month public transport ticket per household.

The approved Travel Plan shall thereafter be fully implemented in accordance with the approved details.

**Reason:** To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR4 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One.

18) Prior to first occupation of the development hereby permitted, details of the secure cycle parking facilities for the occupants of, and visitors to, the development shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and shall thereafter be retained for use at all times.

**Reason:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

19) The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles 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 CP9 of the City Plan Part One.

20) Prior to first occupation of the development hereby permitted details showing the type, number, location and timescale for implementation of the

compensatory bird / insect boxes shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in strict accordance with the approved details.

**Reason:** To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policies QD18 of the Brighton & Hove Local Plan and CP10 of the City Plan Part One.

21) Prior to first occupation of the development hereby permitted, a scheme and timetable for implementation, for the installation of real time public transport information at Wellsbourne Centre southbound bus stop and pedestrian route improvements between the site and local facilities including Whitehawk Road shops, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented.

**Reason:** To ensure that suitable footway provision is provided to and from the development and to comply with policies TR7 of the Brighton & Hove Local Plan and CP9 of the City Plan Part One.

Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. 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 development will not be detrimental to the appearance of the building, wider street scene, the character or appearance of the area or amenities of adjacent occupiers, in accordance with development plan policies.
3. The applicant is advised that accredited energy assessors are those licensed under accreditation schemes approved by the Secretary of State (see Gov.uk website); two bodies currently operate in England: National Energy Services Ltd; and Northgate Public Services. The production of this information is a requirement under Part L1A 2013, paragraph 2.13.
4. The water efficiency standard required under condition 15 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1. The applicant is advised this standard can be achieved through either: (a) using the 'fittings approach' where water fittings are installed as per the table at 2.2, page 7, with a maximum specification of 4/2.6 litre dual flush WC;

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8L/min shower, 17L bath, 5L/min basin taps, 6L/min sink taps, 1.25L/place setting dishwasher, 8.17 L/kg washing machine; or (b) using the water efficiency calculation methodology detailed in the AD Part G Appendix A.

5. Southern Water is likely to require a formal agreement to provide the necessary sewerage infrastructure required to service this development. They can be contacted at: Southern Water, Sparrowgate House, Sparrowgate, Otterbourne, Hampshire, SO21 2SW. (Tel: 0330 303 0119) or at [www.southerwater.co.uk](http://www.southerwater.co.uk)
6. The applicant is advised that the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Streetworks team. The applicant should contact the Streetworks Team (01273 293366).
7. The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.