

<b><u>No:</u></b>	<b>BH2016/01931</b>	<b><u>Ward:</u></b>	<b>HANGLETON &amp; KNOLL</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>The Hyde 95 Rowan Avenue Hove</b>		
<b><u>Proposal:</u></b>	<b>Erection of 4no four bedroom houses and access road leading to Rowan Avenue.</b>		
<b><u>Officer:</u></b>	Stewart Glassar Tel 292153	<b><u>Valid Date:</u></b>	25/05/2016
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	20 July 2016
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	Stiles Harold Williams, 69 Park Lane Croydon CR0 1BY		
<b><u>Applicant:</u></b>	City Partnership Housing, 7 Woodland Drive Hove BN3 6DH		

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to part of an area of grassed land to the rear of Nos. 17-21 Maytree Walk and to the east of five new dwellings currently under construction to the rear of Nos. 57-81 Rowan Avenue.
- 2.2 To the north of the application site is a two/three storey block of flats (Lions Gate), and to the east, beyond the remaining area of grassed land are the dwellings of Elm Drive. The overall character of the area is residential.
- 2.3 The application site is rectangular in shape and measures approximately 15 metres in width and 76 metres in length. The land is generally flat although it does have a gentle north to south slope.

## 3 RELEVANT HISTORY

**BH2016/00361** - Erection of 4 no. four bedroom houses and access road from Rowan Avenue. Refused 14/04/2016.

**BH2013/00848** - Construction of 5 No. four bedroom houses and access road off Rowan Avenue with associated works for including car parking. Approved 27 April 2015 subject to a legal agreement.

**BH2010/00102** - Certificate of Lawfulness for an existing use of the site as a builders yard for the purposes of securely storing builder's plant, equipment,

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materials and re-claimed materials, no part of which exceeds 2 metres in height above ground level. Approved 4 May 2010.

**BH2009/01249** - proposed construction of two blocks of 2 and 3 storeys to provide a total of 27 new sheltered housing units with associated caretaker's flat, support and recreation areas including private landscaped gardens and car and cycle parking facilities. Refused 3 September 2009.

**BH2006/03568** - Certificate of Lawfulness to establish an existing use as a builder's store and as a car park. Refused on the 8th of January 2007. Subsequent appeal withdrawn.

**BH2005/01271/OA** - Outline application for 7 dwellings. Appeal withdrawn on 7 September 2006.

**BH2005/00249/FP** - Conversion of lounge to form an additional 1 bedroom flat. Refused 14 March 2005.

**BH2004/01816/FP** - Extension to existing development to provide 2 no. additional flats and laundry room. Approved 23 September 2004.

**BH2002/02206/FP** - Erection of 39 flats for the elderly, caretaker's accommodation and common room. Approved 20 January 2003 subject to legal agreement.

**BH2001/02545/FP** - Proposed additional football/tennis facilities and changing facilities. Approved 9 April 2002.

**BH2000/03007/OA** - Demolish 95 Rowan Ave, residential development on northern part of site occupied by Clubhouse and tennis courts. Improvements to playing fields including new changing facilities and pitches. Approved 9 October 2002 subject to legal agreement.

**BH1999/01245/OA** - Two storey block affordable flats, improvements to sports facilities. Approved 2 December 1999.

**3/94/0288(F)** - Internal and external alterations to form new entrance, caretaker's flat and general upgrading to re-instate existing club (retrospective). Approved 4 July 1994.

**3/93/0579(OL)** - Outline application for conversion of clubhouse to form 2 no. detached houses. Refused 8 December 1993.

**3/93/0578(O/L)** - Outline application for development of 8 linked residential units. Refused 26 November 1993.

**3/93/0381(OL)** - Outline application for development of 8 linked residential units. Refused 8 September 1993.

**3/93/0380(OL)** - Outline application for conversion of existing clubhouse to form 2 no. detached houses. Refused 8 September 1993.

**3/82/0533** - Ground floor changing room extension. Approved 22 October 1982.

**3/81/0488** - Extension to car park to form addition parking for 18 cars. Approved 25 September 1981.

**3/79/0399** - Erection of Groundsman's store/garage. Approved 6 August 1979.

**3/78/0725** - Extension to club room bar area, bar extension and re-siting of 20 car parking spaces. Approved 26 February 1979.

**M/14696/70** - Extension to existing sports pavilion and clubhouse with parking for 24 vehicles. Approved 3 August 1970.

**M/11432/65** - Outline application for residential development. Allowed to lapse 11 May 1965.

**M/3471/54** - Sports Pavilion. Approved 10 December 1954.

**M/1903/51** - Recreation ground. Approved 20 December 1951.

#### **4 THE APPLICATION**

- 4.1 The application proposes the erection of four new dwellings which would be laid out as two pairs of semi-detached dwellings, facing each other and separated by a central access road. This is a resubmission following the recent refusal for an identical proposal on the site for four dwellings (BH2016/00361).
- 4.2 The dwellings would be two storeys in height with pitched roof and gable ends, finished in white render with slate grey roof tiles. The dwellings would have a single rooflight to the front and small flat roof dormer on the rear roof slope. Each dwelling would measure approximately 5.5 metres by 11 metres and have a height to ridge of 9 metres.
- 4.3 The dwellings would mirror the size and appearance of the previously approved dwellings to the west of the site which are currently nearing completion. The dwelling would provide three bedrooms plus an unspecified room (2m x 2m) on the first floor and a master bedroom within the roofspace.
- 4.4 The proposed dwellings would be accessed by extending the private road that currently serves Lions Gate and the adjacent houses which are under construction. This access road, which runs south from its junction with Rowan Avenue to the rear of the properties in Rowan Avenue and then turns east into the adjacent site would be extended under this application to run through the central area of this application site, with a pair of semi-detached houses to the north of the access road and a pair to the south.

- 4.5 The northern houses would be on the same building line as the pair of semi-detached houses currently under construction. The pair of semi-detached houses located to the south of the access road would be set further south than the terrace of three new dwellings currently under construction so that their front elevation would be slightly forward of the rear elevation of the terraced houses. This arrangement allows for the creation of a turning head.

## 5 PUBLICITY & CONSULTATIONS

### External

#### 5.1 Neighbours:

**Nine (9)** representations have been received from the following properties objecting to the proposals: **148 Elm Drive; 67, 71, 91, 95, 97 Rowan Avenue; Brighton Lions Housing, 11 Lions Gate; 5 Maytree Walk**. Two further objections have been received without specifying an address. The main objections raised are:

- Impact on privacy of existing neighbours
- Overshadowing of neighbouring properties/gardens
- Overdevelopment
- Loss of open space
- Impact on wildlife/habitat
- Increase in traffic and associated noise/disturbance
- Access road is too narrow
- Insufficient parking provision
- Exacerbate local flooding problems
- Land was meant for local people/loss of allotments
- Disturbance from the construction

- 5.2 **Brighton & Hove Archaeological Society:** Recommend County Archaeologist is consulted.

- 5.3 **County Archaeologist:** No further comments as the western part of the site was archaeological evaluated in 2015 (BH2013/00848) but no significant archaeological remains were recorded.

### Internal:

- 5.4 **Sustainable Transport:** 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
- CP2 Sustainable economic development
- CP8 Sustainable buildings
- CP9 Sustainable transport
- CP12 Urban design
- CP14 Housing density
- CP16 Open space
- CP17 Sports provision
- CP18 Healthy city
- CP19 Housing mix

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

- TR4 Travel plans
- TR7 Safe Development
- TR14 Cycle access and parking
- QD15 Landscape design
- QD27 Protection of amenity
- 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

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the loss of the open space, the impact of the development upon the amenity of

neighbours and the character and appearance of the area. The issue of housing supply is also addressed.

**8.2 Open Space**

The application site is currently part of a larger area of grassed land which was previously playing fields belonged to a private members club that occupied the site. As part of the agreement to develop the Lions Gate flats, this land was leased to the Council for use as “an open space for leisure and recreation purposes with ancillary changing facilities”. There was subsequent agreement between the landowners and the Council to vary the terms of the agreement so that the use of all this land was amended to allow it to be used for allotments or other informal open recreational use excluding formal football pitches but including tennis courts.

8.3 The land leased to the Council specifically excluded the area which has subsequently been developed for 5 houses. This site obtained a lawful development certificate as a builders yard in 2010 and was eventually granted planning permission for residential redevelopment in 2015.

8.4 A specification for the allotments has been agreed between the landowner and the Council although the allotments have not yet been laid out.

8.5 It is the applicant’s contention that as the layout of the allotments has been agreed and this layout excludes the area of this planning application, there is no conflict between the provision of the allotments and the proposed development. It is understood that the landowners are in the process of making a separate submission to the Council to vary the legal agreement so that the land given over to the Council is amended to exclude the application site and corresponds to just the land which will be laid out for the allotments.

8.6 It is on this basis that the applicants contend that the scheme does not prejudice Policy CP16 of the City Plan which seeks to safeguard, improve, expand and promote open space. The City Plan Policies Map identifies all of the land leased to the Council (allotment land and application site) as open space. (It is noted that the Policies Map does also identify the adjacent land on which 5 houses have been built as open space but it is not considered that this prejudices the wider thrust of the policy or the allocation of the remaining land as open space.) In addition to improving the access to the allotment site and providing a turning head close to the entrance of the proposed allotments, the applicants consider that the allotments would be accessible to the public and therefore retained as open space. Also, the applicants suggest that as the adjacent site for 5 houses was granted planning permission in 2015, and as there has been little material change in circumstance since that time, when an exception to the open space policy was agreed by the Council, the same reasoning can be applied to the current application site. In particular, it is suggested that the application site will not have any value as open space (having no recreational, amenity, historical, conservation or wildlife value) especially as it is not publically available and is not obliged to become publically available. In contrast the allotments will be provided as open space and thus provide an open space resource. Thus, the applicants point out that the

application site does not in any way impede the provision of the allotments; the site is not a high quality open space; the modest size and location of the application site, being effectively unused residual land, does not lend itself to a viable recreational facility in its own right and on this basis there is no merit in seeking to retain it as open space.

- 8.7 Although the agreed layout plan for the allotments excludes the current application site for housing, both the allotment land and the application site are leased as a whole to the Council and all of this land is leased on the basis that it can be used for allotments or other informal open recreational use excluding formal football pitches but including tennis courts. Therefore, whilst the layout for the allotments does not include the application site, the Council would be entitled, under the terms of the legal agreement, to use the application site for other informal recreation purposes. As informal recreation space, it could for example provide a useful barrier to help protect both the amenity of the 5 houses built on the adjacent site and the allotments. (It is noted that the proposed houses are close to the proposed allotments and plot 14 is directly to the rear of the proposed houses, which could have amenity implications for future residents). The applicants have indicated that they will be seeking to vary the legal agreement so that the land leased to the Council corresponds to the land given over to the allotments. However, at this stage the applicants have not submitted any information or evidence in support of their proposed variation.
- 8.8 The applicant's case depends largely on the application site being considered as a separate parcel from the allotments and in effect an area of land left over after the planned development has taken place. If the application site is considered as part of a single, larger parcel of land which can be used for informal recreation purposes, then the arguments around the application site not being accessible to the public, having little amenity/recreational value and being a modest sized residual site appear to carry much less weight.
- 8.9 Clearly the application site and allotment land as a whole were considered to be required by the Council as mitigation in relation to the earlier (2002) planning application. The specification for the allotments does not automatically mean that the remaining land is not required by the Council for other, agreed purposes. The application submission provides no evidence that the application site is not required by the Council or is an area of land which will be left over and unused once the allotments are provided.
- 8.10 The current situation is that the application site forms part of a larger plot which is to be provided for allotments or other informal open recreational use excluding formal football pitches but including tennis courts. in accordance with the terms of the varied legal agreement. This is significantly different from the situation pertaining to the adjacent land which has been developed for 5 houses and is now nearing completion. The Local Planning Authority accepted that that site could be considered as an exception to the prevailing open space Local Plan policy, not least as it was outside the land the subject of the legal agreement which is to be used for allotment/recreational uses. The lawful development certificate would also have carried weight in that decision.

- 8.11 However, the applicants suggest that the situation has changed little in the intervening period and that the same reasons for allowing an exception previously continue to apply to this site. Principally, they argue that the qualitative improvements which were needed to the residual open space were advanced through the provision of the allotments and this is unhindered by the current application. Whilst Local Plan Policy QD20 has been superseded by City Plan policy CP16, the applicants contend that this has no direct bearing on the exceptions argument that they are putting forward.
- 8.12 Although the area is currently overgrown and has various items on it from the adjoining construction site, it would appear entirely reasonable to interpret the application site as being part of a larger area that is intended to be used, in its widest definition, as an area of open space. Thus, at this stage the site is not an area of land which is not required and thus it would seem that little weight can be attached to the applicant's suggestion that the site should be considered as an exception to Policy CP16.
- 8.13 **Housing:**  
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.
- 8.14 It is therefore acknowledged that the scheme will provide four new houses that will make a contribution towards the Council's housing supply figures.
- 8.15 The applicants also note that the development positively addresses the City Plan's strategic objectives SO4, (housing need/delivery), SO8 (sustainable design/construction), SO12 (character/neighbourhoods) and SO15 (sport/recreation). The application submission also indicates that the development will provide family housing in dwellings which are of the same design as the council approved in 2015. In addition, the development will provide a turning head which better connects the allotments for pedestrians and vehicles and helps to complete a development of 9 houses that responds to the character of the area without impacting upon the delivery of the allotments.
- 8.16 Whilst the application submission contends that the scheme will provide much needed family housing it is noted there is no assessment of the need for 4/5 bedroom houses despite Policy CP19 requiring 'windfall' sites to demonstrate that the proposal has had regard to housing mix considerations and informed by local assessments of housing need. In slight contrast to the applicant's submission, the City Plan notes that a demographic analysis of the demand/need for homes in the city over the plan period indicates that an estimated 65% of the overall need/demand (for both market and affordable homes) will be for two and three bedroom properties although there is also likely to be a considerable requirement for three or more bedroom sized properties.



- 8.17 Thus, whilst there is a continuing need for housing in the City, it has not been demonstrated that there is an overriding need for a development of this nature or that the provision of these houses should override other material considerations but must be weighed as part of the wider assessment.
- 8.18 **Impact on Amenity:**  
Policy CP14 of the City Plan accepts that higher density development than that typically found in a locality can be permitted, provided the proposal meets specified criteria. The criteria seek to ensure that the proposal includes a high standard of design, would respect the character of the neighbourhood and contribute positively to the sense of place, provide dwellings that reflect identified local needs, be accessible by public transport and provide outdoor recreation space appropriate to the demand it would generate.
- 8.19 Any development proposal must also have regard to Policy QD27 of the Brighton & Hove Local Plan which states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.
- 8.20 The current application notes that the form, scale, design, materials and layout of the adjacent scheme were considered acceptable and that the current application is almost identical. Furthermore, the submission notes that the dwellings will have garden space to a standard compatible with family dwellings of this size and generally compatible with immediate neighbours. It is also stated in the application that the houses are more remote from the immediate neighbours gardens than the previously approved scheme on the adjacent site and thus have demonstrably little additional impact on residential amenity. The applicant's conclusion is therefore that it would be unreasonable to resist the scheme in terms of its density, layout, etc.
- 8.21 The area around the application site is typified by post war semi-detached dwellings with modest front gardens and significantly larger rear gardens. With one or two exceptions the houses in Rowan Avenue have rear gardens of 15-20 metres in length; in Elm Drive they are mostly 20 metres in length and most of the houses in Maytree Walk have a rear garden in excess of 20 metres in length and those closest to the application site have gardens of approximately 30 metres in length. This provides residents with areas of relatively secluded amenity space and thus, for most of the properties, a strong degree of privacy which is supplemented by the existing area open space to the rear.
- 8.22 The terrace of three houses currently nearing completion have slightly narrower plots than the existing adjacent houses but their garden lengths (in excess of 20 metres) help to integrate the houses into the existing character and grain of the area. The pair of semi-detached dwellings recently constructed to the north are less characteristic of the area in that the gardens are of only 10 metres in length. However, the plot widths are more in keeping with the area and the previously perceived benefit in removing the builder's yard and the fact that the

site backs onto a car park rather than existing gardens are acknowledged as mitigating factors.

- 8.23 The pair of semi-detached dwellings now proposed next to these recently built semi-detached dwellings will have similar plot and house sizes to those dwellings. However, they would not back on to a car park but an area of land that wraps around the rear of these houses and is to be used as allotments. Beyond this land is the side elevation of Lions Gate. At this point the base level of Lions Gate is below that of the application site but it is a three storey building and thus this elevation contains a number of habitable room windows which will look directly across and into the gardens of the proposed houses. It is also noted that the proposed dwellings have rear dormer windows which will increase the sense of overlooking experienced by the residents of Lions Gate. The separation distance between the properties will be some 27 metres at its closest point.
- 8.24 The proposed southern pair of semi-detached dwellings have been set further south than the adjoining terrace of three dwellings. This is to accommodate the proposed turning head. The result is two dwellings with relatively short rear gardens (approximately 14 metres) compared to those they back on to. As these proposed dwellings also have rear roof dormers the overlooking of the existing gardens to the properties in Maytree Walk will be particularly pronounced.
- 8.25 The proposed dwellings would represent an increased density when compared to the prevailing more spacious character of the area. As noted, Policy CP14 does encourage increased densities where the development, amongst other criteria, is of a high standard of design, would help to maintain or create a coherent townscape; would respect, reinforce or repair the character of the neighbourhood and contribute positively to its sense of place; would include a mix of dwelling types, tenures and sizes that reflect identified local needs.
- 8.26 However this must also be balanced against the need not to harm the amenity of existing neighbours. The application suggests that as the previous scheme and layout was acceptable and was not considered to raise significant concerns, the current scheme which is largely the same, should therefore also be considered acceptable. However, the above assessment of the relationships between existing and proposed buildings demonstrates that there are subtle differences in the relationships with existing buildings and the size of the proposed gardens when compared to the previously approved scheme.
- 8.27 **Form and Density:**  
The previous application was refused for reason that the proposal represented an inappropriate form and density of development, which by virtue of its design, character and lack of outdoor recreation space, failed to make a positive contribution to the character of the area. Having reconsidered these issues in the light of the further justification submitted by the applicant and the houses under construction on the adjoining site, the proposed development is considered to be acceptable in terms of its form and density.

**8.28 Sustainable Transport:**

The Highway Authority has not raised an objection to the proposed scheme. They have noted that car and cycle parking would be provided that meet the Council's standards and that this could be controlled through appropriate conditions.

8.29 The development would increase trip generation in the vicinity but the Highway Authority considers that a £6,000 contribution to sustainable transport, in particular on accessible bus stops in the local area including those on Rowan Avenue and Elm Drive, would help to off-set these impacts and be in accordance with Policy CP9. The comments from the Highway Authority on the recently refused application (BH2016/00361) were not received until after the decision was made and therefore were not taken into account. If this current application was recommended for approval, this contribution would have been negotiated with the applicant.

8.30 The Highway Authority has noted that there was a slight alignment issue with regard to the parking space for one of the houses and access road and those details would need to be agreed with regard to the road treatment, traffic calming measures and footway details prior to development commencing. However, these matters could be dealt with by condition.

**9 CONCLUSION**

9.1 The application will result in the loss of land which is identified in the City Plan as being for open space. Policy CP16 seeks to prevent the loss of open space.

9.2 The applicant's indicate that the site has little value, will not prejudice the delivery of the allotments and therefore notwithstanding Policy CP16 should be seen as an exception to the wider objectives of retaining open space.

9.3 Given that, pursuant to the varied legal agreement, the site is leased to the Council for allotment or informal recreational uses and there is no indication that the Council will not wish to use all the land for these purposes little weight can be attached to the applicant's contentions. Accordingly the development of this land for residential purposes is considered to result in the loss of open space and thus contrary to City Plan Policy CP16.

9.4 The five new houses on the adjacent site were approved in 2015. Their design and appearance was considered acceptable as was their impact upon the neighbouring properties. The site had established a lawful use as a builders yard and the scheme therefore represented an improvement over such a use. The development is not entirely representative of the area in terms of the density of the surrounding houses but the Council does accept an increased density where there is no identified harm. The current scheme however, will have an impact upon the outlook and amenity of existing residents in Lions Gate and Maytree Walk. The smaller curtilages of the proposed houses when compared to the neighbouring properties means that the elevation-to-elevation distances rely on the size of the neighbour's amenity space rather than there being a more equal distribution and separation. This is a function of the

design/layout of the proposed development. An implication of these smaller gardens and increased density is the knock on effect the development is likely to have on the current levels of amenity enjoyed by existing residents. The proximity to and overlooking of buildings and in particular what is relatively private and secluded amenity space would result in the diminution of the neighbours' sense of privacy and amenity.

- 9.5 Given the spacious character of the area and the amount of accommodation proposed for these plots, it is considered that the proposed development has not been able to sufficiently respect the local character and therefore there will be harm to the amenity and outlook of neighbouring properties. Accordingly the proposal is unable to comply with Policy QD27 of the Local Plan and CP14 of the City Plan.
- 9.6 Despite the application not justifying the mix/size of proposed houses it is acknowledged that the development will make a positive contribution towards the City's housing supply figures. However, the addition of four 4/5 bedroom houses will only make a modest contribution to the City's housing needs.
- 9.7 Against the provision of these new houses, the loss of the open space and the impact upon the amenity of neighbouring residents must be weighed. It is considered that in assessing the severity of these factors, the adverse impacts of the development would outweigh the provision of four houses. On this basis the application is recommended for refusal.

## **10 EQUALITIES**

- 10.1 None.

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

1. The proposed development would result in the loss of open space. Accordingly the proposal is considered contrary to the National Planning Policy Framework and Policy CP16 of the Brighton & Hove City Plan Part One.

2. The proposal represents an inappropriate form and density of development which by virtue of its proximity to, and overlooking of, neighbours in Lions Gate and Maytree Walk, represent an unacceptable form of development which will cause a loss of amenity to these adjacent residents. In addition, the proximity of the proposed dwellings to the open space would prejudice the level of amenity future adjoining occupiers should reasonably expect to enjoy. Accordingly, the proposal is considered to be contrary to Policy QD27 of the Brighton & Hove Local and Policy CP14 of the Brighton & Hove 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

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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:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Plans	15909/PA/100	-	25/05/16
Plans and Elevations	15909/PA/101	-	25/05/16

