

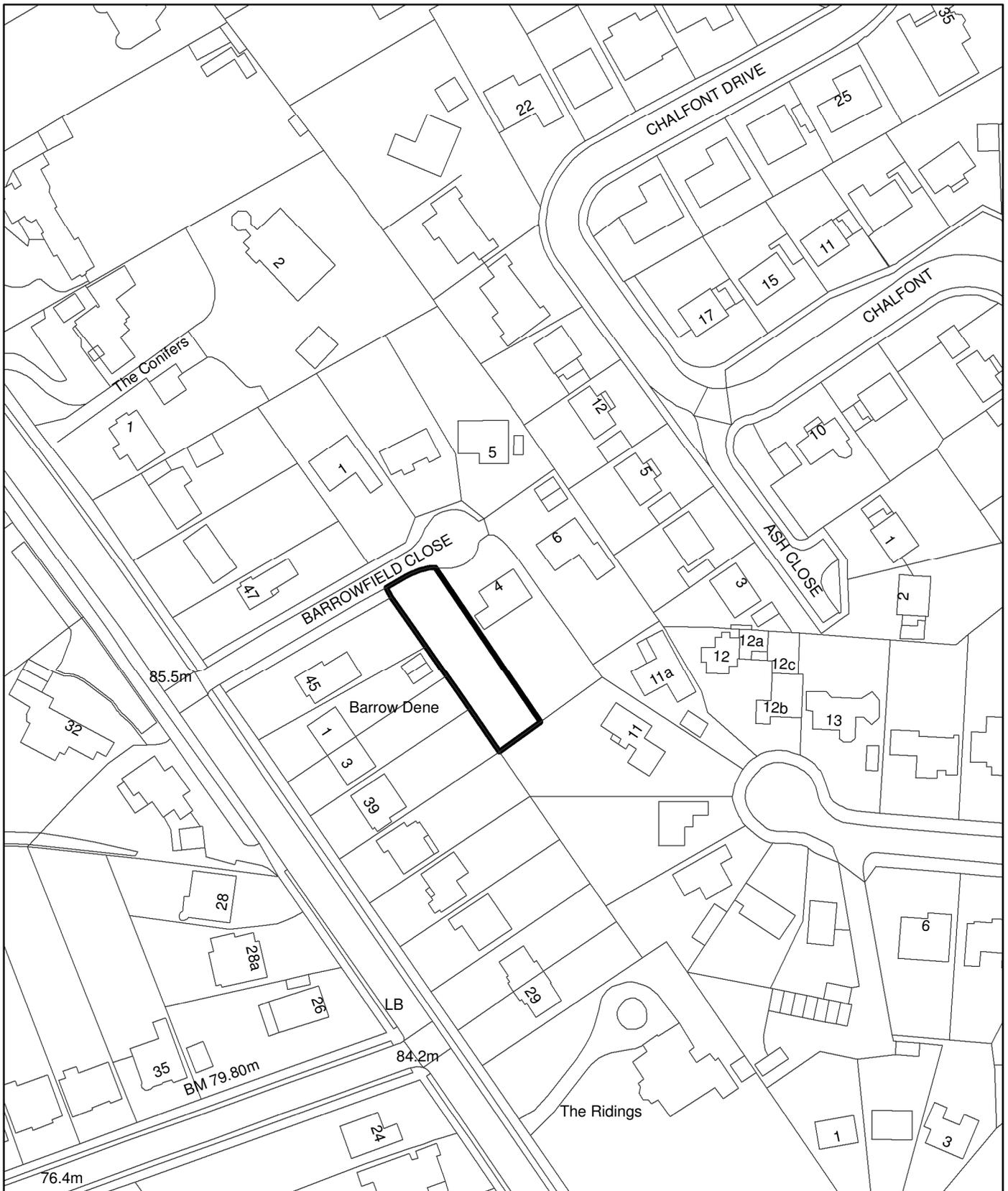
ITEM C

4 Barrowfield Close, Hove

BH2014/03227
Full planning

19 NOVEMBER 2014

BH2014/03227 4 Barrowfield Close, Hove



Scale : 1:1,250

<u>No:</u>	BH2014/03227	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	4 Barrowfield Close Hove		
<u>Proposal:</u>	Erection of 1no four bedroom detached dwelling (C3).		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	24 September 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	19 November 2014
<u>Listed Building Grade:</u>	N/A		
<u>Applicant:</u>	Mr & Mrs J T Platt, 4 Barrowfield Close Hove BN3 6TP		

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 currently providing garden area for an existing detached dwelling, which is located on the south-eastern side of Barrowfield Close, at the eastern end of the cul-de-sac, which is accessed off Tongdean Avenue. The plot related to no. 4 Barrowfield Close is of a larger width than the plots relating to the other properties within the Close. The existing dwelling is situated towards the north-eastern side of the double plot resulting in a strip of garden area to the south-western side of the dwelling in addition to a large rear garden.
- 2.2 The existing dwelling comprises two storeys, and roofslope accommodation, with a subordinate hipped roof side section and an integral garage.
- 2.3 The Close comprises a total of 5 dwellings all of a detached form but of various styles and designs. A common characteristic in the Close is of the properties being contained towards the front of the plot providing large rear gardens.
- 2.4 The topography of the area results in the neighbouring properties on Tongdean Avenue being sited lower than the site but no. 6 Barrowfield Close being set at a higher level. The southern section of the plot currently related to no. 4 is also set at a slightly lower level than the land upon which the existing house is sited.
- 2.5 The boundary with the Tongdean Conservation Area is located to the rear of the properties on the northern side of the close and to the north of no. 47 Tongdean Avenue.

3 RELEVANT HISTORY

BH2014/02487 - Erection of 4 bedroom detached dwelling house. Refused 08/09/2014. Reasons for refusal: The proposed development, by virtue of the excessive depth created by the proposed single storey rear section and positioning closer to the front boundary compared to neighbouring properties results in a development that would be out of keeping with the characteristic built form and positioning of the properties within Barrowfield Close. This contrast, in addition to the design and style of windows, would result in a development that is of detriment to the character and appearance of Barrowfield Close and wider surrounding area, contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan. Appeal under consideration.

BH2014/01708 - Demolition of existing house and erection of 5no bedroom house. Approved 18/07/2014.

BH2014/00821 - Remodelling of existing dwelling incorporating two storey rear extension, two storey front/side extension and additional two storey extension to create entrance porch. Enlargement of existing garage, extensions and alterations to roof, revised fenestration and associated works. Approved 08/05/2014.

BH2014/00479 - Erection of 3 bedroom detached dwelling house. Refused 16/04/2014.

BH2013/04218 - Demolition of existing dwelling and erection of seven bedroom dwelling. Refused 28/04/2014

BH2014/00250 - Certificate of lawfulness for proposed loft conversion with side dormer and rooflights, two storey rear extension, single storey extensions to both sides, front porch extension and erection of 2no single storey outbuildings to rear. Approved 07/03/2014

BH2013/03757 - Certificate of lawfulness for proposed loft conversion with side dormer and rooflights, two storey rear extension, single storey extensions to both sides, front porch extension and erection of 2no single storey outbuildings to rear. Split Decision 27/12/2013

Plot 2 Barrowfield Close

There has been 8 previous outline consent applications for the erection of a detached house on the plot, the first granted in 1979 the most recent set out below:

BH2001/00496/OA – Outline application for the erection of one two storey detached house. Approved 09/05/2001

4 THE APPLICATION

- 4.1 Planning permission is sought for the sub-division of the plot currently associated with no. 4 Barrowfield Close and the construction of a new two storey detached, 4 bedroom, dwellinghouse.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Five (5) letters of representation have been received from 1, 5 and 6 Barrowfield Close (x2), 45 Tongdean Avenue and 11 Woodlands objecting the application for the following reasons:**

- Increase traffic/parking pressure in the small Close,
- The applications for the two adjoining sites should be considered together. A house with four bedrooms in such an area is likely to attract a family with two or three cars, plus visitors,
- Loss of grass verge. The loss of part of the green verge has already been approved in the granting of an application for 4 Barrowfield Close, deeming the loss of approximately 50% of that property's verge as being "not harmful" to the green environment in the Close,
- Urge Council to consider imposing strict conditions on the width of the driveway access to the property to ensure that the development allows for additional car parking on the land belonging to the property and not to allow publicly-owned grass verges to be lost and taken over for such purposes,
- If the kerb was allowed to be lowered across the face of the house (and considering the kerb is already to be lowered in front of number 4) visitor parking for other houses will be limited, apart from the extra throughput of traffic in general. There could also be access issues for emergency services and service vehicle access to the houses at the top of the Close,
- Whilst it is recognised that the length of the house has been reduced, the number of bedrooms and therefore the potential parking issues remains the same,
- The size and width of the proposed house, in conjunction with the plans for number 4 that have already been approved, make the mass, depth and in particular frontage of the two buildings on the one plot too bulky, especially from the road and is an over-development. Developments on both sites will result in two properties close together and visually produce a development which would not be in scale or keeping with the Close, and look bulky and cramped,
- The depth and layout of the proposed house on number 2 seems to lend itself to be able to be linked to the main house at number 4. If this is intended would invite applicants to reach an agreement with the neighbours at this stage, believe it would be favoured for one contemporary and substantial house that fills the plot from the front on a more modest way rather than two separate dwellings,
- Previous application was for a 3 bedroom house, this is for a 4 bedroom house. Object to increase in scale and size,
- The fact that there has been a previous permission granted for a house at no. 2 is not relevant at present as over time car use has changed considerably and should have a totally different bearing on a new proposal,
- Since the applicants have purchased the site they have removed trees and hedges to make the site appear as large as possible, and
- Have no confidence in proposed landscaping scheme as previously replaced hedging on the southern boundary is inadequate.

Internal:

- 5.2 **Access Officer:** The approach to the entrance needs to be level or gently sloping, the elevations seem to show a step.

There needs to be 1100mm clear space in front of the entrance level WC.

- 5.3 **Arboriculturist:** No objections subject to suitable conditions being attached regarding the retention and protection of the existing hedges.
- 5.4 **Sustainable Transport:** Recommends approval as the Highway Authority has no objections to the application subject to the inclusion of conditions regarding cycle parking and a new cross-over.

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) is a material consideration.

- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.

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

- 6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
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
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

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

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

Background:

- 8.1 Under application BH2014/02487 planning permission was sought for the erection of a new 4 bedroom detached dwelling on land to the side of no. 4 Barrowfield Close. This earlier application was refused on grounds that;
- 8.2 *“The proposed development, by virtue of the excessive depth created by the proposed single storey rear section and positioning closer to the front boundary compared to neighbouring properties results in a development that would be out of keeping with the characteristic built form and positioning of the properties within Barrowfield Close. This contrast, in addition to the design and style of windows, would result in a development that is of detriment to the character and appearance of Barrowfield Close and wider surrounding area, contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan”.*
- 8.3 The main differences between the previously refused application and that now proposed are;

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- An increase in height of the proposed ridge,
- The omission of a single storey rear section,
- Alterations to fenestration, and
- An increase in depth of the two storey section of the dwelling from 10.4m to 12.5m.

8.4 The main considerations in the determination of this application relate to the principle of the subdivision of the plot currently related to no. 4 Barrowfield Close and the provision of an additional dwelling within the site and the impacts of the proposed development upon the visual amenities of the existing plot, the Barrowfield Close streetscene and the wider area, including the setting of the nearby Tongdean Conservation Area. The living conditions for future occupiers, the impact upon the amenities of the neighbouring properties and issues including sustainability and transport must also be assessed.

Principle of Development:

- 8.5 At present, there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (20,000 units) as the basis for the five year supply position. The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
- 8.6 The specific impacts of the development are considered fully below.

Visual Amenities:

- 8.7 Policies QD1, QD2 and QD3 set out the design criteria for applications of this nature. These policies require proposals to make an efficient and effective use of the site, contributing positively to the visual quality of the environment, addressing key principles for the neighbourhoods in terms of height, scale, bulk and design. The onus is upon the applicant to demonstrate that new development can be integrated successfully into its context.
- 8.8 As set out above the site is located within the vicinity of the Tongdean Conservation Area. Policy HE6 states that proposals within or affecting the setting of a conservation area should preserve or enhance the character or appearance of the area and should show:
- a) a consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms;
 - b) the use of building materials and finishes which are sympathetic to the area;

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- c) no harmful impact on the townscape and roofscape of the conservation area;
 - d) the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
 - e) where appropriate, the removal of unsightly and inappropriate features or details; and
 - f) the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area.
- 8.9 Proposals that are likely to have an adverse impact on the character or appearance of a conservation area will not be permitted.
- 8.10 The NPPF states that good design is a key aspect of sustainable development and that development should function well and add to the overall quality of the area, respond to local character and reflect the identity of the local surroundings. The principle of a modern designed dwelling on this site is not objected to, however the resulting property must respect its context and should be designed to emphasise and enhance the positive qualities of the local neighbourhood, taking into account the local characteristics in order to accord to design policies in the local plan.
- 8.11 The proposal would result in the provision of an additional detached dwelling within the Close, providing 4 bedrooms (2 with an en-suite bathroom and 1 with a dressing room), a separate bathroom a large combined family room, kitchen and dining room, utility rooms, an office and a separate living room.
- 8.12 The proposed two storey dwelling would comprise a main hipped roof with a ridge located on a south-west to north-east orientation, located over the two storey section of the proposed dwelling. The proposed ridge would be located approximately 8.4m above related ground level. A porch, with a mono-pitched roof form, would project from the north-western elevation of the proposed dwelling. As set out above, since refusal of the previous application the depth of the proposed two storey section of the dwelling has been increased to compensate for the omission the previously proposed single storey section. Such amendments result in an overall reduced footprint to the dwelling but an increase in height of the proposed ridge and increased bulk to the roof form. However it is still considered that the proposed height and roof form bulk of the proposed dwelling respects the context in which it would be viewed. Ground levels do vary across the site and as a result a condition is recommended requiring Ordnance Survey Datum regarding the proposed height of the development in respect of neighbouring properties.
- 8.13 The design and style of the neighbouring properties within the area varies however one common feature is the presence of prominent hipped/pitched roofslopes fronting the Close. It is considered that the proposed main hipped roof

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design and scale would be in keeping with other roof forms already present within the Close street scene.

- 8.14 It is considered that the design of the proposed front elevation would not be of detriment to the visual amenities of the Barrowfield Close streetscene.
- 8.15 The western elevation of the proposed extension would be visible from within parts of Barrowfield Close to the south-west of the site, especially when the trees within the Close are bare. It is noted that a hedge is to be retained along the south-western boundary of the site, which would obscure views of part of the western elevation, however the height of this hedge cannot be guaranteed.
- 8.16 The main front building line of the proposed dwelling would be located between approximately 7.8m (north-eastern side) and approximately 9.2m (on the south-western side) from the front boundary of the site. It is noted that there is no common building line with the Barrowfield Close due to the curved nature of the road the neighbouring properties are significantly set back from the related front boundaries. It is considered that the proposed dwelling would be located appropriately in respect of the front boundary of the site resulting in a development that is in keeping with the characteristics of the Close.
- 8.17 It is noted that a number of Outline consents have been granted at the site, the most recent in 2001. However, these consents were granted prior to the adoption (in 2005) of the current Local Plan and therefore are given limited weight as a material planning consideration in the determination of the current application.
- 8.18 A boundary of the Tongdean Conservation Area is located to the north-west of no. 47 Tongdean Avenue. The proposed dwelling would not be visible from public viewpoints (within the CA) and on this basis the prevailing character and appearance of the Conservation Area would be preserved.
- 8.19 It is noted that under application BH2014/01708 approval was granted for the demolition of the existing dwelling at no. 4 and the construction of a new 5 bedroom dwelling. This approved development respects the positioning and footprint of the other properties within the Close. It is not considered that this previously approved scheme in conjunction with that now proposed would have a detrimental impact upon the visual amenities of the site, the Barrowfield Close streetscene or the wider area.
- 8.20 Overall it is considered that the proposed dwelling would not be of harm to the visual amenities of the Barrowfield Close street scene and the wider area and is considered an appropriate scale and design which respects the context of its setting.

Impact upon Amenity:

- 8.21 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health.

Future occupiers:

- 8.22 Policy HO5 requires new residential development to provide adequate private and usable amenity space for occupiers, appropriate to the scale and character of the development. The proposal would provide adequate external private amenity space for future occupiers at the rear of the proposed dwelling.
- 8.23 Policy HO13 requires new residential dwellings to be built to Lifetime Homes Standards, which enables units to be adapted at a later date to meet the changing needs of occupants, without the need for major structural alterations. There are sixteen standards relating to Lifetime Homes and as the proposal is for a new build development all of the standards must be incorporated into the design (except the standard relating to communal staircases and lifts). A Lifetime Homes Standards Checklist has been submitted as part of the application in which it is stated that the proposal would meet all the required standards. The Council's Access Officer states that the approach to the entrance needs to be level or gently sloping and that a 1100mm clear space is required in front of the proposed entrance level WC. It is considered that a condition could be attached to an approval to ensure full compliance with the policy if overall the scheme is considered acceptable.
- 8.24 All rooms would receive appropriate levels of daylight and outlook and it is considered that the standard of the living accommodation proposed is acceptable.

Neighbouring Amenities:

- 8.25 As previously stated the proposal would result in the sub-division of the plot currently associated with no. 4 Barrowfield Close. It is considered that sufficient external amenity space would be retained for the occupiers of no. 4 following the sub-division.
- 8.26 Whilst ground levels vary across the site, with the application site on higher ground than the properties to the west along Tongdean Avenue, given the separation distances it is not considered that the proposal would have a significant adverse impact upon the amenities of these neighbouring properties with regards to loss of sunlight/daylight or overshadowing.
- 8.27 Although the proposal would result in the loss of the existing open space between no. 4 Barrowfield Close and the neighbouring properties located on Tongdean Avenue, due to the distance that would be located between the south-western neighbouring properties and the new dwelling, it is not considered that the construction of the new dwelling would have an over bearing or harmful impact upon the amenities of these neighbouring properties, especially with regards to outlook.
- 8.28 Due to the topography of the area the site is set at a higher level than the neighbouring properties located on Tongdean Avenue but the overall height would be lower than that related to no. 4 as existing and as approved under application BH2014/01708.

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- 8.29 The plans submitted show that the height of the retained hedge along the south-western boundary of the site would obscure views towards the neighbouring properties located on Tongdean Avenue, however it is noted that the height of this existing hedge cannot be secured. A distance of approximately 15m would be located between the south-western boundary of the site and the closest north-eastern facing elevation of the neighbouring properties located on Tongdean Avenue. Two windows are proposed within the south-west facing elevation, which would face onto the neighbouring properties located on Tongdean Avenue. These two windows would relate to a shower room/en-suite and therefore it is assumed that there would contain obscure glazing. Given the distance to the nearest neighbouring property it is considered that the proposed south-west facing windows, which appear to be high level, would not have a detrimental impact upon the amenities of the neighbouring properties located on Tongdean Avenue, even if the hedge is reduced in height or completely lost or the windows do not contain obscured glazing.
- 8.30 Due to the positioning of the proposed dwelling towards the north-western end of the site it is not considered that the proposal would have a significant adverse impact upon the amenities of the neighbouring properties located on Woodlands.
- 8.31 The front building line of the proposed dwelling would be sited further to the north-west than that relating to no. 4. The windows within the south-west facing elevation of no. 4 either relate to the staircase area of the dwelling or are secondary windows to habitable rooms. Although the forward positioning of the proposal, in comparison to no. 4, would result in the loss of some outlook, sunlight and daylight for this neighbouring property, it is not considered that refusal on this basis could be sustained given that the affected windows are not sole windows for the associated rooms.
- 8.32 The land upon which no. 4 is located is set at a slightly higher level than the land upon which the proposed dwelling would be constructed. The plans submitted show the planting of a new hedge between the proposed plot and the retained plot for no. 4 Barrowfield Close.
- 8.33 The east facing elevation of the proposed dwelling would comprise window openings and a door (possibly glazed). The two windows would relate to the staircase area and an en-suite bathroom. The proposed en-suite bathroom window would be at a high level. Subject to the installation of obscured glazing to the non-high level windows and the provision of adequate screening along the boundary between the new dwelling and no. 4 (as existing or as redevelopment) it is not considered that the proposal would have a significant adverse impact upon the amenities of no. 4 with regards to loss of privacy or overlooking.

Sustainable Transport:

- 8.34 Policy TR1 requires new development to address the demand for travel which the proposal will create and requires the design of the development to promote the use of sustainable modes of transport on and off site, so that public transport, walking and cycling are as attractive as use of a private car. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires the provision of cycle

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parking within new developments, in accordance with the Council's minimum standards as set out in SPGBH4. Policy TR19 requires development to accord with the Council's maximum car parking standards, as set out in SPGBH4.

- 8.35 As part of the proposal an off-street parking space for one vehicle would be provided, such off-street parking provision is in accordance with car parking standards set out in SPG04.
- 8.36 Comments from objectors regarding parking problems within the Close are noted however the site is not located within a Controlled Parking Zone and no yellow lines are located within the Close and as a result parking within the Close cannot be restricted. In addition no objections are raised by the Highway Authority in respect of the creation of a new cross-over subject to a condition requiring further specifications. It is not considered that the loss of the existing grass verge would be detrimental enough to warrant refusal of the application on visual amenity terms and no objection is raised by the Highway Team regarding impact of parking in the Close. If the proposal was approved the applicant would need to gain a license from the Highways Operations Manager which would include issues regarding the relocation of the street lamp.
- 8.37 SPG04 states that a minimum of 1 cycle parking space is required for each new dwelling. A cycle parking store is to be placed at the front of the dwelling, which is deemed acceptable. It is recommended that a condition is attached to an approval to ensure the provision of such facilities.

Sustainability:

- 8.38 Policy SU2 and SPD08 seeks to ensure that development proposals are efficient in the use of energy, water and materials. Proposals are required to demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design.
- 8.39 As part of the application a sustainability checklist has been submitted in which it is stated that the proposed dwelling would be constructed to Code for Sustainable Homes Level 5. It is considered that this proposed level is acceptable given that the proposed dwelling would occupy existing undeveloped land (as defined by Annex 2 of the National Planning Policy Framework) located to the south-west of the existing dwelling known as no. 4 Barrowfield Close. CSH level 4 is recommended to be secured by condition.
- 8.40 The submitted plans show the provision of an area for the storage of refuse to the south-west of the dwelling. From the information submitted it would appear that sufficient space could be provided in this annotated area for both refuse and recycling facilities. If overall the proposal was considered acceptable a condition could be attached to ensure the provision of such facilities.

Landscaping:

- 8.41 The plans submitted show the retention of a hedge along the southern boundary of the site, shared with neighbouring properties located on Tongdean Avenue whilst a new hedge would be planted along the northern boundary to separate the site from no. 4 Barrowfield Close.

8.42 There are substantial hedges located along the south-western and south-eastern boundary of the site, which currently provide screening between the site and neighbouring properties. The Council's Arboriculturist has recommended that the retained hedges are clipped back tight prior to the commencement of the development and that the rootplate of the hedges are protected during the construction and should be replaced if they die within 5 years of completion. These matters can be secured via a condition if overall the proposal is deemed acceptable.

8.43 Details regarding the protection of the retained hedging in addition to further details of the proposed new hedging and other landscaping within the site could be obtained via conditions if overall the proposal is considered acceptable.

9 CONCLUSION

9.1 In conclusion, given the footprints, size and design of existing properties with Barrowfield Close and the wider area and the developments recently approved at nos. 4 and 6, it is considered that the proposal would not result in undue bulk and massing within the site and that the proposal would not be of significant harm to the visual amenities of the site, the Barrowfield Close streetscene or the wider area. Furthermore subject to the compliance with the attached conditions it is not considered that the proposal would have a significant adverse impact upon the amenities of neighbouring properties or future occupiers and would comply with sustainability and transport standards. The proposal accords with policies of the Brighton and Hove Local Plan, approval is therefore recommended.

10 EQUALITIES

10.1 The development would be required to comply with Part M of the Building Regulations and the Lifetime Homes policy of the Brighton & Hove Local Plan.

11 PLANNING 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.
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
Block & Location Plan	001	-	24th September 2014
Proposed Floor Plans	002	-	24th September

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			2014
Proposed Elevations	003	-	24th September 2014
Proposed Site Plan	004	-	24th September 2014
Proposed Street Scene	005	-	24th September 2014

- 3) No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Classes A – E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) 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 first floor windows in the eastern elevation, facing no. 4 Barrowfield Close, hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 5) 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.
- 6) The new dwelling hereby permitted shall be constructed to Lifetime Homes standards prior to their 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.
- 7) No hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess

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the nesting bird activity on the site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

Reason: To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

- 8) Unless otherwise agreed in writing with the Local Planning Authority the measures set out in the Site Waste Management Statement submitted on the 23rd May 2014 shall be implemented in strict accordance with the approved details.

Reason: To ensure that 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 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

11.2 Pre-Commencement Conditions:

- 9) No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.
- 10) No development shall commence until full details of the existing and proposed land levels of the proposed development in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.
Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton and Hove Local Plan.
- 11) 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, boundary treatments, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained.
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.
- 12) No development or other operations shall commence on site until a scheme which provides for the retention and protection of the hedges growing on or adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority; no development or other operations shall take place except in complete accordance with the approved protection scheme. No hedges within the site which are shown as being retained within the approved information in respect of condition 6 shall be wilfully damaged or destroyed or removed without the prior written consent of the Local Planning

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Authority. Any hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the hedges which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

- 13) Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 as a minimum 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.

11.3 Pre-Occupation Conditions:

- 14) 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.

- 15) The new crossover and access shall be constructed prior to the first occupation of the development hereby permitted.

Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

- 16) Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall 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 4 as a minimum 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.

- 17) 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.

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11.4 Informatives:

1. The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Highways Operations Manager. The applicant must contact the Network Co-ordination Team (01273 293 366) prior to any works commencing on the public highway.
2. 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.
3. 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.
4. 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.
5. 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:-
Given the footprints, size and design of existing properties with Barrowfield Close and the wider area and the developments recently approved at nos. 4 and 6, it is considered that the proposal would not result in undue bulk and massing within the site and that the proposal would not be of

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significant harm to the visual amenities of the site, the Barrowfield Close streetscene or the wider area. Furthermore subject to the compliance with the attached conditions it is not considered that the proposal would have a significant adverse impact upon the amenities of neighbouring properties or future occupiers and would comply with sustainability and transport standards.