

<u>No:</u>	BH2020/01756	<u>Ward:</u>	Rottingdean Coastal Ward
<u>App Type:</u>	Full Planning		
<u>Address:</u>	The White House Roedean Road Brighton BN2 5RA		
<u>Proposal:</u>	Demolition of existing dwellinghouse (C3) and erection of 3no three storey detached dwellinghouses (C3) with associated landscaping, car and cycle parking, revised access and vehicle crossover.		
<u>Officer:</u>	Russell Brown, tel: 293817	<u>Valid Date:</u>	30.06.2020
<u>Con Area:</u>		<u>Expiry Date:</u>	25.08.2020
<u>Listed Building Grade:</u>		<u>EOT:</u>	
<u>Agent:</u>	Mrs Sarah Sheath Dowsett Mayhew Planning 63A Ship Street Brighton BN1 1AE		
<u>Applicant:</u>	Mr and Mrs Pybus Bramsfield Ltd c/o Dowsett Mayhew Planning 63A Ship Street Brighton BN1 1AE		

1. RECOMMENDATION

- 1.1. That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and resolves to GRANT planning permission and the following Conditions and Informatives as set out hereunder.

Conditions:

1. 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
Proposed Drawing	800	B	18 August 2020
Proposed Drawing	401	B	18 August 2020
Proposed Drawing	300	B	18 August 2020
Proposed Drawing	100	C	26 August 2020
Proposed Drawing	RCo313 / 01	05	26 August 2020
Location and block plan	YO404-P2-001		30 June 2020
Proposed Drawing	YO404-P2-100	B	26 August 2020
Proposed Drawing	YO404-P2-119	B	26 August 2020
Proposed Drawing	YO404-P2-120	B	26 August 2020
Proposed Drawing	YO404-P2-121	B	26 August 2020
Proposed Drawing	YO404-P2-122	B	26 August 2020
Proposed Drawing	YO404-P2-123	B	26 August 2020
Proposed Drawing	YO404-P2-125		30 June 2020
Proposed Drawing	YO404-P2-126	A	26 August 2020
Proposed Drawing	YO404-P2-127	A	26 August 2020
Proposed Drawing	YO404-P2-200		30 June 2020

Proposed Drawing	YO404-P2-201		30 June 2020
Proposed Drawing	YO404-P2-202		30 June 2020
Proposed Drawing	YO404-P2-203		30 June 2020
Proposed Drawing	YO404-P2-204		30 June 2020
Proposed Drawing	YO404-P2-210		30 June 2020
Proposed Drawing	YO404-P2-211		30 June 2020
Proposed Drawing	YO404-P2-212		30 June 2020

2. 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.

3. 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:
 - a) physical samples of all brick (including details of its bonding, mortar colour and pointing), vertical infill detail, quoins and tiling;
 - b) samples of all cladding to be used, including details of its treatment in the case of the weathered timber; and
 - c) specification documents for the proposed window, door and balcony balustrades.

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 CP12 and CP14 of the Brighton & Hove City Plan Part One.

4. A bee brick shall be incorporated within the external walls of the development hereby approved and shall be retained thereafter.
Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and SPD11.

5. Four swift bricks shall be incorporated within the external walls of the development hereby approved and shall be retained thereafter.
Reason: To enhance the biodiversity of the site and to comply with Policy CP10 of the Brighton & Hove City Plan Part One and SPD11.

6. The hard surface to the front parking area hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.
Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Policies CP8 and CP11 of the Brighton & Hove City Plan Part One and SPD16.

7.
 - a. The landscaping hereby approved shall be implemented in accordance with the submitted details in the first planting season after completion or first occupation of the development, whichever is the sooner.

- b. Prior to the first occupation of the development hereby permitted, details of all boundary treatments to include type, position, design, dimensions and materials shall be submitted to and approved in writing by the Local Planning Authority.

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.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with Policies SU3, SU5, SU9, QD15 and QD16 of the Brighton & Hove Local Plan, CP10 and CP12 of the Brighton & Hove City Plan Part One and SPD06, SPD11 and SPD16.

8. Access to the flat roof to the buildings hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with Policy QD27 of the Brighton & Hove Local Plan.

9.

- a) No development shall take place until the implementation of a programme of archaeological works has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

- b) The archaeological works shall be carried out in accordance with the approved written scheme of investigation and a written record of all archaeological works undertaken shall be submitted to the Local Planning Authority within three months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is agreed in writing with the Local Planning Authority.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with Policies HE12 of the Brighton & Hove Local Plan and CP15 of the Brighton & Hove City Plan Part One.

10. The development hereby permitted shall not be first occupied until details of visitor car parking provision for the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first occupation of the development hereby permitted and shall thereafter be retained for such use at all times.

Reason: To ensure the development provides for the needs of visitors to the site and to comply with SPD14.

11. The vehicle parking area and garages 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 and shall be maintained so as to ensure their availability for such use at all times.

Reason: To ensure that adequate parking provision is retained and to comply with Policy CP9 of the Brighton & Hove City Plan Part One and SPD14.

12. The new crossover and accesses 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 TR7 of the Brighton and Hove Local Plan and CP9 of the City Plan Part One.
13. 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 and SPD14.
14. 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 Policies QD27 of the Brighton & Hove Local Plan, CP8 of the Brighton & Hove City Plan Part One and WMP3e of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Waste and Minerals Plan.
15. No development, including demolition and excavation, shall commence until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.
Reason: To maximise the sustainable management of waste and to minimise the need for landfill capacity and to comply with Policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
16. 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 Brighton & Hove City Plan Part One.
17. None of the residential units hereby approved shall be occupied until each residential unit built has achieved as a minimum, a water efficiency standard of 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 Brighton & Hove City Plan Part One.
18. The development hereby approved shall be subject to an on-going landscape management schedule as set out in approved drawing 800 Rev B unless otherwise agreed in advance and in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and to protect both the visual integrity of the South Downs National Park and highway safety concerns and to comply

with Policies TR7, SU3, SU5, SU9, QD15 and QD16 of the Brighton & Hove Local Plan and CP9, CP10 and CP12 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 favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. Where possible, bee bricks should be placed in a south facing wall in a sunny location at least 1 metre above ground level.
3. Swift bricks can be placed on any elevation, but ideally under shade-casting eaves. They should be installed at a height above 5m height, and preferably with a 5m clearance between the host building and other buildings or obstructions. Where possible avoid siting them above windows or doors.
4. The applicant is advised that advice regarding permeable and porous hard surfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens'.
5. 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.
6. The water efficiency standard required under Condition 17 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; 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.

2. SITE LOCATION & APPLICATION DESCRIPTION

- 2.1. The application site comprises a two storey detached property in use as a single family dwellinghouse, on the northern side of Roedean Road. It is rendered white, hence its name The White House, and has a garage with a white door to the west side. It is well set back within the site and has a large front lawn, which slopes down towards the driveway, which is long and curved. Access onto the road is shared with the Ocean Heights development to the east. There is a reasonably sized garden to the rear, although access can only be had around the east side as the garage prevents access from the west.

- 2.2. The building is not located in a conservation area, nor is it a listed building or in the vicinity of any. It is not within a Controlled Parking Zone (CPZ) but is within an Archaeological Notification Area. The land directly to the north adjoining the rear boundary is a Site of Nature Conservation Importance (SNCI) since it forms part of the South Downs National Park and the Nature Improvement Area runs along Roedean Road.
- 2.3. The current application seeks the demolition of the existing dwellinghouse (Use Class C3) and the erection of three, three-storey detached dwellinghouses (Use Class C3), two of which would have integral garages, along with associated car and cycle parking, landscaping, revised access and a new vehicle crossover onto Roedean Road.

3. RELEVANT HISTORY

- 3.1. **BH2020/00314:** Roof alterations including creation of an additional storey and erection of single storey side extension at first floor. Addition of balconies to front elevation, alterations to fenestration throughout. Associated landscaping, including creation of swimming pool in front garden. Approved 27 March 2020
- 3.2. **BH2020/00971:** Demolition of existing dwellinghouse (C3) and erection of 3no three storey detached dwellinghouses (C3) with associated landscaping, car and cycle parking, revised access and vehicle crossover. Withdrawn 22 May 2020
- 3.3. **PRE2020/00009:** The proposal is to demolish the existing dwellinghouse and erect three, 5 bed dwellings with associated car and cycle parking, bin storage and landscaping. Response issued 26 February 2020 giving the following advice:
- Whilst the provision of three family sized dwellinghouses that contribute to the Council's housing target and address an identified housing need are supported, the development must help create a sustainable neighbourhood and reflect its positive characteristics;
 - The detached typology and transition between the neighbouring building lines shown in Option 3 would make the most efficient and effective use of the site, although the size of the top storey and number of car parking spaces should be reduced;
 - A modern design would not be out of character with the wider streetscene, subject to materiality and landscaping, which must address surface water run-off and biodiversity;
 - Care should be taken to avoid a loss of outlook from and privacy to Ocean Heights and consideration must be given to the proposed dwellings at the East Brighton Golf Club;
 - The dwellings must provide adequate floor space and bedroom sizes, sufficient floor to ceiling heights, maximise natural light, and one should be suitable for wheelchair users;
 - Whilst the provision of an appropriate level of car parking is encouraged, the LPA consider that a financial contribution towards improving transport infrastructure and services is required; and

- The development must demonstrate how it addresses climate change mitigation and adaptation; makes the most effective use of land, minimises waste and facilitates recycling and reduces air, land and water pollution.

3.4. The following is also of relevance at East Brighton Golf Club:

BH2020/00194: Demolition of existing buildings and erection of 2no three storey dwellings incorporating parking, access, landscaping and associated works. Approved 1 April 2020

4. REPRESENTATIONS

4.1. **Fifteen (15) objections** were received during the consultation period raising the following concerns:

- This development does not make allowances for disabled access and should be refused, otherwise it would allow a developer to discriminate against disabled people.
- The application does very little to help community-wide concerns about overdevelopment, the natural environment, road safety and the developers' neighbours. It does little to satisfy objections previously raised.
- This proposal is not in keeping with the direct neighbours as well as the Roedean area as a whole and would cause traffic / access problems, including for the fire engines emerging from the fire station.
- The plot size is too small for three houses and has resulted in rather odd building shapes and positions.
- The proposed house to the front of the plot is still too close to the boundary line and is too big. The scheme opportunistically eats into the amenity of Ocean Heights. It also sits far too close to the golf club development.
- This site sits on the boundary of a national park and the application will be of detriment to local wildlife as it requires the elimination of hedgerows to create a new entrance.
- Creating three access roads (including that recently approved by BH2020/00194) within metres of each other would surely increase the possibility of an accident on Roedean Road. There is insufficient provision for parking.
- There is no need to build this development of 3 houses when the brownfield Gasworks site is due to be developed.
- The landscaping is insufficient and the garden spaces for the houses are either dark or small.
- The Council or developer should create a proper pathway for pedestrians, young children on cycles, pushchairs and other mobility users.
- More highway signage must be put in place urgently to ensure the road is safe for all, including traffic calming measures and crossing points.
- The proposal would affect neighbouring properties through noise and disturbance, being overbearing, overshadowing, loss of privacy, light and enjoyment of a view, leading to a detrimental effect on property values.
- The houses would also overshadow the practice putting green and outside seating area at the golf course.

- The drainage system may only allow one drain to flow from the site and therefore it may be unable to cope with the proposed flow volume of from the three houses.
- The boundary and excavation for House 3 and its garden is extremely close to Ocean Heights carport, which could cause structural damage.
- The Title Deed of this property mandates that no more than 2 dwellings are permitted to be built on the land. Although planning decisions cannot take into consideration land covenants, should this restrictive covenant be breached there is a risk that an injunction may be obtained.

4.2. The Roedean Residents' Association have objected to the application for the following reasons:

- Houses of this size (5 bedrooms) usually have 2+ cars and there is a risk of dangerous overspill parking on Roedean Road where parking is prohibited. Cars outside the houses risk blocking access to their neighbours' garages.
- The 3 large homes cross the width of the plot and, in consequence of their scale, are unduly dominant on the streetscape. This remains the case despite House 1 being lower than the previous application.
- Their significant height and proximity to the boundary means they overlook Ocean Heights and the approved proposed development to the west. While there is some improvement on the eastern boundary, House 1 is now right up against the eastern boundary to the detriment of the approved development to the west.
- There is latitude in our constitution for more than one home if space allows but these 3 large houses do not fulfil our intent that homes of scale in Roedean have a proportional setting on their plot.
- The adjacent properties leave space for vehicles to exit / enter the road without hindrance. The proposed plan means the hardstanding areas share access routes and could block vehicles wishing to turn off Roedean Road.
- As an organisation, we support the continuous upgrading of property in our area, but the balance of the Association's viewpoint is that this development is against the common interests of our Members.

4.3. **Councillor Mears** has objected to the application. A copy of the correspondence is attached to the report.

5. CONSULTATIONS

5.1. **Transport:** Unable to recommend approval of this application due to the following:

There being no pedestrian and mobility impaired access that links the dwelling to the surrounding public footway and bus network on Roedean Road. Residents would have to walk on the roadside to access the footway and bus stops west of the site. There is no footway along Roedean Road for pedestrians to safely access the site, which has the potential to bring persons walking to the site in direct conflict with vehicles and other highway users. This would be particularly dangerous for pedestrians:

- At night time when there is reduced light.

- When two vehicles pass each other, and there are parked vehicles on the southern edge.
- 5.2. The speed and frequency may impact on the risk (both negatively and positively), but not significantly enough to satisfy our safety concerns. The lack of footway would also increase the level of vehicles travelling to and from the site disproportionately to that of more sustainable areas of the City. This would be contrary to the NPPF section 110a which requires development to “give priority first to pedestrian and cycle movements”. A lack of footway from this development to local amenities, such as the closest bus stops, would mean those with mobility issues, such as wheelchair and buggy users, would have no choice but the drive to and from the site being contrary to NPPF section 110b which requires development to “address the needs of people with disabilities.”
- 5.3. The applicant attempts to make a case in the transport report that a footway is not needed and references an inspectors decision over a site in a rural area / village. This site is not comparable being:
- on a ‘B’ road leading to an ‘A’ road;
 - in relatively close proximity to a City centre; and
 - close to a city centre public transport route e.g. Roedean Crescent bus stops and 14 route.
- 5.4. A footway is therefore expected to be provided. Ideally this should be for the length of Roedean Road on its northern edge. It is understood that this may be unreasonable for this size of development. We therefore would be willing to accept a shorter stretch of footway eastwards along the northern edge Roedean Road linking the site to the Roedean Crescent bus stops.
- 5.5. No step-free access for two of the three proposed residential units, limiting access for residents with protected characteristics. The access across the site provides significant barriers to pedestrians and disabled users, with no provision of step free access to two of the three proposed units. The two units to the north of the site proposes a significant level of steps leading up to the entrance and would be unsurmountable to many people that may be resident or visiting. Therefore, this proposal does not meet the requirement of the NPPF to ensure “safe and suitable access to the site can be achieved for all users.” It is also not considered there to be objective justification for this and therefore it is deemed not to comply with the Equalities Act 2010.
- 5.6. The space being provided for vehicle parking appears overly generous allowing additional parking to be accommodated on site. This could lead to obstruction to other highway users and over-provision of the maximum number of vehicles allowed in Parking Standards SPD14. Three parking bays are proposed for the residents within garages, with an additional two visitor bays on the forecourt. Parking Standards allow one space per dwelling and 1 space per 2 dwellings. Therefore, the five indicated spaces are already above the maximum standards that would be 4 spaces in this case. There is also concern that the large forecourt would allow excessive parking for residents above those indicated on the submitted plans and well above the maximum parking

standards (SPD14). If overparking does occur this may mean access is obstructed (pedestrian, cycle and vehicle) and vehicles may have to reverse off the site onto the public highway and this would be unacceptable. On a site where there are more than one or two dwellings there is greater probability of this occurring. This would increase the risk of danger on the highway and not comply with Policy TR7. Prior to determination, we require a reduction in the width of the crossover and forecourt, a hatched turning head to enable all vehicles to enter and exit in a forward gear and a reduction in formal visitor parking from two spaces to one.

- 5.7. There is concern that a servicing / refuse truck may not be able to enter and exit the site in a forward gear safely (the applicant has provided a swept path analysis for a family vehicle only). A swept path analysis using the likely type of vehicle size is required prior to determination. The applicant should contact the City Council's City Clean for further information on size of vehicle.
- 5.8. There is concern that the proposed new vehicle crossover would reduce road safety, with foliage and a steep verge on either side of the access reducing visibility. It is however acknowledged that there is sufficient space on and off site for these matters to be dealt with via an appropriately worded condition. The condition must also include any necessary management and continued maintenance of the hedging. The information provided in the transport report is noted, but further design details are requested and must comply with national and / or other recognised local authority guidance, such as East Sussex County Council.
- 5.9. It is also recommended that refuse and recycling collection area / compound is proposed to ensure wheelie bins are contained and do not cause obstruction or nuisance on the highway.

Following the submission of revised drawings, the following comments were provided:

- 5.10. The reduction in the access width is welcomed, however five parking spaces are still proposed for a development that only has three dwellings. SPD14 states that there must be a maximum of a space per dwelling plus a space per two dwellings for visitors. It is not the case SPD14 'suggests parking is rounded for C3 residential units.
- 5.11. It is particularly important that parking is reduced as the applicant has provided a swept path analysis that indicates that refuse and recycling vehicles cannot make the necessary manoeuvres to exit the site in a forward gear. It is therefore requested that an amended plan is submitted prior to determination that includes the following:
- The south eastern visitor space near the hedging shall be removed and replaced by an appropriately sized 'no parking' / hatched turning area; and
 - one visitor space shall be retained, but located further north without obstructing the bin store. This will allow the refuse vehicle to enter and leave in a forward gear.

- 5.12. Without such amendments refuse and recycling are likely to occur on the highway causing obstruction to other users (contrary to Local Plan Policy TR7 and the site's car parking provision shall exceed the maximum standards.
- 5.13. For this new development it would be unacceptable for refuse and recycling servicing to occur on-street and bins to be left on the highway, even temporarily on collection day. This is particularly important as, unlike the southern side of Roedean Road, the site's entrance and crossover on the northern side are likely to be on a significant slope. This could result in:
- Refuse and recycling bins rolling or getting blown into the street when left empty, endangering and obstructing other motorists and highway users; and
 - refuse vehicles obstructing a classified road whilst stationary and making its collections.
- 5.14. We strongly request that further swept path analysis is submitted to ensure access for all refuse / servicing vehicles. This would also reduce the need for any other unnecessary manoeuvring of other vehicles using the site.
- 5.15. Pedestrian access within the site provides significant barriers to pedestrians and those with mobility issues, with a sloped access and no provision of step free access to two of the three proposed units. The two units to the north of the site proposes a significant level of steps leading up to the entrance and would be unsurmountable to many people that may be resident or visiting. The applicant has stated that it would be possible for lift access mentioned by the applicant to be provided in the future from the garages. They do not however propose this, and it should be considered as a recommendation by the LPA.
- 5.16. The proposed cycle parking spaces are acceptable.
- 5.17. There is concern that the proposed new vehicle crossover would reduce road safety, with foliage and a steep verge on either side of the access reducing visibility. It is however acknowledged that there is sufficient space on and off site for these matters to be dealt with via an appropriately worded condition to include any necessary management and continued maintenance measured.
- 5.18. It is recommended that a refuse and recycling collection area / compound is proposed on the hardstand to ensure wheelie bins are contained and do not roll down the driveway and cause danger or obstruction on the highway.
- 5.19. It is not considered that there is reasonable 'objective justification' under the Equality Act 2010 for the significant barriers across the site to access for pedestrians and disabled users, and the inadequate pedestrian access to and from the site given the lack of a footway on the adjacent 'B' classified carriageway (Roedean Road).
- 5.20. Further revised drawings were submitted and it was not considered sufficient to remove both marked visitor parking spaces as this would result in the hardstand being a larger car parking area with more cars than before. Additionally, the collection area does not appear to be a formal enclosure.

- 5.21. **County Landscape Architect: Recommend for refusal**
The existing houses on the north side of Roedean Road are set back from the road behind large gardens. The Ocean Heights development is set back from the road and green roofs have been used over the car ports, which to some extent mitigate for the loss of the green frontage.
- 5.22. The proposal to provide three houses on this site would leave little space for an adequate landscape mitigation plan. A landscape scheme has been submitted to support the proposed development and this includes proposed trees on the first floor level to the south of the amenity garden areas. These trees would shade the south facing gardens and rooms. They would also compromise the already limited garden space available to residents. Trees located on the terraces would be limited to small specimens in planters and therefore in a restricted growing medium. These trees would only be present if desired by the residents and whilst shade may be welcomed on the hottest days for most of the year it may not be desirable.
- 5.23. The proposed development would have an adverse impact on the views from the South Downs National Park (SDNP). Whilst it is recognised that the development would be seen in the context of other development on the urban edge, the development would represent a cumulative adverse effect. The proximity of the proposed development and the adjacent Ocean Heights would exacerbate the adverse visual impact of the bulk of buildings in views from the SDNP.
- 5.24. The submitted landscape scheme does propose planting of trees in the rear gardens. The space available is not sufficient to plant species of trees that would grow to an adequate size to mitigate for the loss of green infrastructure within the site. Trees planted in private spaces are not usually considered to be reliable mitigation as the residents are at liberty to remove them in the longer term.
- 5.25. The creation of the new access would have an adverse impact on the green bank and hedgerow which fronts Roedean Road. The front garden of the White House provides a green buffer between the house and the road. This green character extends eastwards along the north side of Roedean Road. The intensity of built development proposed in this application would not provide an opportunity for a new landscape scheme to soften the appearance of the proposed development on this frontage.
- 5.26. It is recommended that the proposed development is not supported as it would be an overdevelopment of the site. There would be a lack of green space around the buildings to allow for adequate landscape mitigation and the proposal would have an unacceptable impact on local townscape / landscape character and views.

Following a review of the detailed landscape plan, the following comments were provided:

- 5.27. The site frontage on to Roedean Road: The detailed landscape scheme proposes six Ginkgo biloba trees, which are deciduous, underplanted with ornamental planting. In optimum conditions these trees grow to 12m high and 4-8m spread by 20 years. The constrained planting area would probably stunt this growth, however these trees would become a nuisance for the residents over time. They are also deciduous and would provide little winter screening. A more practical solution that could provide an effective screen would be to plant some fastigiate (upright) conifer trees with a tall shrub understorey and climbing plants to grow down the wall including a high proportion of evergreen plants.
- 5.28. In conclusion, this would not resolve the impact of the hard surfaced access onto Roedean Road which would remove a wide section of the vegetated bank. A solution to this could be to provide a narrower access or one similar to the consented permission for this site.
- 5.29. The rear boundary with the SDNP: As House 1 would be set back from the boundary with a lawn area to the north this would help to break up the massing and this unit would not have a significant impact on the SDNP.
- 5.30. The detailed planting plans do indicate a belt of native shrub planting with four Quercus ilex (holm oak trees) and five Hawthorn trees and the area for this is 2m at the widest point. The concerns with this are that the holm oaks are evergreen and they grow to a spread of 8m and height of 12m. Unless these are regularly pruned to control the spread they will become a nuisance in the small space available. The mixed native shrubs would also soon outgrow the available space. There would be no guarantee that the residents would want to retain the shrubs or the holm oaks which would become a nuisance to them within a few years of occupancy.
- 5.31. Mitigation planting for housing developments is usually in public areas and outside the control of individual householders so that it is managed and protected in the long term.
- 5.32. There are possible planting solutions for this area which could provide an acceptable screen. This would not necessarily need to be limited to native planting as there is a garden character to the extended boundary of Roedean with the SDNP. A mix of native and ornamental planting would give more flexibility and would be more likely to be acceptable to the future residents, however it would still need to be protected in the long term. Alternating fastigios (upright) species of hawthorn, Acer campestre and conifers could provide a solution. These would need to be underplanted with a mix of deciduous and evergreen shrubs of limited spread.
- 5.33. A selection of both deciduous and evergreen ornamental species which provide a range of flowers to attract pollinators would be ideal and would provide ecological benefits e.g. varieties of hebes, viburnums, buddleias and lilacs. This approach would be more likely to be accepted by the residents but this still would not guarantee long term retention should the residents decide they want more open space.

- 5.34. Following the submission of revised landscape proposals, it was confirmed that they had addressed previous concerns. With the fully implemented landscape proposals, the proposed development would have an acceptable impact on the SDNP and Roedean Road.
- 5.35. **Brighton and Hove Archaeological Society:** Suggestion to contact the County Archaeologist for their recommendations.
- 5.36. **County Archaeology:** Recommend for approval - The information provided is satisfactory and identifies that there is a risk that archaeological remains will be damaged. Nonetheless it is acceptable that the risk of damage to archaeology is mitigated by the application of a planning condition.
- 5.37. **Environmental Health:** no comment, concerns or conditions to recommend
- 5.38. **Private Sector Housing:** There doesn't seem to be separation between the hallway and the kitchen/ living room in House 1. There should be a door as the kitchens/ living rooms are high risk rooms and should there be a fire, it would not be contained.
- 5.39. **Planning Policy:** No comments

6. MATERIAL CONSIDERATIONS

- 6.1. In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report.
- 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, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 - Shoreham Joint Area Action Plan (October 2019)
- 6.3. Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan 2005 according to their degree of consistency with the NPPF.

7. RELEVANT POLICIES

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part Two

Policies in the Proposed Submission City Plan Part 2 do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since 23 April 2020, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications but any greater weight to be given to individual policies will need to await the outcome of the Regulation 19 consultation which is currently being undertaken to 30 October 2020.

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP1 Housing delivery

CP8 Sustainable buildings

CP9 Sustainable transport

CP10 Biodiversity

CP12 Urban design

CP14 Housing density

CP15 Heritage

Brighton & Hove Local Plan (retained policies March 2016)

TR7 Safe Development

TR14 Cycle access and parking

SU5 Surface water and foul sewage disposal infrastructure

SU10 Noise nuisance

QD15 Landscape design

QD16 Trees and hedgerows

QD27 Protection of amenity

HO5 Provision of private amenity space in residential development

HO13 Accessible housing and lifetime homes

NC4 Sites of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)

HE12 Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Documents:

SPD06 Trees and Development Sites

SPD11 Nature Conservation and Development

SPD14 Parking Standards

SPD16 Sustainable Drainage

Supplementary Planning Guidance

SPGBH9 A Guide for Residential Developers on the Provision of Outdoor Recreation Space

Other Documents

Urban Characterisation Study 2009

East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan - Policy WMP3d and WMP3e

8. CONSIDERATIONS & ASSESSMENT

8.1. The main considerations in the determination of this application relate to the principle of development, the design of the dwellings, their impact on the setting of the SDNP, neighbouring amenity and on the highways network as well as the standard of residential accommodation created and archaeological matters.

8.2. Because of Covid restrictions, officers did not undertake a site visit in relation to the present application, but the case officer has visited the site on an earlier date in relation to previously applications. It is therefore considered that the context of the development and the planning considerations relating to this are well understood.

Principle of development:

8.3. The City Plan Part 1 Inspector's Report was received in February 2016. The Inspector's conclusions on housing were to agree the target of 13,200 new homes for the city until 2030 as a minimum requirement. It is against this minimum housing requirement that the City's five year housing land supply position is assessed annually.

8.4. The Council's most recent housing land supply position published in the SHLAA Update 2019 shows a five year housing supply shortfall of 1,200 (equivalent to four years of housing supply). As the Council is currently unable to demonstrate a five year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

8.5. Three family sized dwellinghouses, two of five- and one of four-bedrooms, would help to meet an identified housing need with the city and would make a contribution, albeit a minor one, towards the Council's housing target.

8.6. Density, the design of the dwellinghouses, their impact on neighbouring amenity, the standard of accommodation and other matters are discussed below.

Density:

8.7. The site is within the Black Rock neighbourhood where the average dwellings per hectare (dph) is 13. The low density, two storey residential development with large gardens in the immediate surroundings of the site contrasts with the high density apartment blocks within the Marina to the south. Thus the variations in gross density range from less than six dph to greater than 90 dph. The present proposal would provide 24 dph, which is therefore nearly double the average density for the neighbourhood.

8.8. City Plan Part One Policy CP14 outlines that, for developments below 50 dph, a lower density will be accepted where it can be adequately demonstrated that the development would reflect the neighbourhood's positive characteristics, would meet the housing needs of a particular group or groups within the community and would better contribute towards creating a sustainable

neighbourhood. It is considered that the development would generally reflect the surrounding neighbourhood's 'positive characteristics', and would help to meet the housing needs of families seeking large homes. In relation to the 'creation of a sustainable neighbourhood', consideration will be had in the remainder of this report to the criteria in Policy SA6: Sustainable Neighbourhoods, principally parts A5 (sustainable transport), A6 (sustainable buildings), A8 (mix of dwelling types and tenures) and B2 (biodiversity and open space).

Design:

- 8.9. Roedean Road comprises a wide variety of substantial detached houses. In general, properties on the northern side of Roedean Road are set on rising land above the road. This has resulted in some properties, particularly on that side of the road, being particularly prominent in the streetscene, including some which are of modern design and materials. Some of these houses are immensely striking, both from Roedean Road and in wider views, including from the main coast road. These now form a strong element of the already eclectic mix of styles and ages of houses and the range of materials that contribute to the general character and appearance of Roedean Crescent.
- 8.10. In this context, three proposed dwellings of patently modern design, even though they are different from the other examples, would not be generally out of character with the wider streetscene and would not adversely affect its diverse appearance. Moreover, this area is not subject to any special heritage or landscape protection.
- 8.11. The immediate surrounds are largely characterised by two and three storey buildings, albeit many of the former have sufficiently steep pitched roofs allowing for the loftspace to be habitable, effectively providing a third floor of living accommodation. The nine storey 1930s Marine Gate building is further afield to the south west on Marine Drive (A259). However, in the immediate context the Ocean Heights development to the east is five storeys and the East Brighton Golf Club to the west is two storeys.
- 8.12. All of the proposed three storey dwellinghouses would sit below the ridge height of the existing dwellinghouse (by 1.05m in the case of House 3), and well below the recently approved dwellinghouse on this site (by 2.25m in the case of House 3). They would also mediate between the height of Ocean Heights and the golf club buildings regardless of whether BH2020/00194 on the site of the latter is constructed. It is recognised that the proposal optimises the potential of the site in terms of the number of storeys by using the topography, together with some excavation, to partially sink the lowest floor into the land. The design approach to not exceed the ridge height of either of the adjoining buildings is supported. Flat roof forms are proposed to keep the height low and to allow the provision of photovoltaic panels, which is welcomed.
- 8.13. Concern has been raised in objections received that the proposal represents overdevelopment and 'crams' three houses onto the site. Notwithstanding the density considerations, the plot sizes are 336.4m² for House 1, 298.2m² for

House 2 and 356.2m² for House 3. In comparison, the two approved houses on the adjacent site to the west have plot sizes of 306.4m² and 422m². Therefore, two of the proposed dwellinghouses would sit on similar-sized plots to these, and House 2 is only slightly smaller than the eastern-most approved dwellinghouse. Of the two properties directly across from the application site, nos. 37 and 39, the plots sizes are 673m² and 768.5m² respectively, which are more typical of properties built at that time and therefore are not considered to be directly comparable.

- 8.14. The volumes of the proposed buildings at the lower ground floor or at ground floor level are increased, but this is not evident as they are set down into the site. The upper floor levels are well set back from the lower ground floors and from Roedean Road in a stepped arrangement to reduce the visual massing of the development. The set back design allows the introduction of front terraces, patios and gardens at ground floor level, to which there is no design-based objection.
- 8.15. It is noted that there is not a strong prevalent building line along the north side of Roedean Road. Therefore, the proposal to project the front building line of House 1 past that of the golf club buildings to the west is considered acceptable. It is noted that were the approved development on the adjacent site to the west to be constructed, the front building line of House 1 would line up with both dwellinghouses. At ground and first floor level the front building line of House 3 would align with the front facades of Ocean Heights.
- 8.16. The use of acceptable materials is crucial to successfully assimilate the proposed design into this part of the road and ensure a high quality finished development. It is necessary to ensure they are sympathetic to the area, including in terms of colour, texture and quality.
- 8.17. The proposal employs a modern approach as shown in the 3D images within the Design and Access Statement. The proposed dwellinghouses would be constructed in materials to both unite them and to also express their individuality from one another. Together with their form and scale, each house would be distinguishable, but a common palette of materials would be used in the form of white / light grey / dark grey brick in addition to bronze coloured metal and timber cladding.
- 8.18. It is considered that the use of bricks of contrasting colour and texture would be durable and contemporary yet would complement the rest of the material palette. Further details of the brick and vertical infill detail are recommended to be secured by condition in the event of an approval. Recessed infills of weathered timber cladding panels are also proposed to be used in places to break up larger areas, details of which can also be included in the condition. The bronze coloured metal cladding would be used to accentuate the frames of openings through extrusions and would appear as a series of overhanging or stacked forms to the front and rear elevations. Again, details can be conditioned.

8.19. The proposal is therefore considered to be of a high standard of design and would help to create a coherent townscape that would respect the character of the neighbourhood while contributing positively to its sense of place.

8.20. As such the proposal is considered to be compliant with City Plan Part One Policies CP12 and CP14.

Impact on the setting of the South Downs National Park:

8.21. City Plan Part One Strategic Area Policy SA5 sets out that the Council will protect and enhance the natural beauty of the South Downs National Park. Since this proposal is within its setting, it must respect and not significantly harm it, but where any adverse impacts are had, these must be minimised and appropriate mitigation or compensatory measures proposed, which should have regard to landscape character and impacts.

8.22. Whilst the County Landscape Architect previously raised concerns about the proposed development's impact on the setting of the SDNP, these have now been addressed by amendments. These include the increased use of native shrubs blended with semi-ornamental planting to the front boundary, alternative tree species and planting within raised planter to the rear boundary, an evergreen hedge within a raised planter to the east side of the hardstanding, the narrowing of the site entrance to allow greater retention of existing shrubbery and the submission of a Landscape Contract Agreement. As such, subject to conditions to secure the full implementation of the landscape proposals, the proposed development would have an acceptable impact on the SDNP and Roedean Road.

8.23. It is worth noting that no rooflights have been proposed to protect the SDNP's designated status as an International Dark Sky Reserve. No external lighting would be installed either.

Trees, Landscaping and Biodiversity:

8.24. The ratio of hard to soft landscaping is in favour of the latter and has been shown on the planting and landscaping plans submitted with this application.

8.25. In total, nine trees would be planted on site, selected for their suitability to the site and would be a mix of evergreen and deciduous. Some are included for their form and colour and others are chosen for screening. The *Ilex aquifolium* 'JD van Tol' trees would be semi-mature, the field maple and common hawthorn would be 'Heavy Extra Standard' and Sorbus 'Joseph Rock' would be 'Heavy Standard'. In effect, this means that they would need space to grow, which has been factored into the plans. Numerous shrubs of many varieties are also proposed around the site and which would be robust, easily maintained and suitable for the location. Many of the plants would enhance the general ecological potential of the site, adding habitats for wildlife and food sources for insects and invertebrates.

8.26. It is still considered necessary to add a condition requiring four swift bricks and a bee brick to further improve ecology outcomes on the site in accordance with City Plan Part One Policy CP10 and SPD11.

- 8.27. To avoid any surface water escaping the site, the driveway surface would be of tarmacadam / asphalt which can be porous upon a 150mm sub-base. It is recommended that further details are secured by condition to ensure the type used is porous, or the 1:60 fall incorporated directs water to a drainage gully.
- 8.28. Given that the submitted information is sufficient and acceptable to Officers, only a condition requiring the landscaping to be implemented in the first planting season after completion or the first occupation of the development, whichever is the sooner, would be imposed in the event of an approval. It would also require any trees or plants that die, are removed or become seriously damaged or diseased to be replaced in the next planting season with others of similar size and species within a period of 5 years from the completion of the development.
- 8.29. The landscaping proposals therefore accord with criteria A9, which mentions tree planting and projects that improve the environment, and B2, which supports improvements to biodiversity, of Policy SA6.

Impact on Neighbouring Amenity:

- 8.30. Paragraph 127 of the NPPF outlines that planning decisions should ensure that developments create places that promote health and well-being, with a high standard of amenity for existing and future users.
- 8.31. It is not considered that, following changes made to the previously withdrawn scheme, the proposal would have any significant impact on daylight for the two approved dwellings at the East Brighton Golf Club (ref. BH2020/00194), as demonstrated .
- 8.32. Officers consider that the findings of the Daylight and Overshadowing Report are acceptable, and there would be no significantly detrimental impact on the external amenity areas of the permitted new dwellings or of Ocean Heights. There is no requirement to assess the impact on the practice putting green and outside seating area of the golf course itself. It is worth noting that the external amenity areas of the proposed dwellings have been designed with BRE guidance in mind, and although the rear terrace of House 1 and both the rear terrace and garden for Houses 2 and 3 fail in respect of hours of sunlight received on 21st March, all have additional spaces to the south that do comply with the BRE guidelines, which naturally receive more daylight and sunlight.
- 8.33. In terms of the impact of the proposed development on the lower ground floor level of Flat 1 Ocean Heights, this would mainly be in respect of loss of light to the obscure glazed rooflights over both bedrooms. Compared with the existing dwellinghouse, House 3 is approx. 1.3m closer to the eastern boundary (2.5m compared to the existing 3.8m) but would be 70cm lower than the existing eaves and lower in terms of total height. It would also be 6.1m lower than the approved scheme. Therefore, by reducing the ground levels on the application site and stepping the side elevation, it is considered that the current proposal would not worsen any relationship that could currently occur, particularly taking

into account the potential erection of a fence up to 2m high under 'permitted development' rights.

- 8.34. House 1 would now be 6.33m from the permitted new dwellings at 8.25m high from ground level and House 3 would be 2.5m from Ocean Heights at 10.74m high. Whilst the depth of the dwellings at 10.32m (House 1) and 14.74m (House 3) would be substantial, it is not considered that they would be unacceptably overbearing or cause a significant sense of enclosure for neighbouring residents, and certainly not to such a degree that it warrants a refusal of this application on those grounds. It is noted that this impact is lessened by the dwellinghouses being sunken into the site.
- 8.35. Given the wide site and uninterrupted views from the terraces at Ocean Heights it is not considered that those dwellings would suffer from a material loss of outlook. In terms of the permitted new dwellings, there is no material impact on the second floor living room as it is dual aspect and the impact on the outlook from the upper ground floor snug is not considered sufficient to warrant a refusal.
- 8.36. The west-facing windows of the dwellings either serve ensembles or a void and therefore no overlooking of the permitted new dwellings would result. A condition would be imposed to prevent the flat roofs of the dwellinghouses being used as any kind of external amenity area. The proposal would therefore be acceptable with regards to overlooking.
- 8.37. The use of the site would intensify through comings and goings given the increase in dwellings and residents, but it is not expected that any impact would be significantly harmful to amenity from an additional two dwellings.
- 8.38. For the reasons above, the proposal would be unlikely to result in significantly adverse amenity impacts on neighbouring occupiers and would broadly be in accordance with Policy QD27.

Standard of Accommodation:

- 8.39. Policy QD27 of the Brighton and Hove Local Plan aims to secure a good standard of living accommodation for current and future occupiers in all new developments. Accommodation should therefore provide suitable circulation space within the communal spaces and bedrooms once the standard furniture has been installed, as well as good access to natural light and air in each habitable room.
- 8.40. The 'Nationally Described Space Standards' (NDSS) were introduced by the Department for Communities and Local Government in 2015 to establish acceptable minimum floor space for new build developments. Although these space standards have not been formally adopted into the Brighton and Hove City Plan, they provide a useful guideline on acceptable room sizes that would offer occupants useable floor space once the usual furniture has been installed.

- 8.41. There is no Gross Internal Area (GIA) guideline for a five bed, nine person property over three storeys. On the basis that 9m² is the difference between the GIA for a five bed dwelling for seven people and that for a five bed dwelling for eight people, 134m² would be an appropriate GIA for the proposed dwellings in order that they may provide an acceptable standard of accommodation. In the case of Houses 1 and 2 their GIAs would be 204.1m² and 199.5m² respectively, which is well in excess and welcomed. House 3 would also have a GIA of 181.4m² over and above that required by the NDSS of 121m². All of the other bedrooms are sufficiently sized, as are the floor to ceiling heights of at least 2.35m.
- 8.42. All of the dwellinghouses would have at least dual aspect to the north and south allowing for cross-ventilation as well as sufficient outlook and ventilation. House 1 would also have west-facing windows to the ground floor kitchen.
- 8.43. As previously noted, all of the proposed dwellings have external amenity areas that receive sufficient natural light. Subject to a condition regarding boundary treatment, all would be sufficiently private, although there would be varying degrees of overlooking from the terraces to the front of Ocean Heights, which is unavoidable.
- 8.44. As such, the proposed development is considered to provide a good standard of accommodation for all dwellinghouses, compliant with Local Plan Policy QD27.

Impact on Highways:

- 8.45. Officers would accept the proposal meeting the maximum car parking standards, rather than providing less spaces than the standards, given the site's location and the following points:
- A driveway needs to be retained for access to the garage so the driveway cannot be designed in such a way so as to be unsuitable for car parking, nor can it be shortened without moving the dwellinghouses forward of the front building line of the neighbouring club house, which would be unacceptable on design grounds.
 - The proposed dwellinghouses would have five bedrooms and a potential maximum occupancy of nine people. As such, it would be unreasonable to restrict car parking further.
 - Any overspill car parking can be accommodated nearby since the site is not within a CPZ.
- 8.46. In this case, the maximum car parking standards in Outer Areas for three, 3-4+ bed dwellings are three spaces plus one space for visitors. There would be a space for each dwellinghouse (within the integral garage for Houses 2 and 3) and following amendments, the visitor parking has been removed. The retention of the garage for car parking purposes would be restricted by condition in the event of an approval and it is considered that the marking out of a visitor parking space can also be secured by condition.
- 8.47. It is considered that the proposed cycle parking spaces are acceptable and given that they would all be acceptable in terms of number of spaces, size and

location (being secure and dry), it is recommended that a condition be added to secure their implementation prior to occupation and retention in perpetuity.

- 8.48. The provision of a pedestrian footway to the front of the site to either meet the existing pavement to the west of the golf course entrance (or indeed its car park) or to the corner of Roedean Crescent is complicated for legal and highways-related reasons. Whilst ideally the site would be accessible on foot, Officers recognise that this is an existing situation and the provision of two additional dwellings is not considered to necessitate a significant additional need for a pedestrian footway. Any requirements for such a footway would therefore be disproportionate to the scale and impact of the development
- 8.49. In terms of configuration of the vehicular access to the site, this has been reduced, as requested by the Local Highways Authority (LHA). However, it is noted that there is the potential for the foliage to reduce visibility by intruding into sightlines, and therefore compromise highways safety if allowed to grow unchecked. It is recommended that a condition be added to secure compliance with the Landscape Management Ownership drawing submitted with the application.
- 8.50. The hardstanding to the front of the site allows for the refuse and recycling vehicles to service the proposed development on-site, which is supported. The swept path drawings also show that larger vehicles, whether owned by residents or driven by visitors, and delivery vehicles could access and turn around within the site without reversing onto the road, which is very busy, as acknowledged by representations received. This would also inform the location of the visitor parking space to be marked out.
- 8.51. In terms of the refuse and recycling bins, an area for these to be left on collection day is shown on the submitted plans, and it is acknowledged that this does not facilitate on-street collection. Whilst the LHA have requested for a compound to be proposed, it is worth noting that the hardstanding only has a slight fall of 1:60 and it is therefore very unlikely that bins would roll into the road on collection days when they are left outside their internal stores.
- 8.52. There is not forecast to be a significant increase in vehicle trip generation as a result of this proposal and therefore any impact on carriageways would be minimal and within their capacity, which is therefore acceptable.
- 8.53. Following comments from the Local Highways Authority (LHA), it has been clarified that lift access for Houses 2 and 3 can be provided in the future from the garages and this has now been shown on the plans. House 1 already benefits from level access from the hardstanding to the front of the site. It is noted that the site levels complicate the possibility of providing a stairlift and / or ramped access externally and that Local Plan Policy HO13 only requires 5%) of all new dwellings to be built to a wheelchair accessible standard on sites of more than 10 new dwellings, which therefore does not apply in this instance.

- 8.54. As such, it is not considered that there any highways issues that would warrant a refusal of this application other than those that can be adequately controlled by condition.

Archaeology:

- 8.55. The proposed development is on the site of prehistoric and Roman burials, illustrated by the 2003 discovery of an early Bronze Age burial just 50m to the west of the site. An additional Bronze Age burial and an Iron Age ditch is recorded approx. 100m to the north-east of the site, and a further two burials of Roman date are recorded within 250m. Other finds of prehistoric and Roman material within a 250m radius of the site include coins, pottery and struck flint.
- 8.56. It is anticipated that groundworks undertaken in association with the proposed development have the potential to expose and disturb significant below ground archaeological remains including in-situ human burials. In the light of the potential for impacts to heritage assets with archaeological interest resulting from the proposed development, the area affected by the proposals should be the subject of a programme of archaeological works. This will enable any archaeological deposits and features that would be disturbed by the proposed works, to be either preserved in situ or, where this cannot be achieved, adequately recorded in advance of their loss. A condition shall be imposed.

Sustainability:

- 8.57. City Plan Part One Policy CP8 requires new development to demonstrate a high level of efficiency in the use of water and energy and for it to achieve 19% above Part L for energy efficiency in addition to meeting the optional standard for water consumption. Therefore, conditions are recommended to ensure the development met those standards. It is noted that Mechanical Ventilation with Heat Recovery (MVHR), solar technologies, timber from certified sustainable sources, locally derived materials that have low embodied energy and sustainable drainage techniques are to be used, which is welcomed. Conditions relating to bee bricks and swift boxes are also proposed. The proposal would also help to achieve the aims of part A6 of Policy SA6 to promote and support environmental sustainability improvements to new buildings.

Issues raised by consultation:

- 8.58. Issues regarding covenants within Title Deeds, structural damage, the drainage system, property values and loss of a view are not relevant planning considerations and therefore have not been taken into account in the determination of this application.

9. CONCLUSIONS

- 9.1. This proposal would provide three new dwellinghouses of a good standard accommodation and high-quality architecture. The application would also contribute towards creating a sustainable neighbourhood and result in ecology / biodiversity improvements without having an adverse impact on the setting of the SDNP, neighbouring amenity, highways and archaeological assets,

subject to the imposition of suitable conditions. As such, this application is recommended for approval.

10. EQUALITIES

- 10.1. Whilst level access is provided for House 1 from the hardstanding to the front of the site, the internal space for House 2 and 3 is over three levels due to the existing topography of the site. The extent of the level change is such that the dwellinghouses cannot be wheelchair accessible, although they can be adaptable for those with a mobility-based disability were a lift installed within the garages in the future as shown on the plans.

