

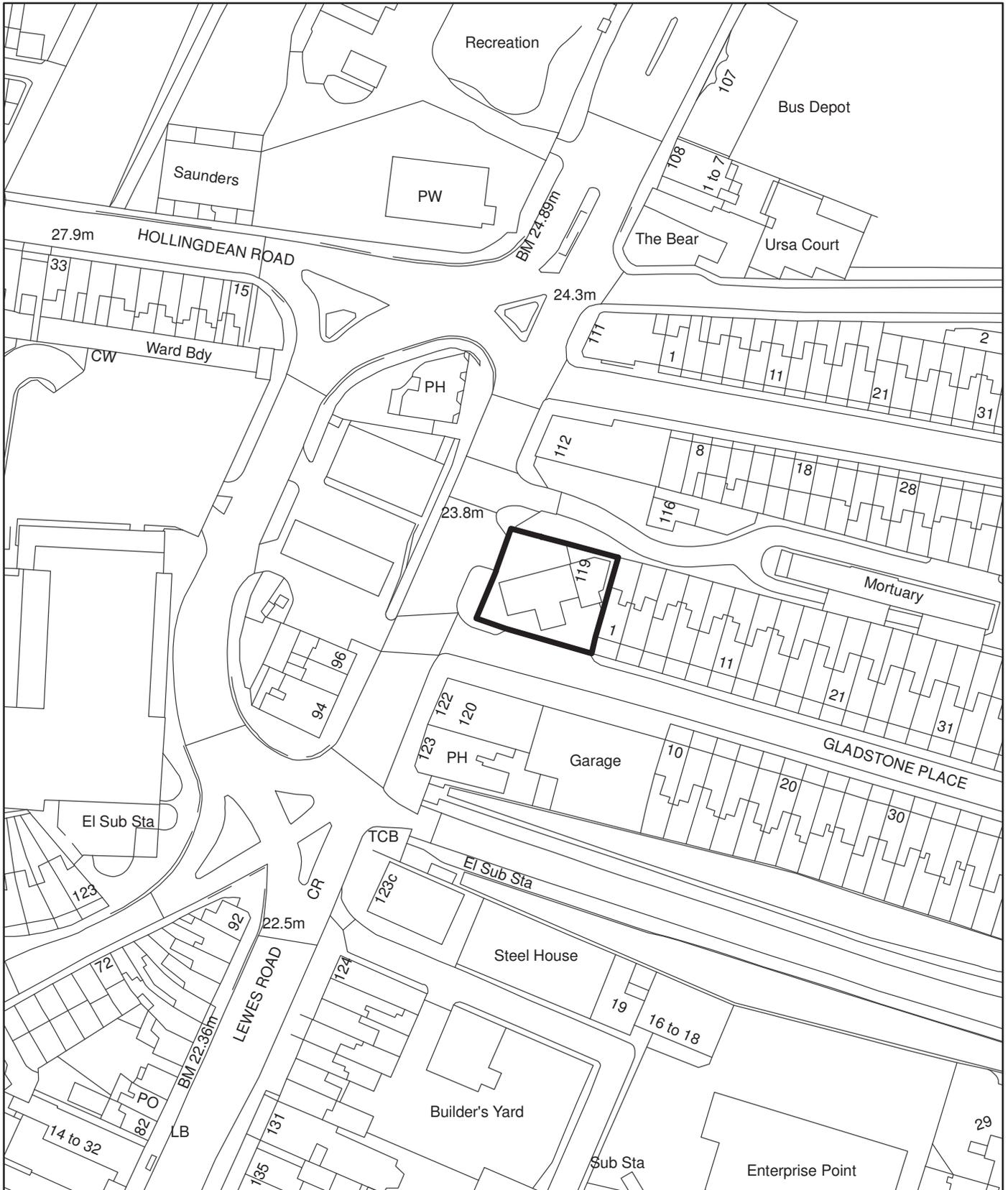
ITEM A

119 Lewes Road, Brighton

BH2014/03300
Full planning

18 FEBRUARY 2015

BH2014/03300 119 Lewes Road, Brighton



Scale : 1 : 1,250

<u>No:</u>	BH2014/03300	<u>Ward:</u>	HANOVER & ELM GROVE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	119 Lewes Road Brighton		
<u>Proposal:</u>	Demolition of existing buildings and erection of a 5 storey building (plus basement) comprising 65 self-contained studio flats for student occupation, plant room, communal areas, cycle parking, recycling/refuse facilities and associated works.		
<u>Officer:</u>	Jonathan Puplett Tel 292525	<u>Valid Date:</u>	29 October 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	28 January 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Pegasus Planning Group Ltd, First Floor, South Wing, Equinox North Great Park Road, Bristol BS32 4QL		
<u>Applicant:</u>	McLaren (119 Lewes Road) Ltd, c/o Pegasus Planning Group Ltd First Floor, South Wing, Equinox North, Great Park Road, Bristol BS32 4QL		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a site on the eastern side of Lewes Road Brighton. The site is situated on the Vogue Gyratory, to the south of the site is Gladstone Place, a primarily residential street with a vehicle repair garage directly to the south of the application site. Immediately to the north of the site is a vehicular access to Brighton Cemetery, beyond this nos. 112-113 Lewes Road is a site being developed at present as a block of student accommodation with retail at ground floor level.
- 2.2 At present the site is of open character with a small single storey building to its eastern side. The site is in use as a hand car wash, this use does not have planning permission and is the subject of a current enforcement investigation.

3 RELEVANT HISTORY

BH2014/04351: Change of use from car showroom to hand car wash and car valet service (retrospective). Submitted 22/01/2015. Under consideration.

BH2011/03195: Change of use from car showroom (SG) to contract hire facility (B1). Erection of security fencing to south and west elevations to replace existing. (Part Retrospective). Refused 04/04/2012.

BH2010/02960: Installation of 2.4m palisade fencing. (Part retrospective). Refused 06/12/2010.

BH2010/02958: Certificate of Lawfulness for existing use of premises as car hire and car and bus parking. Refused 06/12/2010.

BN88/1094/F: Change of use from petrol filling station to site for sale and display of cars. Approved 09/08/1988

4 THE APPLICATION

- 4.1 Planning permission is sought for the Demolition of the existing structure on the site and the erection of a five storey building comprising self contained studio flats to be occupied by students, and communal facilities including a common room, laundry and cycle storage.
- 4.2 This is an unusual application, as purpose built student accommodation would normally be expected to consist primarily of non-self contained accommodation e.g. cluster flats which consist of a number of bedrooms and a shared kitchen / living space. The application submitted proposes a block of self-contained studio flats. There are communal facilities at ground floor level but the occupants of the units of accommodation would not be dependent on these facilities as each flat would provide bathroom and kitchen facilities. It is proposed that the flats would be occupied by students only and a restriction of the occupancy of the development to students only can be secured by planning condition / legal agreement.
- 4.3 It is therefore reasonable and appropriate to consider the application on this basis, i.e. as a proposed block of studio flats to be occupied by students only.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Twenty One (21)** letters of representation have been received from nos. 1, 12B, 21B, 22, 27, 34A, 36, 36A, 38, 41A, 43, 43A, 43B and 50 Gladstone Place, nos. 14, 42 and 68 Newmarket Road, no. 116 Lewes Road, no. 29 Upper Lewes Road, no. 55 Dean Court Road, and 'Basement Flat' BN2 3QD objecting to the application for the following reasons:
 - The proposed 5 storey building would look out of keeping in the area / the proposed building is too large, would be overbearing and out of scale.
 - The proposal for 65 flats is an inappropriate density and represents an overdevelopment of the site.
 - The proposed accommodation may not have adequate staffing / management and this could lead to behaviour which could harm neighbouring amenity.
 - There is already too much student accommodation in the area surrounding the site. There are many student houses in the area. This causes noise and disruption for other residents, anti social behaviour, and problems with litter and refuse collection. More student accommodation will worsen this situation significantly.
 - The traffic noise and air pollution along Lewes Road make it unsuitable for residential development.
 - The proposed development will result in more cars being parked on the surrounding streets which are already heavily parked. It will be harder for

existing residents to find a parking space. Gladstone Place is also accessed by large vehicles visiting Kwik Fit. The increased activity and parking would increase highway safety risk.

- Local businesses will suffer as a result of a lack of available parking.
- The proposed building would overshadow neighbouring properties.
- The proposed development would block views from neighbouring properties.
- The proposed development would cause additional overlooking of neighbouring properties.
- No details of surface water drainage have been submitted.
- The proposal could include additional sustainability measures such as rainwater harvesting, renewable energy production and green roofs; this is a lost opportunity.
- The proposed building would be overcrowded and would be a fire hazard for future occupiers due to its proposed layout.
- There is no proposals to facilitate deliveries to / collections from the site; such activities may therefore block the public highway.
- The area surrounding the site is home to bats and badgers. The development could impact upon these species; an ecological survey should be carried out at the site.
- The proposed development would reduce the value of existing dwellings in the area around the application site.
- The construction works required to facilitate the development would cause inconvenience.
- The sewer system in the surrounding area does not have capacity to meet existing needs; the system would not cope with increased demand.
- The proposed cycle parking is not adequate for 65 flats.
- The site would be better utilised for first time buyers' flats as there is a shortage in the area and throughout Brighton.

External:

- 5.2 **East Sussex Fire and Rescue Service:** Comment. In order to meet the requirements of section B5 of Approved Document B of the Building Regulations the premises will require the provision of a fire main. A sprinkler system is also recommended.
- 5.3 **Sussex Police:** Comment. Various security measures are recommended to the applicant.
- 5.4 **County Ecologist:** Comment. The proposed development is unlikely to impact upon any site of nature conservation interest. The site and development offer the opportunity to secure nature conservation enhancements such as the planting of appropriate species within a scheme of landscaping, bird boxes and bat boxes.
- 5.5 **Southern Water:** Conditions recommended. Details of surface and foul water disposal are required and should be secured by condition. A formal application for a connection to the water supply and the sewerage system will be required.

The site is within a source protection zone and the Environment Agency's comments should be sought in this regard.

- 5.6 **Environment Agency:** Conditions recommended in relation to land contamination, and to secure full details of surface water drainage measures, and foundation designs.
- 5.7 **County Archaeologist:** No objection. It is not considered that significant archaeological remain are likely to be affected by the proposed development.
- 5.8 **UK Power Networks:** No objection.

Internal:

- 5.9 **Planning Policy:** Comment. The site is located within the secondary frontage of the Lewes Road District Shopping Centre, the site is however not in retail use and the proposal for student accommodation is therefore not resisted. The proposal would attract pedestrian activity to the centre in the form of the future occupiers of the development.
- 5.10 The proposal for student accommodation is considered having regard to policy CP21. Policy CP21 supports the development of new purpose built student accommodation provided specified criteria are addressed. It is considered that the development is in compliance with some elements of policy CP21, it is however noted that the application does not have the support of an education provider in the city which is contrary to criterion 6 of the policy. It is noted that a student accommodation scheme has also been granted at 112-113 Lewes Road and therefore it should be demonstrated that an additional scheme of this nature will not cause harm to neighbouring amenity.
- 5.11 In order to address policy HO6 a contribution of £78,229 towards open space provision in the city is necessary.
- 5.12 **Sustainability:** Conditions recommended. The submitted details set out the objective of meeting a Code for Sustainable Homes rating of Level 4. It may be more appropriate to apply the BREEAM Multi residential standard, in which case a rating of 'Excellent' and a 60% score in energy and water sections of the assessment would be sought.
- 5.13 **Environmental Health:** Conditions recommended. In regard to land contamination some information has been submitted but these details are not conclusive. Therefore it is recommended that a full land contamination condition be applied to any approval which is granted. A noise report has been submitted along with proposed mitigation measures. The noise report submitted does not include all required details to fully demonstrate that future occupiers of the development would not suffer noise disturbance.
- 5.14 **Transport Planning:** Conditions recommended to secure full details of proposed measures to encourage use of sustainable transport, cycle parking provision, and reinstatement of pavement and kerbs. A legal agreement is required to secure a contribution of £15,150 towards sustainable transport

infrastructure in the vicinity of the site, and a contribution of £2,000 to facilitate the drawing out of new road markings and an amendment of the relevant Traffic Regulation Order.

- 5.15 **Access Officer:** Comment. The proposed bathrooms do not meet Lifetime Homes Standards. If viewed as a residential development 5% of units should be wheelchair accessible which equates to three units in this case; only two are proposed. There are positive elements of the scheme; level access, a suitable lift to all floors, and storage space for wheelchairs within the two wheelchair accessible units.
- 5.16 **Air Quality Officer:** Comment. The site is situated in an area where air quality is an issue of concern. Ideally bedrooms should be set away from Lewes Road at ground and first floor level. It is recommended that the first floor units which front on to Lewes Road have revised layouts to set the beds within the units away from the frontage. All windows which front on to Lewes Road should be hermetically sealed, a passive ventilation system should be installed which draws air from the rear of the site at high level, and the boilers in the plant room should have ultralow NOx.
- 5.17 **Arboriculture:** Conditions recommended. It is recommended that an Arboricultural Method Statement be secured by condition to ensure that a tree situated alongside the site is not harmed during construction works.
- 5.18 **Economic Development:** Comment. A Local Employment Training Strategy and a commitment to a minimum of 20% local employment should be secured by condition.

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
TR2	Public transport accessibility and parking
TR4	Travel plans
TR5	Sustainable transport corridors and bus priority routes
TR7	Safe development
TR14	Cycle access and parking
TR18	Parking for people with a mobility related disability
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewerage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and reuse of construction industry waste
SU14	Waste management
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Street frontages
QD6	Public art
QD27	Protection of amenity
QD28	Planning obligations
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
SR5	Town and district shopping centres

Supplementary Planning Guidance:

SPGBH4	Parking Standards
SPGBH9	A guide for Residential Developers on the provision of recreational space (draft)

Supplementary Planning Documents:

SPD08	Sustainable Building Design
SPD11	Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
CP12	Urban Design
CP21	Student Accommodation and House in Multiple Occupation
DA3	Lewes Road Area

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the proposed development (i.e. the loss of the existing use of the site and the proposed use as student accommodation), design and visual impact, standard of accommodation, neighbouring amenity, transport and highways, environmental health and drainage, sustainability, landscaping and ecology.

Principle of development:

- 8.2 The existing use of the site is as a hand car wash. This use does not have planning permission, a planning application has been submitted seeking formal consent for the current use (ref. BH2014/04351). The most recent authorised use of the site was for car sales (sui generis).
- 8.3 Both the existing use of the site, and the last authorised use are of a commercial nature and are employment generating uses. The policies of the Brighton and Hove Local Plan Chapter 5 'Supporting the local economy and getting people into work' have the objective of protecting existing employment generating uses, the uses specified however are in the main in the B Class. There is no specific protection of sui generis uses such as car sales or car washes. Given the size of the site and the scale of the existing use on the site it is unlikely that in its current guise the site would generate significant levels of employment. Overall having considered these factors, the loss of the existing use of the site is not objected to.
- 8.4 The key policy considerations with respect to the principle of development are policy SR5 of the Brighton and Hove Local Plan and policies CP21 and DA3 of the emerging Brighton & Hove City Plan Part One (submission document). Policy SR5 sets out criteria for assessing changes of use from retail within the town and district shopping areas of the city; the site is located within the secondary frontage of the Lewes Road District Shopping Centre. Policy DA3 is an area based policy which sets out a strategy for development in the defined Lewes Road Area, the site is within this defined area. Policy CP21 sets out a

strategy for the delivery of purpose built student accommodation and the management of the location of Houses in Multiple Occupation (HMOs).

- 8.5 The site is located within the secondary frontage of the Lewes Road District Shopping Centre and as such policy SR5 applies, the site is however not in retail use. Ideally the Local Planning Authority would prefer to see a commercial use such as retail proposed at ground floor level, which would attract pedestrian activity to the centre and would encourage combined trips to the centre. However, in this case, in the context that the existing use of the site is not retail, and this section of Lewes Road is not of strong retail character, the lack of commercial / retail activity at ground floor level is not resisted.
- 8.6 The proposed use of the site is student accommodation. The Brighton and Hove Local Plan does not contain a specific policy which addresses this issue, the Brighton and Hove City Plan Part 1 does have a policy which specifically addresses student accommodation, CP21. This policy document is at a late stage of preparation and the council attaches significant weight to CP21.
- 8.7 In regard to purpose built student accommodation, Policy CP21, as currently proposed, states that:
- 8.8 *The council will encourage the provision of purpose built accommodation to help meet the housing needs of the city's students. Proposals for new purpose built student accommodation will need to demonstrate that the following criteria have been addressed:*

1. Proposals should demonstrate that there will be no unacceptable impact upon residential amenity in the surrounding area through issues such as increased noise and disturbance;

2. High density developments will be encouraged but only in locations where they are compatible with the existing townscape (see CP12 Urban Design);

3. Sites should be located along sustainable transport corridors where accommodation is easily accessible to the university campuses or other educational establishments by walking, cycling and existing or proposed bus routes;

4. Proposals should demonstrate that they would not lead to an unacceptable increase in on-street parking in the surrounding area;

5. Proposals should be designed to be safe and secure for their occupants whilst respecting the character and permeability of the surrounding area;

6. Schemes should demonstrate that they have entered into a formal agreement with the support of one of the city's two Universities or other existing educational establishments within Brighton & Hove. The council will seek appropriate controls to ensure that approved schemes are occupied solely as student accommodation and managed effectively;

7. Permanent purpose built student Accommodation will not be supported on sites allocated for housing or with either an extant planning permission for residential development or sites identified as potential housing sites.

8.9 Issue (1):

Impact upon neighbouring amenity is considered below.

8.10 Issue (2):

The proposed development is of a high density. The development would contrast with the majority of the residential development in the immediate vicinity of the site which consists of terraced dwelling houses. It is however the case that the site fronts on to Lewes Road which is of a mixed character and the Lewes Road frontage includes some larger buildings and denser developments. In this context the principle of a dense development is not objected to, subject to a detailed consideration of all impacts.

8.11 Issue (3):

The application site is on a sustainable transport corridor and the university campuses are accessible by foot, cycle and bus.

8.12 Issue (4):

This matter is addressed below. It is considered that parking stress in the area would be likely to be exacerbated by the proposed development.

8.13 Issue (5):

The proposed site layout and design do not raise any specific security concerns. Sussex Police have recommended security measures to the applicant in relation to matters such as door and window locks.

8.14 Issue (6):

No information has been submitted to date in this regard. Based upon the information which has been submitted, it does not appear that there is any formal agreement in place with one of the city's two Universities or other existing educational establishments within Brighton & Hove.

8.15 This is of concern as it has not been demonstrated that there is a demand for the specific development and type, and specification of accommodation which is proposed. Furthermore it has not been demonstrated that the accommodation proposed would meet the standard of the city's two Universities or other existing educational establishments within Brighton & Hove.

8.16 The lack of an educational establishment's involvement also raises concerns regarding the future management of the building as it would normally be expected that the educational provider would have involvement in this regard by for example engaging in ensuring student behaviour is of an appropriate nature and that antisocial behaviour and disturbance is not caused.

8.17 The absence of a formal agreement with one of the city's two Universities or other existing educational establishments within Brighton & Hove is of

significant concern and is considered to warrant the refusal of planning permission in this case.

8.18 Issue (7):

It is clear that the site does have the potential to deliver housing, it is the view of the Planning Policy Team however that it would not be reasonable to refuse planning permission on this basis, as the site is not allocated for housing and is not identified as having the potential for housing in the Council's SHLAA. Therefore, whilst the site does have the potential to deliver housing, in this case it is considered that the planning application does warrant refusal on these grounds.

8.19 Policy DA3 sets out a strategic vision for the Lewes Road Area with a specific focus upon allocated strategic sites and their development potential. DA3 states that:

8.20 *The strategy for the development area is to further develop and enhance the role of Lewes Road as the city's academic corridor by supporting proposals which:*

- *improve further and higher education provision in the Lewes Road area;*
- *facilitate improved sustainable transport infrastructure that provides choice, including travel by bus, walking and cycling;*
- *secure improvements to the townscape and public realm;*
- *deliver inter-connected green infrastructure and biodiversity improvements, contributing to Biosphere objectives (see policy CP10);*
- *improve air quality in the Lewes Road area; and*
- *deliver the amounts of development set out in part B.*

8.21 These objectives are set on a strategic level and could not reasonably all be delivered on an individual development site of a relatively small scale. The development would provide student accommodation which may assist the provision of higher education provision in the DA3 area. There are concerns regarding the design of the proposed building, these are set out below, these concerns however relate to the specific design proposed rather than constituting an in principle design objection to the redevelopment of the site as student accommodation. A well designed building would improve the townscape and the public realm as the existing site appearance is not attractive.

8.22 It is noted that the application site is not allocated for redevelopment in policy DA3, this is itself is not however necessarily of concern. DA3 does not provide an indication of the projected provision of student accommodation on unidentified sites. The proposed development is not in principle contrary to DA3.

8.23 Overall it is considered that the development could, if appropriately designed and linked to an educational establishment, contribute to meeting the strategic objectives of policy DA3.

Design and visual impact:

- 8.24 The principle of a redevelopment of the site consisting of a building of contemporary design is not resisted to. The character of development along Gladstone Place is primarily three storey dwelling houses (one floor at lower ground floor level), which are set back from the pavement with a space in between which provides a lightwell to the lower ground floor level of the dwellings. Along Lewes Road there is a mix of development types and designs. Most recently a four storey building has been approved at 112-113 Lewes Road and is under construction.
- 8.25 The proposed development consists of a five storey block with a two storey element to the rear. The footprint of the proposed building covers the majority of the site, an inset area to the northern side of the site provides some spacing from a tree which is sited alongside the site and an area for cycle parking. To the southern side of the site the rear section of the building is set in from the pavement; this provides an outdoor space and a cycle parking area.
- 8.26 The building design incorporates various forms and materials. Projecting blocks and inset sections are proposed. Facing materials are brick, white render, and HPL (High Pressure Laminate) panels. The colours and finish of the proposed HPL panels have not been confirmed. No samples of materials have been submitted. UPVC grey framed windows are proposed. The ground floor façade is brick faced with one large section of glazing and a number of narrow sections of glazing with brick columns between. The top floor of the building is of a smaller footprint than the floor below but is not set back significantly from the front of the building.
- 8.27 The proposed building would be significantly taller than the dwelling houses on Gladstone Place, and would also be substantially taller than the recently approved building at 112-113 Lewes Road. It is noted that a five storey building is in situ at 'Ursa Court' alongside the bus depot. This building does however have a different immediate context and the top floor of this building is set back significantly from the façade of the building below. The scale and bulk of the proposed building would be more prominent as the site is on a corner.
- 8.28 Having regard to the immediate context of the application site, it is considered that the proposed building would be of an excessive scale and bulk, would be unduly prominent and would not relate well to surrounding development. The building would appear as substantially higher than surrounding development, and the main block of the building would be set forward from the established building line on Gladstone Place significantly. This step forward would emphasise the scale and bulk of the building when viewed from the east along Gladstone Place and also from Lewes Road to the south of the site. The main block of the building is not set back significantly from the pavement to its front and sides. Overall the footprint, scale and design of the building is considered to be inappropriate and would result in an incongruous appearance.
- 8.29 It is considered that a block of a reduced scale and bulk, which paid greater respect to the Gladstone Place building line, could deliver a more acceptable appearance which would sit more comfortably alongside existing development. If the main building were to be three storeys with a significantly inset fourth

storey for example, this would relate more closely to the terraces along Gladstone Place (which are three storeys with a pitched roof), and would site more comfortably in the Lewes Road street scene.

- 8.30 In regard to the detailed design and materials, based upon the submitted drawings, it is difficult to envisage the building as proposed as the colour and finish of the proposed HPL panels have not been confirmed, and no material samples have been submitted. The Design and Access Statement includes some basic 3D visuals, these however show that all walls would be of white render finish, the submitted drawings however contradict this and show brick faced elements.
- 8.31 During the course of the application a set of photo montages have been submitted which better indicate the materials proposed. The HPL panels to the top floor are shown as grey, facing bricks are shown in two colours; brown / red, and at ground floor a mix of grey colours. HLP panel details to upper floors are shown as grey and brown.
- 8.32 It is not clear that the mix of materials proposed would result in an appropriate standard of appearance. UPVC windows are proposed which in general have bulky frames and a reflective quality to the frames. It is considered that a more appropriate higher quality proposal would be powder coated aluminium frames; such window frames generally have a matt finish and more slender frames, and would achieve a more contemporary and high standard of appearance.
- 8.33 The design includes large areas of blank wall which would be of prominence in the Lewes Road street scene. It is considered that a reconsidered design which included an increase in glazing and window size would improve this significantly. Increased glazing at ground floor would provide a more active frontage.
- 8.34 Overall, in regard to the detailed design and materials, it is not clear that there is an overall design rationale or attempt to formulate a high quality building design. Furthermore there is little evidence of an attempt to relate to the existing development in the vicinity of the site. The Council would not seek 'pastiche' design, it would however normally be expected that the design would seek to relate to the surrounding area in some way.
- 8.35 As proposed, the development would result in an appearance which would appear incongruous, would not be of benefit to the street scene, and is not considered to represent the high standard of design which national and local planning policies seek to secure. These matters are of particular concern as there is a strategic objective to secure improvements to the townscape and public realm in the DA3 area. The proposed development would be contrary to these objectives, and warrants refusal on these grounds.

Standard of accommodation:

- 8.36 The proposed internal layout consists of a basement plant room, common room and laundry room at ground floor level, external cycle storage, and 65 self

contained studio units. Each room has a bed, desk, kitchenette, and en-suite bathroom. At fourth floor level three roof terrace areas are proposed.

- 8.37 It would usually be expected that a block of student accommodation would be arranged in cluster flats with bedrooms and communal kitchen / living rooms. The fact that this is not proposed suggests that an educational establishment has not influenced the design and it may not be fit for purpose in terms in terms of wellbeing.
- 8.38 The units proposed are in general around 18m², which is significantly below the size which would be expected for a studio flat for general housing. The Council does not have minimum unit sizes but a useful reference point is the Government's consultation on The Nationally Prescribed Space Standard which proposes 37m² as the minimum size for a studio flat to be occupied by one person. The proposed units are less than half this size.
- 8.39 There is a common room proposed which would be available to future residents, the room is not however large enough for all occupants to use it at any one time. The roof terraces proposed are of usable size, one is associated with an individual flat and the other two would be communal and could allow for small numbers of students to sit outside.
- 8.40 Whilst concerns regarding units sizes and the provision of communal space must be acknowledged, it must also be considered that the accommodation is proposed to be occupied by students only. Students will reside at the property for a temporary period (e.g. one academic year), and can reasonably be expected to spend significant periods away from their residential accommodation (e.g. attending lessons / lectures, social events and activities etc.). In this context, it is usually accepted that student accommodation would not meet the standards which would normally be expected of general housing developments, hence the need for shared facilities.
- 8.41 In relation to the application proposal, whilst it is considered that the development could provide an improved standard of accommodation by for example proposing a greater provision of communal space or by proposing larger units, overall the standard of accommodation proposed is not considered to warrant the refusal of planning permission.
- 8.42 The Environmental Health Officer has raised concerns regarding potential noise disturbance and air quality. Some details of mitigation measures in this regard have been submitted, and full details of glazing methods, sound insulation and ventilation could be secured by planning condition were approval to be recommended.

Neighbouring amenity:

- 8.43 The neighbouring residents who would be most affected by the bulk of the proposed building would be the residents of the nearest properties on Gladstone Place. The proposed main block is set away from no. 1 Gladstone Place by 5.1 metres (with a two storey flat roofed element set away from the boundary by 1.8 metres), furthermore no. 1 Gladstone Terrace has a two storey

rear projection to its western side with a blank flank wall which would screen views of the proposed development from the main rear windows of the dwelling. The development would be visible from the rear gardens of properties along Gladstone Terrace but as detailed above would be set away from these gardens. Overall it is considered that the bulk of the proposed building would not cause significant harm to neighbouring amenity.

- 8.44 In regard to privacy, only two side facing windows are proposed which would be obscure glazed, at fourth floor level two glazed doors are proposed which could also be obscured. An east facing terrace is proposed which would provide some views over neighbouring gardens, given the height of this terrace however users of the area would not have direct views into neighbouring gardens or windows.
- 8.45 In regard to noise disturbance, the proposed roof terraces, if used by a number of students at night, could cause noise disturbance, it is however expected that the use of these terraces could be managed as part of the overall management of the property and for example the use of the terraces could only be allowed up to a certain time each night. This could be secured as part of a management plan were approval to be recommended.
- 8.46 Similarly, the management of students behaviour, noise disturbance, anti-social behaviour etc. could be secured as part of a management plan.
- 8.47 As detailed above however, the context of the site is that there are a large number of HMO / student properties in the vicinity of the site, a purpose built block of student accommodation is being constructed at no. 112-113 Lewes Road, and other sites in the locality are proposed as student accommodation. There is a high demand for on street parking spaces in the streets in close proximity to the site. In this context, a further development, of 65 units of accommodation, with no on site parking proposed and little outdoor space within the site, does have the potential to worsen existing problems in the area which are typically associated with dense development and properties in multiple occupation. The cumulative scenario, which does impact upon the amenity of neighbouring occupiers, would be worsened by the proposed development. For these reasons the development is considered to be contrary to policies CP21 and QD27 and warrants refusal on these grounds.

Transport:

- 8.48 The application site is located on a number of main bus routes. The universities and the city centre are accessible by bus, cycle and foot. The proposed development would generate additional trips in comparison to the existing use of the site; this is not objected to but in order to address the requirements of policies TR1 and TR2 a contribution of £15,150 towards sustainable transport infrastructure improvements in the vicinity of the site is required. This could be secured by legal agreement were approval to be recommended.
- 8.49 The applicant is proposing measures to encourage the use of sustainable modes and these measures would be secured by condition were approval to be recommended.

- 8.50 An arrival and departure strategy has been submitted which it is considered will reduce the disruption associated with the arrival and departure of occupants so far as is practical.
- 8.51 No vehicular access is proposed into the site and therefore the existing crossovers and dropped kerbs would need to be reinstated as pavement were the development to be carried out, this could be secured by condition. The applicant has proposed that the new space available on street could be utilised for a loading bay and disabled or general parking, the Transport Officer has advised that these works would require a contribution of £2,000 to fund the amendment of the relevant Traffic Regulation Order.
- 8.52 The proposed development would be likely to generate additional demand for on-street parking as a proportion of future occupiers are likely to have a private motor vehicle which they would look to park as close to the site as possible. The applicants estimate based upon census data that 16 cars could be associated with the development proposed.
- 8.53 This is of concern as it appears that there is a very high demand for on-street parking in the vicinity of the application site. This is common in terraced streets, and this may be worsened where there are a high number of properties in multiple occupation. It must also be acknowledged that the development under construction at 112-113 Lewes Road does not have any on site parking and will also add to demand for on-street parking once occupied.
- 8.54 No information has been submitted by the applicant to demonstrate that there is capacity in surrounding streets to accommodate additional parking demand, in fact their transport statement acknowledges that there is limited availability in the area surrounding the site.
- 8.55 It is noted that the removal of the vehicular access on Gladstone Place would allow for some additional on-street parking which could be allocated to loading, disabled parking, or general parking. This would not however address all of the demand that the proposed development would be likely to create.
- 8.56 Overall, it is considered that the increased parking demand would not cause a highway safety risk, but would impact negatively upon neighbouring amenity as detailed above, as existing residents are likely to face greater competition for spaces in the vicinity of the application site.
- 8.57 In regard to cycle parking 22 secure spaces are proposed. This would meet the standards set out in SPGBH4 and full details of the provision could be secured by condition were approval to be recommended.

Environmental Health and Drainage:

- 8.58 There is potential that the site is contaminated and the site is situated within a ground water source protection zone. For these reasons, were approval to be recommended, a full land contamination condition along with conditions securing details of foundation methods and drainage would be applied.

Sustainability:

- 8.59 The submitted details set out the objective of meeting a Code for Sustainable Homes rating of Level 4. The Sustainability Officer considers that it may be more appropriate to apply the BREEAM Multi residential standard, in which case a rating of 'Excellent' and a 60% score in energy and water sections of the assessment would be sought. If approval were to be recommended a condition could be applied which required that one or the other of these standard must be met, as either would deliver an acceptable level of sustainability to address the requirements of policy SU2 and the guidance set out in SPD08.

Landscaping and nature conservation enhancements:

- 8.60 Policy QD15 of the Brighton & Hove Local Plan requires that all new development incorporates high quality landscaping (soft and hard). Policy QD17 and the guidance set out in SPD11 require that all new development include nature conservation enhancement measures. The submitted drawings do not detail any soft landscaping or ecological improvements. The outdoor area and terrace provide areas for planting and features. Green walls and rooftop planting are also possible. Whilst ideally such measures would be integral to the proposed development design and would be presented at application stage, in the absence of such proposals details of appropriate landscaping and nature conservation measures could be secured by planning conditions.

9 CONCLUSION

- 9.1 The application site is considered to have the potential to deliver general housing and affordable housing. Having considered this matter and the nature of the proposed development, it is considered that the use of the site for student accommodation should not be permitted. The visual impact the proposed building would have is considered to be inappropriate. The proposed development in conjunction with existing development and uses in the vicinity of the site, and future development which is likely to come forward, would cumulatively have a negative impact upon neighbouring amenity. For these reasons refusal of planning permission is recommended.

10 EQUALITIES

- 10.1 It would not be reasonable to require that the development provide full compliance with Lifetime Homes Standards as these standards relate to general housing developments. It is however noted that the development would provide a good standard of access with level access at ground floor level and a lift to provide access through the building.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The development is not supported by either of the city's universities or another educational provider in the city. The proposed development of the site as student accommodation is therefore contrary to policy CP21 of the Brighton and Hove City Plan Part 1 submission document.

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2. The proposed development would be of an excessive scale and bulk. Due to this scale and the footprint of the proposed building the development would have an excessive prominence, would not relate well to the existing development in the immediate vicinity of the site, and would result in an incongruous appearance. The design includes large areas of blank wall, and it has not been demonstrated that the materials proposed would result in an appropriate appearance. The proposal is contrary to policies QD1, QD2 and QD3 of the Brighton and Hove Local Plan and policy CP12 of the Brighton and Hove City Plan Part 1 submission document.
3. Policy DA3 of the Brighton and Hove City Plan Part One (submission document) sets out a strategy for the development and enhancement of the Lewes Road area, which includes the objective to secure improvements to the townscape and public realm. As identified above, the proposed development would not enhance or improve the townscape or public realm and would therefore be directly contrary to the strategic objectives set out in Policy DA3.
4. The area surrounding the site contains a concentration of properties in multiple occupation which as set out in policy CP21 can impact negatively upon neighbouring amenity. The proposed development, which would result in an intensive occupation of the site, would worsen this situation and therefore has the potential to harm neighbouring amenity by way of increased activity and disturbance, and in this case an increased demand for on street parking where demand is already particularly high. The proposed development is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
LOCATION PLAN	101	A	17/10/2014
BLOCK PLAN	102		01/10/2014
PROPOSED SITE PLAN	104		01/10/2014
EXISTING SITE PLAN	103		01/10/2014
BASEMENT PLAN	110		01/10/2014
PROPOSED GROUND FLOOR PLAN	111		01/10/2014
PROPOSED FIRST FLOOR PLAN	112		01/10/2014

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PROPOSED SECOND FLOOR PLAN	113		01/10/2014
PROPOSED THIRD FLOOR PLAN	114		01/10/2014
PROPOSED FOURTH FLOOR PLAN	115		01/10/2014
PROPOSED ROOF PLAN	116		01/10/2014
PROPOSED ELEVATIONS	120		01/10/2014
PROPOSED ELEVATIONS	121		01/10/2014
CONTEXUAL ELEVATIONS	122		01/10/2014
EXISTING ELEVATIONS	125		17/10/2014

3. The applicants attention is drawn to the fact that the visuals in the submitted Design and Access Statement are not consistent with the submitted drawings as the visuals show that all walls would be of white render finish, the submitted drawings however contradict this and show brick faced elements.
4. The applicant is advised that the application site will be considered for inclusion in the Council's SHLAA at the time of its next annual review.