

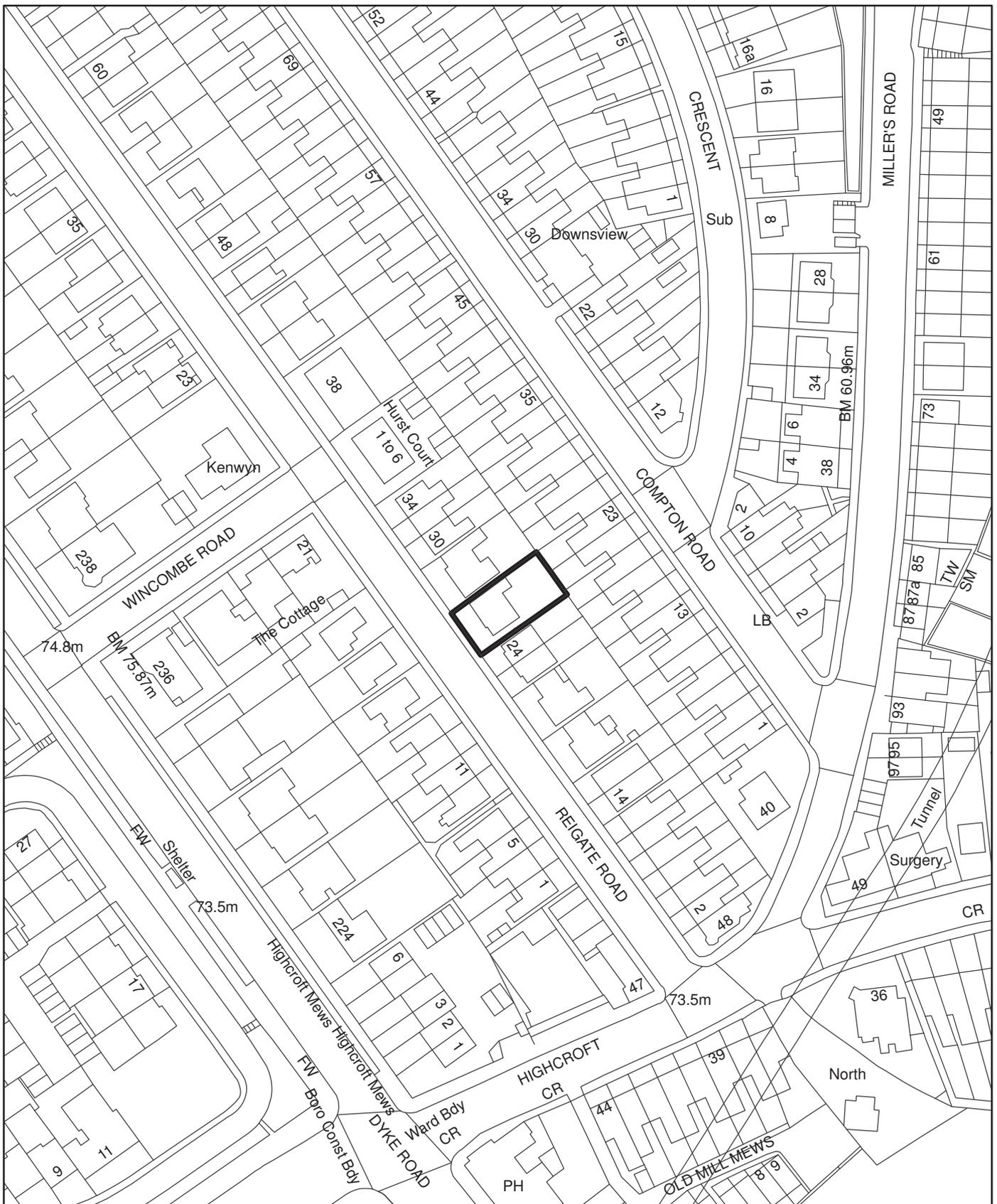
ITEM E

26 & 26A Reigate Road, Brighton

BH2014/03799
Full planning

18 FEBRUARY 2015

BH2014/03799 26 & 26a Reigate Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2014/03799	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Full Planning		
<u>Address:</u>	26 & 26A Reigate Road Brighton		
<u>Proposal:</u>	Demolition of existing detached dwelling and erection of two storey block of 6no flats.		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	11 November 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	06 January 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Turner Associates, 19A Wilbury Avenue, Hove BN3 6HS		
<u>Applicant:</u>	Investsave Ltd, Mr Alan Pook, 2A Church Road, Hove BN3 2FL		

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 be **MINDED TO GRANT** planning permission subject to a S106 agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a detached property located on the eastern side of Reigate Road. The existing property is subdivided into a ground floor and a first floor flat, with associated rear garden areas. The site slopes slightly from south-west to north-west.
- 2.2 Reigate Road provides an array of detached, semi-detached and short terraced properties in addition to purpose built block of flats to the north of the application site, known as Hurst Court and Rush Lodge, comprising 2 or 3 storeys, some with roofspace accommodation. Apart from Hurst Court, which has a flat roof form, one characteristic of the properties within the Reigate Road streetscene is of prominent roof forms.

3 RELEVANT HISTORY

BH2014/02323 - Demolition of existing single dwelling and erection of two storey block of 7no flats. Withdrawn 16/10/2014.
BH2004/00924/FP – 26A - Enclosure of existing "external" staircase (Retrospective) and replace timber cladding with pebble dash rendering. Approved 18/05/2004.

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of the existing detached property, which currently comprises two flats, and the construction of a new building comprising six flats, 4x2-bed units and 2x2-bed units.
- 4.2 The development would provide accommodation at lower ground, ground, first and second floor levels. The proposed building would comprise two flat roof front dormer windows, front lightwells, square bay windows on the front elevation at ground and first floor level, a rear two storey flat roof projecting section at lower ground and ground floor level and rear and side rooflights.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Nine (9)** letters of representation have been received from **11, 13, 15, 17(x2), 19, 19A(x2), 28 Reigate Road** objecting to the application for the following reasons:

- Increase of vehicles parking in road. There has been no consideration of the extra parking that will be required by 6 different family units occupying a space where there are currently only 2. The parking in the area is already under pressure, as can be seen from the number of houses that have converted gardens to parking spaces. A majority of the time the residents parking bays are fully occupied, do not accept this can be overcome by making a condition of any decision a car free scheme,
- Increase in traffic and congestion along what is already a busy stretch of road, particularly during morning and evening rush hours. Reigate Road is used somewhat as a rat run to avoid the traffic lights at the junction of Highcroft Villas and Dyke Road, thus any increase in cars as a result of additional dwellings is going to further add to this problem,
- Over-development of a single house plot, based not only on the scale and proportion of the design, but also on the brief to provide 6 units in lieu of the existing 2 (a reduction of one unit from previous application is not much of a revision).
- Size is inappropriate to the surrounding houses,
- Whilst welcome the reduction in number of flats proposed, the overall development would still be out of keeping with the nature of this part of Reigate Road. Building will not be in keeping with surrounding houses and would be out of character,
- Note the architects seem to use the block of flats opposite the junction of Wincombe Road and Reigate Road as justification for this type of development. The fact that permission was obtained some considerable time ago for these flats does not now set a precedent,
- Huge impact of noise and dirt during demolition, excavation and construction of 6 flats,
- Question use of front dormers on the second floor, this is not in keeping with houses on the rest of the street and looks out of character with the surrounding buildings,
- Overlooking and loss of privacy, especially from roof level flats,
- Increased noise,

- Excavation for the basement level in such close proximity to neighbouring property may result in subsidence,
- Reigate Road is primarily a street comprising family dwellings and not only will the bulk have an impact, but also it will create a change in character in the street, as there will be a loss of 2 no. 3 bedroom family units,
- Does not seem to adequately show how waste material from demolition and excavation for the proposed basement will be removed from the site and what impact this traffic is going to have on Reigate Road,
- The line delineating the left (north) boundary does not appear to be correct, in that the existing north elevation is in fact built tight to the boundary of no. 28,
- Excavation for a lower ground floor will have a significant impact on the townscape, there are no other lightwells or basement lower ground floor flats in Reigate Road, and therefore would be out of character. The street has an open suburban feel with front gardens, not an urban feel as with nineteenth century properties nearer the centre of town. These would be the only lightwells in the street and as such would be incongruous,
- The scheme has been reduced at the rear but this has had no impact on the streetscene, and
- The concern widely felt in the street community of a possible creeping proliferation of small units in lieu of the existing family atmosphere of Reigate Road, which has semi, terraced and detached houses, and flats are a rarity,

5.2 **Six (6) letters of representation have been received from 23 Surrenden Park, 102 Stanmer Villas, 49 Compton Road (x2), 4 Downside and 48 Highview Road** supporting the application for the following reasons:

- Should be more affordable housing to buy or rent in this area, great to finally see some low cost housing, perfect for a starter home, in a prime location. Only to often buyers are finding themselves priced out of the market and having to move further afield to likes of Peacehaven and Newhaven etc. City fast becoming a place that only the rich can afford. More projects like this should be encouraged to redress the balance. Will be ideal for first time buyers as in a great location and area, close to everywhere,
- Have been no developments like this in area in years,
- Nice and safe area, and
- Will be an improvement and can only benefit the road, will look nicer than what is already there. Not overpowering at all. Good design. Need more like this.

5.3 **Councillors A & K Norman:** Object, letter attached.

Internal:

5.4 **Access Officer:** The proposed layout is satisfactory.

- 5.5 **Arboriculturist:** Proposal would result in the loss of trees and shrubs of insignificant arboricultural value. No objection subject to a suitable condition being attached to any consent granted regarding a scheme for landscaping.
- 5.6 **Private Sector Housing Officer:** No comments.
- 5.7 **Sustainable Transport:** No objection to the application subject to the inclusion of a condition regarding a cycle parking scheme and a S106 Agreement to contribute £3,000 towards footway improvements in the local area and provide 2 year membership to the City Car Club for each first resident.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

- TR1 Development and the demand for travel
TR7 Safe development

- TR14 Cycle access and parking
- TR19 Parking standards
- SU2 Efficiency of development in the use of energy, water and materials
- SU13 Minimisation and re-use of construction industry waste
- QD1 Design – quality of development and design statements
- QD2 Design – key principles for neighbourhoods
- QD3 Design – efficient and effective use of sites
- QD15 Landscape design
- QD16 Trees and hedgerows
- QD27 Protection of Amenity
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO13 Accessible housing and lifetime homes

Supplementary Planning Guidance:

- SPGBH4 Parking Standards

Supplementary Planning Documents:

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

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impacts of the proposed development upon the visual amenities of the area, the living conditions for future occupiers and the impact upon the amenities of the neighbouring properties. Issues including sustainability and transport must also be assessed.

8.2 Principle of Development:

At present, there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 units) as the basis for the five year supply position. The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The merits of the proposal are considered below.

Visual Amenities:

- 8.3 Local Plan policies QD1, QD2 and QD3 set out the design criteria for applications of this nature. These policies require proposals to make an efficient and effective use of the site, contributing positively to the visual quality of the environment, addressing key principles for the neighbourhoods in terms of height, scale, bulk and design. The NPPF states that good design is a key aspect of sustainable development and that development should function well and add to the overall quality of the area, respond to local character and reflect the identity of the local surroundings.
- 8.4 The site currently contains a detached two storey building, providing two flats, comprising a main hipped roof with a south-east facing cat-slide roof form and a two storey flat roof side extension.
- 8.5 Reigate Road provides an array of detached, semi-detached and short terraced properties. Purpose built flats are located to the north-west of the site (Hurst Court and Rush Lodge). The properties within the related section of Reigate Road comprise either two (some with roof accommodation) or three storeys. The streetscene provides a mix of hipped roofs, pitched roofs, barn-end hipped roofs, gable end hipped roofs and flat roof forms. The gaps between properties along Reigate Road are consistent elements of the street scene.
- 8.6 The proposed development would comprise a two storey, plus lower ground floor level, building. The site comprises a slight south-west to south-east slope and as a result the proposed development would be partially dug into the site to provide a lower ground floor level.
- 8.7 Pitched roofslopes would connect a central flat roof over the main section of the property, with a flat roof over the proposed rear projecting section. Two flat roof dormer windows would be inserted in the front roofslope with rooflights to the side roofslopes and two to the rear. The proposed development has been designed to have a symmetrical appearance with regards to the front and rear elevations with detailing, such as the inclusion of the proposed square bay windows, reflecting bay window features on other properties within the immediate vicinity of the site.
- 8.8 The roof of the proposed development would be slightly higher than the ridge of the existing property and that of no. 28. However, the increase in height would remain in keeping with the varied height of the properties in this section of Reigate Road and is therefore acceptable. The proposed development would also result in additional bulk and massing in relation to the existing property. It is not though considered that this would be of detriment to the visual amenities of the Reigate Road streetscene due to the gap that would be retained either side of the site and due to the varied nature of development along Reigate Road. In views along Reigate Road the additional bulk and massing of the development would be screened by the built form of nos. 24 and 28 Reigate Road.
- 8.9 A number of representations object to the formation of a basement level and associated lightwells. The front curtilage of properties along Reigate Road provide a mix of hard and soft landscaped areas, including off-street parking

areas and a mix of front boundary treatments, including brick walls, and or vegetation, fencing and open boundaries onto driveways.

- 8.10 The proposal includes the provision of a brickwork front boundary wall, with associated piers, either side of the proposed main entrance to the building. The design and height would be in keeping with neighbouring properties. The proposed lightwells would be set approximately 1.8m behind the front boundary wall, with vegetation to the lightwells and walls/railings to the perimeter. Due to the design of the lightwell perimeter and the set back from the front boundary it is considered that the lower ground floor level would not be apparent from most parts of Reigate Road. As a result this element of the proposal would not have an adverse impact on the character or appearance of the Reigate Road streetscene.
- 8.11 The proposed flat roofed dormer windows would be sited evenly within the front roofslope and their design, size and positioning is acceptable. Although it is noted that no other front dormer windows are present in the front roofslope of properties in the immediate vicinity of the site, due to the varied style, design and roof forms of properties along Reigate Road it is considered that the inclusion of front dormer windows would not have an adverse impact upon the visual amenities of the Reigate Road streetscene.
- 8.12 The proposed development would be finished with render elevations, tile hung square bays, tiled pitched roofs and brick boundary walls and piers. In principle these materials would be appropriate to Reigate Road and samples could be secured through condition.
- 8.13 For the reasons outlined the proposed height, bulk and massing than the existing property, given the design, finish materials, scale and height of the neighbouring properties located along Reigate Road, is considered appropriate to the surrounding context and would not compromise the quality of the local environment.

Impact Upon Amenity:

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

Future occupiers

- 8.15 The provision of a mix of 1 and 2 bedroom units is considered acceptable, in accordance with policies of the Brighton and Hove Local Plan, with the proposed unit sizes acceptable.
- 8.16 The proposed lower ground floor level would provide two flats with accommodation partially below ground level. Since submission of the application the proposal has been amended to include an additional window in the living room of the proposed lower ground floor flats and this would increase light, ventilation and outlook to these units. It is noted that light and outlook to bedrooms within the roofspace would be provided by a front dormer window. As

these bedrooms relate to the proposed 2 bedroom residential units located across the first and second floor levels of the proposed development, and would not be the sole bedrooms, this is considered sufficient and would not create a poor standard of accommodation.

- 8.17 Local Plan policy HO5 requires new residential development to provide adequate private and usable amenity space for occupiers, appropriate to the scale and character of the development. The proposed two lower ground floor flats would have sole use of two small rear garden areas at the rear of the property and access to the front lightwell areas. A larger communal area would be provided towards the rear of the site for the upper flats. This provision is considered acceptable in respect of the above policy.
- 8.18 A boundary of approximately 1.2m in height would divide the proposed communal garden from the gardens areas associated with the lower ground floor flats. It would appear that this proposed boundary treatment would be formed of a fence however further details of such boundary treatment in addition to the boundary treatment between the proposed lower ground floor flat garden areas can be obtained via a condition. The proposed boundary treatment between the garden areas for the lower ground floor flats and the communal garden and the positioning of the proposed lower ground and ground floor rear windows would prevent overlooking and loss of privacy for the lower ground floor and ground floor flats from the proposed communal garden area.
- 8.19 Policy HO13 requires new residential dwellings to be built to Lifetime Homes Standards, which enables units to be adapted at a later date to meet the changing needs of occupants, without the need for major structural alterations. There are sixteen standards relating to Lifetime Homes and as the proposal is for a new build development all of the standards must be incorporated into the design (except the standard relating to communal staircases and lifts). The proposal would accord with Lifetime Homes standards and this could be secured through condition should the application be approved.

Neighbouring Amenities

- 8.20 The footprint of the proposed building would be larger than that existing at the rear, by approximately 3m with regards to the main section and by approximately 5.2m taking account of the proposed flat roof rear projecting section (which would be set in from the main part of the building by approximately 2m on either side).
- 8.21 The main part of the proposed building would extend beyond the existing rear building line of no. 24 by approximately 2m, and approximately 3m beyond the main rear building line of no. 28. No. 28 appears to have been extended in the past by way of a rear single storey extension on the south-eastern side. The rear elevation of this neighbouring extension would be located flush with that of the proposed main elevation of the new building.
- 8.22 In accordance with BRE Guidance the proposed development would not break a 45° line taken from the nearest first floor windows to either neighbouring properties. As a result of this and due to the distance between the development and the side boundaries, the design of the proposed building, which includes a

stepped form at the rear elevation and the orientation of the sun, it is not considered that the increased massing at the rear of the proposed property, in comparison to the existing building, would have a significant adverse impact upon the amenities of nos. 24 and 28 Reigate Road with regards to loss of sunlight/daylight or outlook.

- 8.23 It is noted that there are windows existing in the side elevation of nos. 24 and 28, facing the site. However, these windows are either obscured and/or do not appear to relate to habitable rooms. As a result it is not considered that the proposal would have a significant adverse impact upon these existing side windows.
- 8.24 The proposed side windows would be obscurely glazed and relate to either bathrooms or would be secondary windows. It is therefore considered that the window openings would not have an adverse impact upon neighbouring properties. The inclusion of obscured glazing could be ensured via a condition should the application be approved.
- 8.25 The primary views from the staggered rear elevation would be over the proposed garden areas of the proposed dwellings and beyond towards neighbouring properties located on Compton Road, only oblique views would be achievable towards the gardens of nos. 24 and 28 Reigate Road. A distance of approximately 6.4m would be retained between the north-western elevation of the proposed building and the boundary with these neighbouring properties. In an urban area such as this it is not considered that the resulting overlooking of neighbouring gardens would be unacceptable or result in such level of harm as to warrant refusal of the application.
- 8.26 The scale of the development would not be expected to lead to significantly harmful levels of noise or disturbance during construction works. In the event that complaints were received they would be best progressed through Environmental Health legislation. In respect of land stability and excavation works this would be addressed through the Building Regulations.

Sustainable Transport

- 8.27 Policy TR1 of the Brighton and Hove Local Plan requires developments to address the demand for travel which the proposal will create and requires the design of the development to promote the use of sustainable modes of transport on and off site, so that public transport, walking and cycling are as attractive as use of a private car. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires development to accord with the Council's maximum car parking standards, as set out in SPG04.
- 8.28 As the site currently comprises 2 residential units the proposed development, of 6 flats, would increase trip generation above existing levels. In order to comply with policies TR1 and QD28 of the Brighton and Hove Local Plan a contribution of £3,000 is sought towards footway improvements in the local area in the form of dropped kerbs and tactile paving. These could be located at the junctions of:-

- Reigate Road/Highcroft Villas;
- Reigate Road/Wincombe Road; and
- Reigate Road/The Drove.

- 8.29 The contribution would ensure that there would be an acceptable walking route between the proposed development and key locations such as public transport services and other local amenities. A s106 agreement would be required to secure the contribution.
- 8.30 SPG04 states that the maximum car parking standard for a residential development within a CPZ is 1 car parking per unit and 1 space per 5 units for visitors would be required. Due to the constraints of the site the applicant does not intend to provide any on-site car parking, as such the proposal accords with SPG04.
- 8.31 The Council's Transport Officer has stated that based on the local 2011 car ownership census data the proposed development could have 5 cars associated with it. While the applicant has not submitted any information in relation to the existing on-street parking levels, there is no evidence to suggest a harmful localised pressure which would be exacerbated by the proposal. However, in order to mitigate the potential increase in on-street parking it is recommended that the applicant fund 2 years membership to City Car Club for each first occupier of each unit, with existing City Car Club bays on Matlock Road, Hampstead Road and Preston Road. This would be secured via a S106 agreement.
- 8.32 SPG04 requires a minimum of 1 cycle parking space per residential unit plus 1 space per 3 dwellings for visitors would be required. As the proposal is for 6 flats the minimum level of cycle storage facilities required would be 6 spaces for residents and 2 for visitors. In order to be in line with Policy TR14 of the Brighton and Hove Local Plan, cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Highway Authority's preference is for the use of Sheffield type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22.
- 8.33 A cycle store within the rear communal garden of the proposed property. Whilst this arrangement is deemed acceptable no details of the proposed nature of the stands has been submitted and further details would be obtained via a condition.

Sustainability

- 8.34 Policy SU2 and SPD08 seeks to ensure that development proposals are efficient in the use of energy, water and materials. Proposals are required to demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design.
- 8.35 In order to comply with policy CP8 of the modified City Plan, the proposed development should be constructed to Code for Sustainable Homes Level 4. Since submission the applicant has confirmed that the development would meet Level 4. The submitted Checklist states that the proposed development would

include measures such as the use of locally sourced materials, timber certified from sustainable sources, natural materials and the re-use of/recycled materials.

- 8.36 The plans submitted show the provision of an area for the storage of refuse at the front of the proposed development, on the north-western side. It is considered that adequate space would also be provided in this location for the storage of recycling facilities. The provision of refuse and recycling facilities can be ensured via the attachment of a condition if overall the proposal is considered acceptable.
- 8.37 Policy SU13 of the Brighton and Hove Local Plan requires developments of the nature and scale proposed to be accompanied by a Waste Minimisation Statement to address the removal of any construction and demolition waste which will be produced as a result of the development. Such a statement has been submitted. It is acknowledged that the submitted statement lacks details such as the quantities of waste generated and the details of the proposed waste contractor however other measures are included such as the salvage of materials for re-use, controlled material ordering and the segregation of waste for collection.

Landscaping

- 8.38 The proposal would result in the provision of external amenity areas for both of the proposed lower ground floor flats at the front and rear of the property and a communal garden, at the rear of the property. The plans submitted appear to show hard landscaping to the proposed lower ground floor amenity areas and a lawn to the communal garden. The elevational plans also show the provision of vegetation to the proposed front lightwell areas although it is noted that such planting is not shown on the site plan.
- 8.39 As the submitted plans show there are several trees on site, comprising the following:-
- Large multi-stemmed Bay of some stature (rear garden)
 - Lilac (rear garden)
 - Dead tree, ivy clad (rear garden)
 - Fig (front garden)
- 8.40 The trees are considered to be of little arboricultural value and there is no objection to their loss. In order to secure appropriate replanting a landscaping scheme, to include replacement planting, would be secured by condition.

9 CONCLUSION

- 9.1 The proposed development would make an efficient and effective use of the site. The height, design and bulk of the proposed property would not compromise the quality of the local environment. The standard of accommodation proposed is considered acceptable and adequate private/shared usable amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, cycle storage waste management and refuse and recycling storage. In addition, subject to the compliance with conditions, it is considered

that the new residential properties would not have a significant adverse impact upon the amenities of neighbouring properties. The proposal accords with policies of the Brighton and Hove Local Plan and the Brighton & Hove Submission City Plan Part One., approval is therefore recommended.

10 EQUALITIES

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

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- A financial contribution of £3,000 towards footway improvements in the local area, and
- Provides a 2 year membership to the City Car Club for each first resident.

11.2 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Block and Site Location Plan	01	Rev. A	11 th November 2014
Existing ZARA Site Survey	02	-	11 th November 2014
Existing Ground Floor Plan	03	-	11 th November 2014
Existing First Floor Plan	04	-	11 th November 2014
Existing ZARA Street Elevation	05	Rev. A	2 nd December 2014
Existing Side (N-W) Elevation	06	-	11 th November 2014
Existing Rear (N-E) Elevation	07	-	11 th November 2014
Existing Side (S-E) Elevation	08	-	11 th November 014
Proposed Block Plan	10	Rev. C	12 th December 2014
Proposed Site Plan	11	Rev. D	12 th December 2014
Proposed Plans 1	12	Rev. E	22 nd January

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Proposed Plans 3	13	Rev. C	12 th December 2014
Proposed Street Elevation	14	Rev. C	12 th December 2014
Proposed Elevations 2	15	Rev. D	22 nd January 2015
Proposed Elevations 3	16	Rev. C	12 th December 2014
Proposed Elevations 4	17	-	22 nd January 2015
Proposed Elevations 5	18	-	22 nd January 2015

- 3) The windows in the side elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.
Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 4) Access to the flat roof of the rear projection of the development 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 policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 5) All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.
- 6) The new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.
Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.
- 7) The development hereby permitted shall be undertaken in accordance with the Site Waste Management Statement received on the 11th November 2014.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

- 8) The hard surface 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 policy SU4 of the Brighton & Hove Local Plan.

11.3 Pre-Commencement Conditions:

- 9) No development shall take place until samples of the following materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority:
- a) samples of brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b) samples of all cladding to be used, including details of their treatment to protect against weathering
 - c) samples of all hard surfacing materials
 - d) samples of the proposed window and door treatments

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

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 of the Brighton & Hove Local Plan.

- 10) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the positions, height, design, materials and type of all existing and proposed boundary treatments. The boundary treatments shall be provided in accordance with the approved details before the building is occupied.

Reason: To enhance the appearance of the development in the interest of the visual and residential amenities of the area and to comply with policies QD1, QD15 and QD27 of the Brighton & Hove Local Plan.

- 11) No development shall commence until full details of the existing and proposed land levels of the proposed development in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include all finished floor levels. The development shall be constructed in accordance with the agreed details.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton and Hove Local Plan.

- 12) The development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the

development hereby permitted and shall thereafter be retained for use at all times.

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

- 13) No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers / densities and an implementation programme. The scheme shall include indications of all existing trees and hedgerows on the land that are to be retained along with measures for their protection during the course of the development.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

- 14) Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating Code level 4 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

11.4 Pre-Occupation Conditions:

- 15) The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

- 16) Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

- 17) The railings shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted and shall be retained as such.

Reason: In the interests of the character and appearance of the development and the visual amenities of the area and to comply with policy QD1 of the Brighton & Hove Local Plan.

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 to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:
(Please see section 7 of the report for the full list); and
 - (ii) for the following reasons:-

The proposed development would make an efficient and effective use of the site. The height, design and bulk of the proposed property would not compromise the quality of the local environment. The standard of accommodation proposed is considered acceptable and adequate private/shared usable amenity space provided. Subject to the compliance with attached conditions the scheme would comply with the requirements for sustainability, cycle storage waste management and refuse and recycling storage. In addition, subject to the compliance with conditions, it is considered that the new residential properties would not have a significant adverse impact upon the amenities of neighbouring properties.
2. The applicant is advised that advice regarding permeable and porous hardsurfaces can be found in the Department of Communities and Local Government document 'Guidance on the permeable surfacing of front gardens' which can be accessed on the DCLG website (www.communities.gov.uk).
3. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.

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4. The application is advised that with respect to condition 13 the landscaping scheme should include details of the proposed planting, including species, to the lightwell/front boundary to ensure that such planting would not affect the amenities of the future occupiers of the proposed lower ground floor units with regards to levels of natural light achievable.



**Brighton & Hove
City Council**

Liz Arnold
Planning Officer
Environmental Services
Brighton and Hove City Council
Norton Road
HOVE BN3 3BQ

PLANNING COMMITTEE LIST
18 FEBRUARY 2015

COUNCILLOR REPRESENTATION

Dear Ms. Arnold,

BH2014/03799	26 Reigate Road Brighton
	Demolition of existing single dwelling and erection of two storey block of 6no flats (Amendments)
Application type:	Full planning
Development type:	New build - residential

We are writing as Withdean Ward Councillors to reflect continued concerns raised with us by residents regarding Application BH2014/03799 as detailed above.

Reigate Road is a quiet residential road comprised of detached, semi detached and terraced properties. There is one purpose built block of flats Hurst Court, 36 Reigate Road which comprises six flats and the adjacent property 38 Reigate Road which has been converted into four flats. Although we note that amendments have been proposed, we continue to have concerns about the application, as amended.

A number of residents living in the immediate vicinity of 26 Reigate Road have contacted us once again with continued concerns that the demolition of this property will inevitably cause, noise, dust pollution and considerable inconvenience to their existing lifestyle. The proposal to erect a two storey block comprising six flats including extra loft conversion will appear out of character with the amenity of the existing residential properties in Reigate Road. We also believe that this proposal would result in dominant over development of the site. The inclusion of two lower ground floor (basement) apartments will also alter the character of the road in a detrimental way.

Other concerns include extra cars that will inevitably mean greater car parking issues in the local Controlled Parking Zone (CPZ A) and more refuse and recycling bins.

Residents of Reigate Road and its immediate area and us as Withdean Ward Councillors are concerned that the application includes lower ground floor units and believe that there may be a possibility of flooding from surface water run off.

In addition, we consider that approval of such of a development may well lead to similar undesirable developments of this kind in the road, thus diminishing the existing character of Reigate Road.

We consider that this application is contrary to QD1, QD2, QD27 and SU4 of the Brighton and Hove Local Plan 2005

Should the officer recommendation be to approve this application we ask that the application be referred to the Planning Committee for determination and that a copy of our letter in full be included in the agenda for the relevant Planning Committee Meeting.

Yours sincerely,



Councillor Ken Norman

Withdean Ward Councillor



Councillor Ann Norman

Withdean Ward Councillor

