

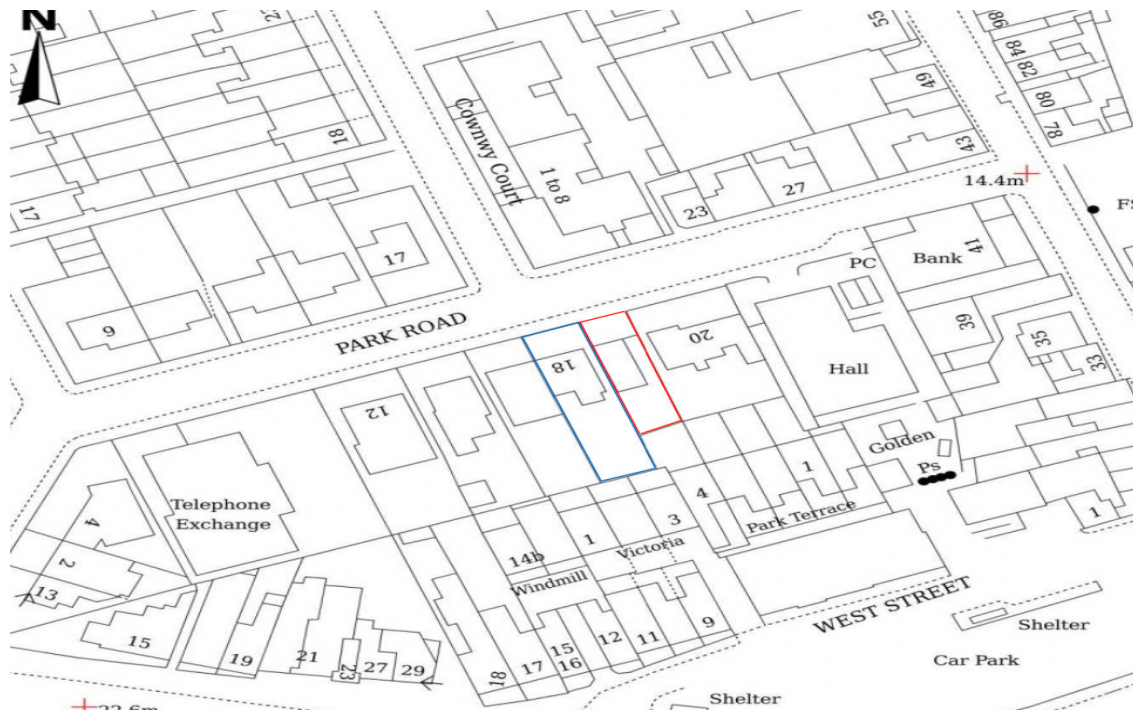
Section 55 Town and Country Planning Act

Planning Statement for Demolition of existing garage and erection of 1 no two-storey dwelling (C3) Passivehaus including excavation of a lower ground floor.

(Revised application approved plan BH2022/03081)

18 Park Road, Rottingdean, Brighton BN2 7HL
Client: Mr Russell Minton

Nimbus Map extract





Site Information

Consultant.	Visionary PlanningUK
Client	Mr R. Minton
Site Address	18 Park Road, Rottingdean, Brighton, BN2 7HL
LA	Brighton & Hove
Description of Development	Demolition of existing garage and Erection of 2 storey dwelling.
Pathway	Full application

Constraints Review

Flood Risk Zone	Flood zone 1
Contaminated Land	None known
Tree Preservation Order	None known
Heritage Assets	None
Noise Abatement Areas	None
Explosive Hazard Areas	Unknown
Area of Outstanding Natural Beauty	No
Special Protection Area	No

Site of Special Scientific Interest	No
RAMSAR Convention Site	No
Site of Importance to Nature Conservation	No
Conservation Area	Rottingdean Conservation Area
Article 4(2) Directions	N/A

Local Policy Requirements

Local Plan :

Brighton & Hove City Plan Part One (adopted March 2016);
 Brighton & Hove City Plan Part Two (adopted October 2022);
 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
 East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (adopted February 2017);
 Shoreham Harbour Joint Area Action Plan (JAAP) 2019.

SA6, CP1, CP8, CP9, CP10, CP11, CP12, CP13, CP14, CP15 and CP19 of the Brighton and Hove City Plan Part One,

DM1, DM18, DM20, DM21, DM22, DM29, DM31, DM33, DM35, DM36, DM37, DM41, DM43 and DM44 of the City Plan Part Two.

SPD

Urban Design Framework SPD 17 June 2021

Planning History

BH2022/03081



Approved 02/02/2023

BH2022/01448 Demolition of existing garage, excavation to provide lower storey and erection of 1no two storey dwelling (C3). Withdrawn

BH2021/03832 Erection of single storey rear extension and roof alterations incorporating hip to gable roof extension with rear dormer, side window and associated works. Approved

Key issues for consideration:

Principle of the development, subdivision of site, design and appearance, Impact on Heritage Assets

Impact on amenities, Impact on the Public Highway, Standard of Accommodation

Report Date February 2024



Contents:

1. Site and Surrounds
2. National Planning Policy Framework 2021
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Introduction

This application is for an amended design Passivehaus for the approved plan BH2022/030 consent on 02/02/2023.

The description of this submission is as follows: New Dwelling.

Brighton & Hove's performance against the Housing Delivery Test

The Government's 2018 Housing Delivery Test published on 19 February 2019 shows that housing delivery in Brighton & Hove over the past three years (2015-2018) has totalled only 7% of the City Plan annualised housing target for that period.

2.4 Housing delivery in Brighton & Hove is measured against the target set in the City Plan One which was adopted in March 2016. Policy CP1 sets a requirement to deliver at least 13,2007 homes over the period 2010-2030, giving an overall average annual rate of 660 net homes per year. However, the City Plan housing trajectory allows for a stepped delivery trajectory, which assumes delivery of 655 net dwellings per year over the period 2014/15 to 2018/19, increasing to 856 net dwellings per year from 2019/20 to 2023/24, and then reducing again to 712 net dwellings per year from 2024/25 to 2030. This trajectory allows for longer lead times needed to bring forward a number of the city's key strategic development sites which are allocated in the City Plan, but anticipates a significant increase in delivery from around 2020 onwards.

For the purposes of the Housing Delivery Test, the phased housing delivery requirement for Brighton & Hove over the past three monitoring years (2015/16 to 2017/18) is therefore 1,

net homes. Over this period, a total of 1,509 net homes have been completed, giving a HD figure of 77% (Table 1). This level of delivery avoids the Presumption in Favour set by the Housing Delivery Test (which for 2018 is set at 25% against the local plan target). However, the Council is required add a 20% buffer onto the five year housing land supply and to prepare a Housing Delivery Action Plan

There were no Housing Delivery Tests published in 2022 and none to date in 2023.

However the recent appeal allowed **Appeal Ref: APP/Q1445/W/23/3321177**

Enterprise Point and 16-18 Melbourne Street, Brighton BN2 3LH states:

52. The Council are unable to demonstrate a five year supply of housing. The provisions of paragraph 11dii of the Framework therefore are engaged. As the figure lies in the region of 1.9 years which amounts to around 7,700 dwellings, this constitutes a significant shortfall.

Policy CP1 in City Plan Part One sets a minimum housing provision target of 13,200 new homes for the city up to 2030. However, on 24th March 2021 the City Plan Part One reached five years since adoption. National planning policy states that where strategic policies are more than five years old, local housing need calculated using the Government's standard method should be used in place of the local plan housing requirement. The local housing need figure for Brighton & Hove using the standard method is 2,311 homes per year. This includes a 35% uplift applied as one of the top 20 urban centres nationally.

The council's most recent housing land supply position is published in the SHLAA Update 2021 which shows a five-year housing supply shortfall of 6,915 (equivalent to 2.1 years of housing supply).

As the council is currently unable to demonstrate a five year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11). As such, the provision of one dwelling would make an important, but very minor contribution to the city's housing supply. The proposed development requires the subdivision of the land, resulting in an additional planning unit. The property known as no.18 Park Road would maintain an area similar to the adjoining neighbour, no,20; there are no concerns with the intensification of development in this regard. (Officer report BH2022/03081)

Site Description

The application site is a two-storey detached Passivehaus dwellinghouse featuring a detached garage on the south side of Park Road, Rottingdean. The site is within an Archaeological Notification Area. The boundary of the Rottingdean Conservation Area is approximately 10m east of the site. The locally listed Village Hall is approximately 13m to the east. There are several grade II listed buildings on the High Street just to the east including nos.39, 41, and 43-49, St Aubyns School and its front boundary wall (which is separately listed).

The site is subject to the city-wide Article 4 Direction that has removed the right to change the use class of any (C3) residential unit to a (C4) small house in multiple occupation.

2.0 National Planning Policy Framework

2.1 Chapter 2 – Achieving sustainable development states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. There are 3 overarching objectives, which are independent and need to be pursued in mutually supportive ways, those being, economic, social and environmental.

2.2 Para 11 states that plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

The presumption in favour of sustainable development

Plans and decisions should apply a presumption in favour of sustainable development. For **plan-making** this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

2.3 Tailoring planning controls to local circumstances

Paras 51 and 52 state:

51. Local planning authorities are encouraged to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts

would be acceptable, and in particular where this would promote economic, social or environmental gains for the area.

52. Communities can use Neighbourhood Development Orders and Community Right to Build Orders to grant planning permission. These require the support of the local community through a referendum. Local planning authorities should take a proactive and positive approach to such proposals, working collaboratively with community organisations to resolve any issues before draft orders are submitted for examination.

2.4 The NPPF in Chapter 5 paras 60 -65 – **Delivering a sufficient supply of homes** goes on to say:

60. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

61. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

62. Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes²⁸).

64. Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.

65. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership³¹, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) is proposed to be developed by people who wish to build or commission their own homes;

2.5 Identifying land for homes para 72 states:

Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers unless the need for such homes is already being met within the authority's area. These sites should be on land which is not already allocated for housing and should:

- a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and
- b) be adjacent to existing settlements, proportionate in size to them not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.

2.6 Chapter 11 Making effective use of land states:

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

As part of this approach, plans and decisions should support efforts to identify and bring back into residential use empty homes and other buildings, supported by the use of compulsory purchase powers where appropriate.

120. Planning policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate
- d) opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- e) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively
- f) constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- g) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of

neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

121. Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.

122. Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, de-allocate a site which is undeveloped);
and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

2.5 Chapter 12 Para 131 of the NPPF Achieving Well Designed Places sets out in para 130 the way planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

131. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined⁴⁹, that opportunities are taken to incorporate trees elsewhere in developments (such as community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with local highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

2.6 Planning for climate change Paragraphs 157 onwards of the NPPF state:

153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.

Para 159:

a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and

b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.

2.7 Conserving and enhancing the historic environment Paras 195 onwards:

200. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary

Considering potential impacts

205. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether

any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

The proposal is compliant with NPPF Policies

3.0 Local Planning Policy (extracts from policy are shortened where appropriate).

3.1 SA6 Sustainable Neighbourhoods:

To Create and maintain sustainable neighbourhoods and reduce inequalities between neighbourhoods by working with public, private and community and voluntary sector partners, businesses and local communities.

Promote and support environmental sustainability improvements to new and existing buildings (CP8 Sustainable Buildings).

Deliver balanced communities through the requirement for new residential development to provide an appropriate amount of affordable housing, mix of dwelling sizes and tenure types and through the City Plan Part 2 ensure new housing meets optional technical standards for access and the nationally described space standards.

3.1.2 The site is considered to be in a sustainable location and the proposal represents a more efficient use of a brownfield site. It is close to bus routes thereby reducing the reliance on private cars.

3.2 CP8 Sustainable Buildings

The council will seek that all new development incorporate sustainable design features to avoid expansion of the city’s ecological footprint, help deliver the principles of the One Planet approach, radical reductions in greenhouse gas emissions, particularly CO2 emissions, and mitigate against and adapt to climate change.

Unless it can be demonstrated that doing so is not technically feasible and/or would make the scheme unviable:

1. All development will be required to achieve the minimum standards as set out below unless superseded by national policy or legislation;

Residential (New Build)		
Energy Performance	19% carbon reduction improvement against Part L 2013 ¹⁸⁸	
Water performance	Water efficiency ‘optional’ standard ¹⁸⁹	
Non - residential	Development Size	
	Non-major	Major and Greenfield
BREEAM	Very Good	Excellent

b. contributes to a reduction in the city’s current level of greenhouse

gas emissions by delivering significant reductions in fuel use and greenhouse gas emissions via: passive design and orientation; fabric performance; energy efficiency measures; and low carbon solutions;

c. facilitates on-site low or zero carbon technologies, in particular renewable energy technologies.

d. connects, makes contributions to low and zero carbon energy schemes and/or incorporates provision to enable future connection to existing or potential decentralised energy schemes;

e. aspires towards water neutrality¹⁹¹ by meeting high water efficiency standards and incorporating facilities to recycle, harvest and conserve water resources;

f. improves the sustainability of existing buildings, makes the most effective use of land and re-uses existing buildings;

g. protects occupant health and the wider environment by making the best use of site orientation, building form, layout, landscaping and materials to maximise natural light and heat, whilst avoiding internal overheating by providing passive cooling and ventilation;

h. reduces 'heat island effect'¹⁹² and surface water run-off;

i. uses materials that are sustainable and have low embodied carbon¹⁹³:

j. enhances biodiversity;

k. minimises waste and facilitates recycling, composting and re-use;

l. reduces air, land and water pollution and safeguards water supplies if development is within groundwater Source Protection Zones;

m. maximises operational efficiency through on going evaluation,

monitoring and improvement of building performance especially in relation to energy and water use;

n. introduces means to encourage users, tenants and householders to reduce their ecological footprint;

o. is adaptable to respond to changing needs;

3.2.1 The proposal will be of passive house standard.

Biodiversity benefits including through the landscaping, bee and swift bricks which are included in the submission and a living roof on the flat roof..

Furthermore, the more intensive use of the brownfield site is a more efficient use of land and thus reduces the pressure on greenfield sites. It is situated in a sustainable location and will reduce the use of motor vehicles. Cycle parking is also indicated on the submitted plans.

3.3 CP9 Sustainable Transport

4. Walking and Cycling

Improve the public realm in key areas, and the routes leading to them, to encourage and enable walking (including wheelchair access) and cycling.

3.3.1 On site cycle parking is provided as part of the application and as the site is in a sustainable location with a good public transport network, this will reduce the pressure of using a motor vehicle for every trip.

3.4 CP10 Biodiversity

The council will develop programmes and strategies which aim to conserve, restore and enhance biodiversity and promote improved access to it through the following:

Ensure that all development proposals:

- a) Provide adequate up-to-date information about the biodiversity which may be affected;
- b) Conserve existing biodiversity, protecting it from the negative indirect effects of development, including noise and light pollution;
- c) Provide net gains for biodiversity wherever possible, taking account of the wider ecological context of the development and of local Biosphere objectives; and
- d) Contribute positively to ecosystem services, by minimising any negative impacts and seeking to improve the delivery of ecosystem services by a development.

3.4.1 It is intended to provide bee and swift bricks as indicated on the plans. The development of a brownfield site reduces pressure on green field sites to provide housing therefore aiding biodiversity.

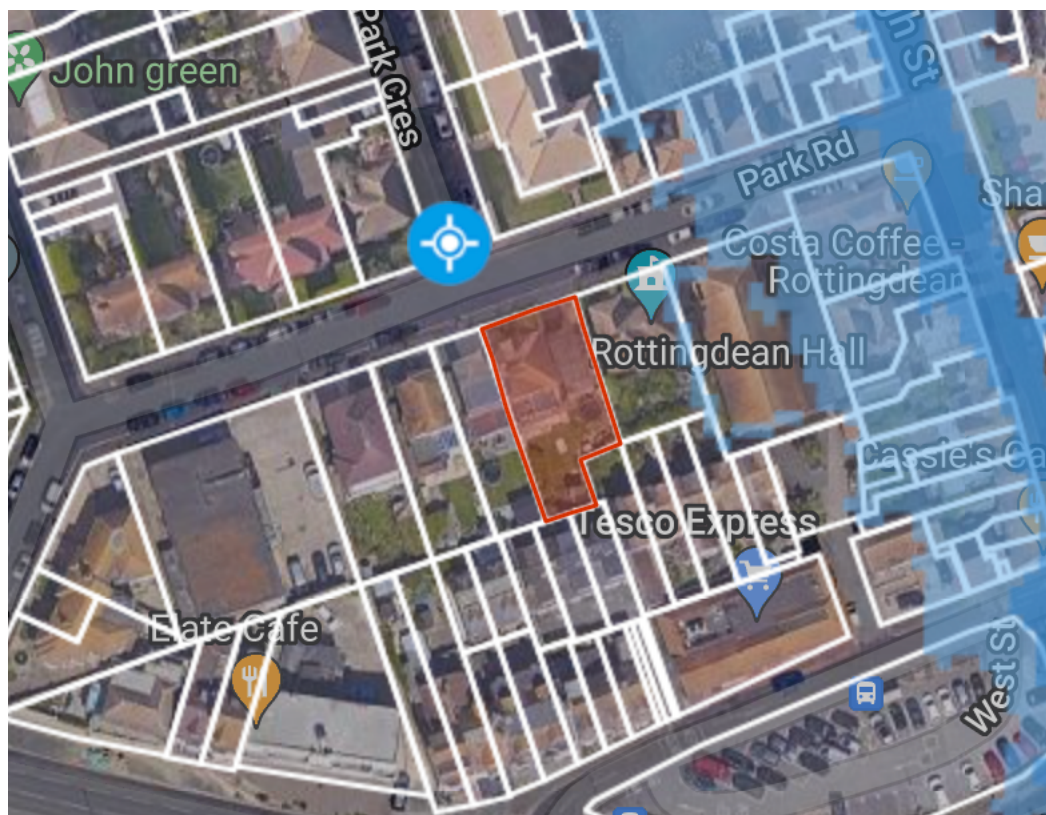
The flat roof is proposed as a living green roof with native species which will further provide biodiversity.

3.5 CP11 Managing Flood Risk

The council will seek to manage and reduce flood risk and any potential adverse effects on people or property in Brighton & Hove, in accordance with the findings of the Strategic Flood Risk Assessment (SFRA).

3.5.1 The site lies with flood zone one and it is not considered that a single dwelling will cause flooding issues either within the site or elsewhere.

3.5.2 Neither is the site affected by surface water flooding as indicated on the Nimbus map below.



3.6 CP12 Urban Design

All new development will be expected to:

1. Raise the standard of architecture and design in the city;
2. Establish a strong sense of place by respecting the diverse character and urban grain of the city's identified neighbourhoods;
3. Achieve excellence in sustainable building design and construction;
7. Be inclusive, adaptable and accessible:
8. Ensure that the design of the external spaces is an integral element of the overall design approach, in a manner which provides a legible distinction between public and private realm; and
9. Incorporate design features which deter crime or disorder and the fear of crime;

3.6.1 The design is of a modern appearance and proposes a single, two storey dwelling to replace an existing garage, between two existing dwellings. There is opportunity to provide a new family home on this site following the approval of BH2022/03081. Proposals have a number of positive attributes including:

- A contemporary design;
- An energy efficient building with ASHP with a living roof;
- Provision of adequate external amenity space.
- On-site parking and therefore not requiring a parking survey.
- Bike storage to the rear.

3.6.2 The proposal accords with Policy CP12.

3.7 CP13 Public Streets and Spaces

The quality, legibility and accessibility of the city's public urban realm will be improved in a comprehensive manner, in conjunction with other partners, through new development schemes, transport schemes and regeneration schemes. Such improvements will be required to produce attractive and adaptable streets and public spaces that enrich people's quality of life and provide for the needs of all users by:

1. Positively contributing to the network of public streets and spaces in the city;
2. Enhancing the local distinctiveness of the city's neighbourhoods;
3. Conserving or enhancing the setting of the city's built heritage;
4. Reducing the adverse impact of vehicular traffic and car parking;
5. Utilising high quality, robust and sustainable materials for all elements of the street scene;
6. Incorporating street trees and biodiversity wherever possible;
7. Encouraging active living and healthier lifestyles;
8. Helping to create safe and inclusive public spaces;
9. Incorporating an appropriate and integral public art element; and
10. Reducing the clutter of street furniture and signage.

3.7.1 The proposal provides an attractive development in the street scene and is of a modern but high-quality design which has comparable form and scale to the local vernacular. It is acceptable in terms of scale and massing and the gaps between the existing properties is comparable to the extant juxtaposed dwellings. It is therefore compliant with Policy CP13.

3,8 CP14 Housing Density

Residential development should be of a density that is appropriate to the identified positive character of the neighbourhood and be determined on a case by case basis. Development will be permitted at higher densities than those typically found in the locality where it can be adequately demonstrated that the proposal:

1. Would be of a high standard of design and would help to maintain or create a coherent townscape;
2. Would respect, reinforce or repair the character of the neighbourhood and contribute positively to its sense of place;
4. Is easily accessible by sustainable transport or has the potential to be easily accessible;
5. Is well served by local services and community facilities; and

3.8.1 The area is well-served by bus routes, the density is acceptable as indicated by the previous consent and the design is of a high standard.

3.8.2 The proposal accords with Policy CP14.

3.9 CP15 Heritage

1. The city's historic environment will be conserved and enhanced in accordance with its identified significance, giving the greatest weight to designated heritage assets and their settings and prioritising positive action for those assets at risk through, neglect, decay, vacancy or other threats.

3.9.1 Whilst considering whether to grant planning permission for development which affects a listed building or its setting, the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Case law has held that the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses should be given "considerable importance and weight".

The proposed development would be within the wider setting of the locally listed village hall and several buildings within the Rottingdean Conservation Area; it is considered that due to the relatively small scale of the development and the separation distance between it and the heritage assets, the impact on these assets would be acceptable; there are no concerns in this regard. (Officer report BH2022/03081).

3.9.2 There is no change to the location of the proposal and whilst the site lies within the Rottingdean Conservation Area, it is of small scale and there remains a good separation distance between the heritage assets. It is therefore considered that the proposal accords with CP15 and the impact upon the Heritage Assets is deemed acceptable.

3.10 CP19 Housing Mix

To improve housing choice and ensure that an appropriate mix of housing (in terms of housing type, size and tenure) is achieved across the city, the council's approach to housing delivery (CP1) will be further developed as follows:

- i) the accommodation requirements of specific groups within the City, for example, families with children; older and disabled people; extra care housing; housing for smaller household types; the accommodation needs of travellers and the city's need for purpose built student accommodation (see also CP18, CP20, CP21 and CP22);
 - ii) the need to retain residential uses in the city and to make the best use of the existing housing stock.
 - iii) Seek to apply the requirements of the nationally described space standard in Part 2 of the plan to secure the quality and sustainability in new residential development.
- c. Sites coming forward as 'windfall' development will be required to demonstrate that proposals have had regard to housing mix considerations and have been informed by local assessments of housing demand and need.
- d. All new residential development will have regard to the characteristics of existing neighbourhoods and communities to ensure that development makes a positive contribution to the achievement of mixed and sustainable communities (see also SA6 and CP14).

3.10.1 The proposal is for a high spec. family dwelling and provides an additional windfall site in the much needed housing requirement target figures.

The council's most recent housing land supply position is published in the SHLAA Update 2021 which shows a five-year housing supply shortfall of 6,915 (equivalent to 2.1 years of housing supply).

As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11). As such, the provision of one dwelling would make an important, but very minor contribution to the city's housing supply.

3.10.2 The creation of a dwelling suitable for family accommodation would address an identified housing need within the city, where there is a bias towards small, single-occupancy units and a shortage of family-suitable housing.

City Plan Part Two Brighton and Hove City Council's Development Plan October 2022.

3.11 DM1 Housing Quality, Choice and Mix

The council will seek the delivery of a wide choice of high quality homes which will contribute to the creation of mixed, balanced, inclusive and sustainable communities.

Proposals for new residential development will be required to:

a) incorporate a range of dwelling types, tenures and sizes that reflect and respond to the city's identified housing needs (see also City Plan Part One policies SA6, CP14, CP19, CP203);

3.11.1 This has already been covered in Paragraph 3.10.

3.12 DM18 High quality design and places

Planning permission will be granted for development proposals that demonstrate a high standard of design and make a positive contribution to a sense of place and the visual quality of the environment. The council will require an integrated approach to the design process from project inception where place making and sustainable development, including the principles of the circular economy, are considered as one.

Proposals for development will be expected to consider the following key design aspects:

- a) the local context; including responding positively to the urban grain; b) the scale and shape of buildings;
- c) the building materials and architectural detailing; and
- d) the spaces between and around buildings taking into account:
 - (i) purpose and function;
 - (ii) access and linkages;
 - (iii) uses and activities; and
 - (iv) comfort, image and sociability.

3.12.1 This has been addressed in CP12 of the City Plan Part 1. All key aspects have been considered and addressed. The scale and massing are considered acceptable and all gaps between juxtaposed dwellings are comparable. It is considered to be a more modern design in the street scene but that does not detract from the overall vernacular.

3.12.2 The introduction of parking to the frontage of the property thereby lessening the existing parking stress in the area.

3.13 DM20 Protection of Amenity

Planning permission for development including change of use will be granted where it would not cause unacceptable loss of amenity to the proposed, existing, adjacent or nearby users, residents, occupiers or where it is not liable to be detrimental to human health.

3.13.1 Both properties either side have windows that are secondary and fitted with obscure glazing, so it is not considered that the development would not result in an unacceptable loss of light or outlook to any habitable rooms.

3.13.2 It is not considered that the proposal negatively impacts neighbouring properties in the already tight urban grain.

3.14 DM21 Extensions and alterations

Planning permission for extensions or alterations to existing buildings, including roof extensions, will be granted if the proposed development:

- a) is well designed and scaled, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
- b) takes account the existing character of the area; and
- c) uses materials that complement the parent building.

3.14.1 The materials, design and detailing are considered acceptable. The proportion and relationship with adjoining properties and streetcape including the building line and roofscape and orientation are also considered to be acceptable.

3.15 DM22 Landscape Design and Trees

Development proposals will be required to retain, improve and wherever possible provide, appropriate landscape elements/ landscaping, trees and planting as part of the development taking into account the need for:

a) the inclusion of landscape design from the outset so that it informs the overall design of development and is fit for purpose⁴⁸ having regard to: suitable microclimates, amenity, sense of place, natural capital⁴⁹ and ecosystem services – including the provision of nature based solutions⁵⁰, SuDs, green roofs/walls, plants for pollinators, climate control and climate change adaptation measures;

3.15.1 The site, because of the tight urban grain, however, bee bricks and swift bricks have been incorporated into the scheme as well as a living roof to the flat roof.

3.16 DM29 The Setting of Heritage Assets

Development within the setting of a heritage asset will be permitted where its impact would not harm the contribution that setting makes to the asset's significance, by virtue of the development's siting, footprint, density, scale, massing, design, materials, landscaping or use.

3.16.1 There is no change to the location of the proposal and whilst the site lies within the Rottingdean Conservation Area, it is of small scale and there remains a good separation distance between the heritage assets. It is therefore considered that the proposal accords with CP15 and also Policy DM29 and the impact upon the Heritage Assets is deemed acceptable.

3.17 DM31 Archaeological Interest

Development proposals affecting heritage assets with archaeological interest will be permitted where it can be demonstrated that development will not be harmful to the archaeological interest of the heritage assets or their settings, having regard to their significance.

3.17.1 The site lies within an archaeological notification area. The previous comments from the County Archaeologist stated:

The proposed development would be within the wider setting of the locally listed village hall and several buildings within the Rottingdean Conservation Area; it is considered that due to the relatively small scale of the development and the separation distance between it and the heritage assets, the impact on these assets would be acceptable; there are no concerns in this regard.

3.18 DM33 Safe, Sustainable and Active Travel

The council will promote and provide for the use of sustainable transport and active travel by prioritising walking, cycling and public transport in the city. This will support the objectives, projects and programmes set out in the Local Transport Plan and other strategy and policy documents. New developments should be designed in a way that is safe and accessible for all users and encourages the greatest possible use of sustainable and active forms of travel.

3.18.1 The site lies in a highly sustainable location and on a good public transport network. Bike storage is provided and the plans incorporate parking within the residential curtilage.

3.19 DM35 Travel Plans and Transport Assessments

3.19.1 It is not considered that the proposal is substantial enough to require a travel plan or transport assessment given the sustainable location.

3.20 DM36 Parking and Servicing

3.20.1 Parking is proposed within the curtilage of the dwelling as well as an EV charging point. This will alleviate the stress on the on-street parking. The site does not lie within a Controlled Parking Zone (CPZ), there is no predicted rise of displaced vehicles.

3.21 DM37 Green Infrastructure and Nature Conservation

Green Infrastructure

Nature Conservation

Development should avoid adverse impacts and seek to conserve and enhance biodiversity and geodiversity features ensuring:

- accordance with the mitigation hierarchy requirements of the NPPF65
- an additional measurable net gain in biodiversity is achieved;
- that recognised protected and notable species and habitats are protected and supported;

3.21.1 A green roof is proposed as well as bee and swift bricks.

3.22 **DM41 Polluted sites, hazardous substances & land stability**

3.22.1 It is not considered that the site is polluted or contains any hazardous substances.

3.23 **DM43 Sustainable Drainage**

The design and layout of all new buildings, and the development of car parking and hard standing, will be required to incorporate appropriate Sustainable Drainage Systems (SuDS) capable of ensuring that there is a reduction in the level of surface water leaving the site unless it can be demonstrated not to be reasonably practicable.

3.23.1 Existing drainage lies within the site boundary and incorporated into the scheme.

3.24 **DM44 Energy Efficiency and Renewables**

In addition to the requirements set out in Policy CP8 Sustainable Buildings103, the following standards of energy efficiency and energy performance will be required unless it can be

demonstrated that doing so is not technically feasible and/or would make the scheme unviable:

3.24.1 Energy efficient heating and the installation of a heat pump and MHVR.

3.25 Urban Design Framework SPD 17 June 2021

In Brighton & Hove, the quality of new development is determined by how well the design:

- ☑ Makes the most of site conditions and existing buildings to support the city's aims to become zero carbon and reduce resource use and waste.
- ☑ Supports accessibility and the ease of daily activities aiding connectivity and active travel for all users.
- ☑ Enhances nature and helps to make the city more climate resilient.
- ☑ Positively promotes health and well-being, providing appropriate level of public and private amenity for all users.
- ☑ Accommodates higher density to make the best use of limited opportunities.

3.25.1 Consideration has been given to the UDF in preparing the design of this submission.

3.26 Design priorities to be considered when preparing proposals include:

- ☑ Consider orientation, layout and massing of existing and proposed development to ensure internal and external spaces receive appropriate levels of sunlight, outlook and protection from harsh weather conditions to maximise user comfort and reduce use of resources, particularly energy.

3.26.1 The proposal has considered the orientation, layout and massing of the existing surrounding development and the proposed development and it is concluded that the design is acceptable in all aspects. The existing building lines are retained and there is provision for cycle storage and EV charging and the refuse storage is screened from street view. There is rear outdoor amenity space in the form of a courtyard. There is also the provision of bee and swift boxes.

3.26.2 Overall, it is considered that the proposal accords with SPD17.

4.0 Proposal

4.1 The proposal seeks to build an infill dwelling on previously developed land.

4.2 It will be passive house and with sustainable energy efficient.

5.0 Conclusions.

5.1 The proposal is policy compliant and a variation of the previously approved dwelling BH2022/03081.

5.2 The proposal is visually acceptable in the streetscape and there is no harm to the Conservation area.

5.3 It is considered that the proposal is acceptable and consent should be forthcoming.



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