

<b><u>No:</u></b>	<b>BH2021/01089</b>	<b><u>Ward:</u></b>	<b>Rottingdean Coastal</b>
<b><u>App Type:</u></b>	<b>Permission in Principle</b>		
<b><u>Address:</u></b>	<b>Glen O Fen, Westfield Avenue North, Saltdean</b>		
<b><u>Proposal:</u></b>	<b>Application for permission in principle for demolition of existing three-bedroom dwelling (C3) and erection of 2no three-bedroom houses - semi-detached (C3) with landscaping, parking and cycle storage</b>		
<b><u>Officer:</u></b>	<b>Ben Daines</b>	<b><u>Valid Date:</u></b>	<b>23.03.2021</b>
<b><u>Con Area:</u></b>		<b><u>Expiry Date:</u></b>	<b>28.04.2021</b>
<b><u>Listed Building Grade:</u></b>		<b><u>EOT:</u></b>	
<b>Agent:</b>			
<b>Applicant:</b>	<b>Ms Julie Akerman Glen O Fen Westfield Avenue North Saltdean Brighton BN2 8HQ</b>		

## RECOMMENDATION

**GRANT** permission in principle

## LIST OF APPROVED PLANS AND DOCUMENTS:

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location Plan			23 March 2021

## ADVICE

The following advice is associated with this decision:

### 1. Technical Details Consent Required

It is brought to the attention of the applicant that a subsequent application for 'Technical Details Consent' is required with this application type. Such an application must be made and determined within the expiration of three years of the date of this decision, in accordance with The Town and Country Planning (Permission in Principle) (Amendment) Order 2017 in order for the permission to remain valid.

### 2. Technical Details Consent Submission Guidance

An eventual application for Technical Details Consent would be expected to be supported by the following in order to allow a full assessment of the impact and policy compliance of detailed proposals:

- Site location plan
- Existing plans and elevations
- Proposed plans (including site and block), elevations (including streetscene) and sections (including neighbouring sites and the position of windows where relevant)
- Design & Access Statement
- Sustainability Checklist
- Ecological Impact Assessment
- CIL Additional Information Form

## **SITE LOCATION & APPLICATION DESCRIPTION**

The application site is located on the south-east side of Westfield Avenue North and comprises a part single-storey, part two-storey 3-bed detached dwelling with a pitched roof. The split-level of the property results from the topography of the site which slopes steeply upwards from north-west to south-east. A single storey garage is attached to the dwelling on the north-eastern side of the property. The existing dwelling and garage are of limited architectural or historic merit.

There is existing residential development to the north and the adjoining site to the south-west of the site is currently being developed to provide a single dwelling. Immediately to the north-east is a portable cabin used for dog-grooming. Further to the north-east are a number of agricultural buildings associated with Coombe Farm. To the south-east of the site is Coombe Meadow Local Wildlife Site which is a Site of Nature Conservation Importance.

It should be noted that there is a current planning application at Coombe Farm for the redevelopment of the farm to provide 72 dwellings which has a resolution to grant permission, subject to completion of a S106 agreement. Part of the Coombe Farm site is immediately adjacent Glen O Fen.

The site is located outside of the Built-Up Area Boundary, within the Urban Fringe and immediately adjacent the South Downs National Park.

There are no Tree Preservation Orders on the site and it is located within Flood Zone 1.

This application seeks 'Permission in Principle' for the demolition of the existing three bed dwelling on the site and its replacement with two no.3-bedroom houses.

'Permission in principle' is a new route to gaining planning consent introduced from 1st June 2018. It splits the process of gaining consent into two separate stages. These are consideration of matters of principle relating to the proposed development and then subsequently the technical detail of the development. The current application relates to the initial 'principle' stage. The application is made under the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

The relevant matters within the scope of decision making on an application for Permission in Principle are the location, land use and amount of development. The

detail for such a proposal will be considered as part of a subsequent application for 'Technical Details Consent'.

### **RELEVANT HISTORY**

BH2020/00002 – Demolition of existing buildings and erection of 72 dwelling houses with associated parking and landscaping at Coombe Farm, Westfield Avenue North, Saltdean, Brighton. Approved 23.04.2021.

BH2009/02176 - Erection of a two-storey detached dwelling with basement level incorporating roof-lights and solar panels to roof. (Part retrospective). Approved 04.12.2009.

### **PUBLIC CONSULTATION**

The Local Planning Authority has publicised the proposed development in accordance with paragraph 5G of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017.

This requires that the application is advertised by site notice in at least one place on or near the land to which the application relates for not less than 14 days.

The application is also required to be advertised on a website maintained by the Local Planning Authority.

The procedure above was undertaken, with a site notice posted on 1 April, expiring on 15 April. Neighbouring properties were also directly notified.

No responses were received.

### **CONSULTATIONS**

**Planning Policy:** No objection

The Urban Fringe Assessment does not identify any specific reasons for opposing redevelopment, subject to its general recommendations regarding avoidance, mitigation and enhancement. As an urban fringe site, the development would be expected to have regard to Policies SA4 and SA5.

**Environmental Health:** No comments received

**Sustainable Transport:** No objection

No objection but make the following points for any application for technical details consent:

- Level access should be proposed for both dwellings to allow convenient access for all
- Parking Standards SPD14 requires 2 spaces for 3-4+ bedroom dwellings. We would look for cycle parking to be proposed in both dwellings. In order

to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005, cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered.

- The Highway Authority's preference is for a purpose-built secure cycle stores (e.g. Tri-metal). Alternatively stores made from other materials such as wood must be covered and include a concrete base with Sheffield type stands to ensure the main frame of the bicycle can be securely stored. All must be spaced in line with the guidance contained within the Manual for Streets section 8.2.22.
- It is advised that there should be a refuse and recycling store and collection area on site close to the roadside. It is noted that the street is private however it is advised that bins should not be left on the footway/ road, even temporarily, causing obstruction to pedestrians and other road users.
- Access for vehicles is via the existing private end of Westfield Avenue North and this is deemed to be acceptable.
- The applicant indicates that car parking shall be provided. For this size of proposal, in this location, Parking Standards SPD14 allows for a maximum of one space per dwelling plus one per two dwellings. Therefore, three spaces in total for both dwellings would be allowed as per SPD14. Further details of the parking layout are required in a future full application for the LHA to fully assess car parking.
- The increase in trips associated with one additional house in this proposal is unlikely to be significant enough reason for objection/ refusal.

**County Ecologist:** No objection

No objection but makes the following points for any application for technical details consent:

- The proposed development is adjacent to the South Downs National Park and Coombe Farm Local Wildlife Site (LWS). Three other LWS lies within 500m of the site. There are multiple records of protected and notable species from the adjacent LWS and the surrounding area, including bats, reptiles, birds and invertebrates. The site offers the potential to support protected species. Given that the proposed development is not for a change of use and could potentially have a similar footprint to the existing dwelling on site, permission in principle can be supported from an ecological perspective. The detailed design should be informed by technical details on biodiversity.
- In light of the above, and in line with BS42020:2013 Biodiversity – code of practice for planning and development and Annex 3 of SPD11 Nature Conservation and Development, the technical details consent stage should be informed by an Ecological Impact Assessment (EclA). Ecological impacts should be assessed, and recommendations for appropriate mitigation, compensation and enhancement made in accordance with CIEEM guidance. The assessment should consider the proposed development and the surrounding area and should include a data search from the Sussex

Biodiversity Record Centre. In line with the NERC Act, the NPPF and local planning policy, it should consider the existing nature conservation resource of the site, identify impacts and assess the need for avoidance, compensation and new benefits for biodiversity, including the potential to create and/or strengthen connectivity between existing habitats and to provide measurable biodiversity net gain. Surveys should be carried out in accordance with national best practice guidance and Natural England's standing advice. The cumulative and in combination effects of this development with other local developments/plans/projects should be considered.

- The EclA should be written such that it is clear and unambiguous as to what measures will be implemented by the applicant to mitigate any impacts and to provide a net gain for biodiversity in line with Section 40 of the NERC Act, paragraphs 170 and 175 of the NPPF and Policy CP10 of CPP1.

#### **Natural England: Comment**

Standing advice provided regarding assessing impacts on protected species.

#### **MATERIAL CONSIDERATIONS**

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Considerations and Assessment" section of the report

The development plan is:

- Brighton & Hove City Plan Part One (adopted March 2016)
- Brighton & Hove Local Plan 2005 (retained policies March 2016);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (adopted February 2013);
- East Sussex 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.

Due weight has been given to the relevant retained policies in the Brighton & Hove Local Plan (2005) according to their degree of consistency with the NPPF.

#### **RELEVANT POLICIES & GUIDANCE**

The National Planning Policy Framework (NPPF)

#### **POLICIES**

The National Planning Policy Framework (NPPF)

Brighton & Hove City Plan Part One

SS1 Presumption in Favour of Sustainable Development

CP9 Sustainable Transport

CP10 Biodiversity

CP12 Urban Design  
CP14 Housing Density  
SA4 Urban Fringe  
SA5 The Setting of the South Downs National Park

Brighton & Hove Local Plan (retained policies March 2016):

TR7 Highway Safety  
QD16 Trees and Hedgerows  
QD18 Species Protection  
QD27 Protection of Amenity  
NC4 Sites of Nature Conservation Importance

Brighton & Hove City Plan Part Two

H2 Housing Sites - Urban Fringe  
DM1 Housing Quality, Choice and Mix  
DM18 High Quality Design and Places  
DM19 Maximising Development Potential  
DM20 Protection of AmenityDM22 Landscape Design and Trees  
DM33 Safe, Sustainable and Accessible Travel  
DM36 Parking and Servicing  
DM37 Green Infrastructure and Nature Conservation

Supplementary Planning Documents:

SPD14 Parking Standards  
SPD06 Trees and Development Sites

**CONSIDERATIONS & ASSESSMENT**

As set out above, the material considerations relevant to decision making on an application for Permission in Principle are location, land use and amount of development.

Due to the ongoing coronavirus pandemic a physical site visit has not taken place during the assessment of this application. Instead a desktop assessment has been made using street view imagery and other available information on the internet (including a sales video from Austin Grey) which is considered sufficient to assess the acceptability of the proposal.

Location and Land Use

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

The Council's most recent housing land supply position published in the SHLAA Update 2020 shows a five-year housing supply shortfall of 342 (equivalent to 4.7 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).

The residential use of the site is already established by virtue of the fact that the application site comprises an existing residential dwelling. It is acknowledged that the application site is located outside of the Built-Up Area Boundary of the City and within the Urban Fringe and whilst development within the Urban Fringe is normally resisted, policy SA4 of the CPP1 states the following:

*'Should proposals for development come forward prior to the adoption of Part 2 of the City Plan, the 2014 Urban Fringe Assessment will be a material planning consideration in the determination of applications for residential development within the urban fringe.'*

This is directly relevant as the site is located within Site 48b (Study area L18/E15) of the Urban Fringe Assessment (UFA 2015). The Urban Fringe study states the following in respect of Site 48b:

*'There are no significant ecological, heritage, open space, landscape or other environmental constraints to residential development. Therefore, low density residential development is deemed appropriate on the site. Any new built development should maintain the existing building line and not go higher up the slope.'*

The potential number of dwellings on Sites 48, 48a, 48b and 48c is assessed within the UFA to be 55 dwellings. Whilst it is noted that the Coombe Farm development exceeds this amount and proposes 72 dwellings, the net increase of one dwelling on the Glen O Fen site is considered to be negligible and would have no significant impacts on the area. The capacity of the site to accommodate two dwellings is considered further below.

Whilst it is acknowledged that the site is immediately adjacent an Site of Nature Conservation Importance, a Nature Improvement Area and the South Downs National Park, none of these designations specifically prevent the principle of development being unacceptable and the UFA is clear that there are no significant environmental constraints to development within this area. Opportunities to minimise the impact of development on the landscape and enhance the ecology of the site can be addressed at the technical details stage as set out in the County Ecologist's response.

It should be noted however that although the site is included within Site 48b of the Urban Fringe Study, it has not been included in the Urban Fringe Allocation (Cluster at Coombe Farmland Saltdean Boarding Kennels, Westfield Avenue North, Saltdean) in Policy H2 (Housing Sites – Urban Fringe) of the emerging City Plan Part 2. It is understood that its exclusion from this site allocation relates to the fact that the site, at the time the Regulation 19 City Plan Part 2 was being drafted, was an existing in use residential property with no extant consents for redevelopment. Notwithstanding this, the site is immediately adjacent this allocation and was included in the Urban Fringe Assessment 2015 as being acceptable for residential development (see above). Given that the City Plan Part 2 has not yet been adopted, and the Council are currently not able to demonstrate a 5 year housing land supply, the application should be

assessed in line with the presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF and, on this basis, the site is considered acceptable for the provision of two dwellings.

Therefore, it is considered that the location and use of the proposed development is considered to be acceptable.

#### Amount of development

The area of the site is approximately 0.04 hectares which would make the density of the proposal equivalent to 50 dwellings per hectare. Such a density is consistent with the densities proposed in the planning application for Coombe Farm (application ref: BH2020/00002) as well as Policy CP14: Housing Density in the CPP1 which generally recommends a minimum density of 50dph.

The width of the site is approximately 15 metres. Both the width and site area are directly comparable with some of the proposed plots of semi-detached 3-bed houses submitted included in the aforementioned Coombe Farm application, notably Blocks C3, C4 and C5.

Therefore, based on the size of the site, it is considered that it could accommodate two 3-bed semi-detached dwellings with relatively spacious rear gardens and space for parking provision at the front of the dwellings. The width of the plot would also allow for both dwellings to front on to Westfield Avenue North. This is important as the UFA is clear that any development should not go any higher up the slope running north-west to south-east.

It is also considered that the site could accommodate two dwellings without having a detrimental impact on neighbouring properties, subject to the design of such properties. A more detailed assessment of the impact on the residential amenities of the neighbouring properties would need to be undertaken as part of the consideration of a subsequent application for technical details consent.

Having regard to highways considerations, it is not considered that the net increase of one dwelling would have any notable impact on the highway network, and the site has capacity to provide a parking space for each dwelling in line with SPD14: Parking Standards. The Local Highway Authority have raised no objection but have requested that a number of matters are addressed at the technical details consent stage.

#### Conclusion

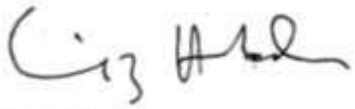
In conclusion, the principle of the redevelopment of the site to provide two new dwellings is considered acceptable and the site has the capacity to provide two new dwellings with no harmful impacts on the environment, residential amenity or the highway network. As such, no objection is held to the granting of permission in principle for such development.

#### **EQUALITIES**

None identified.



I have considered and agree with the reasoning in this report and authorise the granting of Permission in Principle.

A handwritten signature in black ink, appearing to read 'Liz Hobden'.

Liz Hobden  
Head of Planning  
City Development and Regeneration

Reviewing Officer: Maria Seale

Dated: 26 April 2021