



**Brighton & Hove
City Council**

Plans List

PLANNING COMMITTEE

2.00PM, FRIDAY, 14 JANUARY 2011

COUNCIL CHAMBER, HOVE TOWN HALL

**BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT**

**PLANS LIST
PLANNING COMMITTEE
Date: 14th January 2011**

TREES - Recommendations

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TREES

Delegated Powers or implementation of a previous Committee Decision

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MINOR APPLICATIONS

	Application Number	Area	Ward	Address	Proposal	Recommendation	Page
A	BH2010/01967	West	North Portslade	Land adj 481 Mile Oak Road	Erection of 2 semi detached dwellings.	Grant	9
B	BH2010/02000	East	Hollingdean & Stanmer	Stanmer House, Stanmer Park	Proposed installation of fences to the garden area at the side of the building, replacement of fencing and walls to either side of gates with 1.8 metre high walls, and additional landscaping.	Grant	20
C	BH2007/01206	East	Hollingdean & Stanmer	Stanmer House, Stanmer Park	Proposed fencing to the garden area south east of Stanmer House and formation of alternative access route.	Grant	35
D	BH2010/02996	East	Hollingdean & Stanmer	348 Ditchling Road	Loft conversion to form a one bedroom studio flat incorporating 2no rear dormers.	Refuse	53
E	BH2010/03233	East	Patcham	Mill House, Overhill Drive	Erection of single detached bungalow.	Grant	60
F	BH2010/03295	East	Queen's Park	Pavilion House, 14-15 Dorset Street	Replacement of existing windows with timber units to front elevation. Installation of rooflights to rear elevation.	Grant	77
G	BH2010/02926	East	Rottingdean Coastal	25 Oaklands Avenue	Demolition of existing garage and erection of 1no 2 bedroom bungalow (Part Retrospective).	Refuse	81

Determined Applications:

PLEASE NOTE IN LINE WITH THE DECISION OF THE SUB-COMMITTEE TAKEN AT ITS MEETING ON 27 APRIL 2005, copies of "Determined Applications" items are now available as hard copies at public inspection points or may be downloaded from the Council website. Copies of these papers are emailed to individual Committee Members.

PLANS LIST 14 January 2011

BRIGHTON AND HOVE CITY COUNCIL

LIST OF APPLICATIONS DETERMINED BY THE HEAD OF CITY INFRASTRUCTURE UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION

PRESTON PARK

Application No: BH2010/03092

Prestamex House, 171-173 Preston Road

1 x Sycamore - remove deadwood, 1 x Sycamore - sever ivy, 1 x Copper Beech - sever ivy and crown lift to 4m over drive, 1 x Purple Plum - remove loose ivy and shape crown by 20%, 1 x Plum - prune canopy away from footpath, 1 x Fastigate Hornbeam - prune clear of street lamp and taper prune away from highway, 1 x False Acacia - remove ivy from crown and lightly tip prune heavy limbs, 2 x Holly - prune away from public footpath, 2 x Yew - crown lift branches to 4m over roadway.

Applicant: Mr Richard Green

Approved on 17 Dec 2010

Application No: BH2010/03564

44 Havelock Road, Brighton

Fell one Leyland Cypress - inappropriate species, little public amenity value

Applicant: John Patmore

Approved on 02 Dec 2010

REGENCY

Application No: BH2010/03594

13 Montpelier Villas

2 x Elm - re-pollard

Applicant: Mr J Hatch

Approved on 10 Dec 2010

Application No: BH2010/03797

8 Montpelier Villas

Fell 1 x Holly. Fell 1 x Prunus - no public amenity value

Applicant: Mr Antony Ashbee

Approved on 10 Dec 2010

HOLLINGDEAN & STANMER

Application No: BH2010/03536

Coldean School, Selham Drive

1 x Beech - reduce and reshape by 30%

Applicant: Mr Alan Ward

Approved on 01 Dec 2010

MOULSECOOMB & BEVENDEAN

Application No: BH2010/03025

University of Brighton, Village Way

Crown lift/cut back vegetation overhanging the southern and south eastern boundary of the woodland and obscuring the bridleway/footpath to a height of approximately 3.5m

Applicant: Mr Nick Jones

Approved on 16 Dec 2010

Application No: BH2010/03258

Falmer Woodland, Falmer High School

Woodland trees at boundaries of Egginton Close and Egginton Road - prune back branches away from boundary fencing to give a 2m clearance and prune up to 5m to give overhead clearance.

Applicant: Mr Richard Green

Approved on 16 Dec 2010

ROTTINGDEAN COASTAL

Application No: BH2010/03688

13 Lindfield Close

1 x multi-stemmed Elm - reduce and reshape crown by a maximum of 2 metres back to suitable growth points, balance and feathering back long laterals, crown clean and deadwood. Lift lower crown.

Applicant: Mr Simon Petrow

Approved on 01 Dec 2010

HANGLETON & KNOLL

Application No: BH2010/03473
Hangleton Manor, Hangleton Valley Drive

Fell 1 x Sycamore (overhanging garden) - causing actual structural damage

Applicant: Mr Andy Thompson

Approved on 17 Dec 2010

Application No: BH2010/03890
Hangleton Manor, Hangleton Valley Drive

1 x Sycamore (closest to house) - prune back overhanging branches

Applicant: Mr Andy Thompson

Approved on 17 Dec 2010

LIST OF MINOR APPLICATIONS

<u>No:</u>	BH2010/01967	<u>Ward:</u>	NORTH PORTSLADE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Land adjacent 481 Mile Oak Road, Portslade		
<u>Proposal:</u>	Erection of 2 no three bedroom semi-detached dwelling houses with off-street parking.		
<u>Officer:</u>	Guy Everest, tel: 293334	<u>Valid Date:</u>	30/06/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	25 August 2010
<u>Agent:</u>	CJ Planning Ltd, 80 Rugby Road, Brighton		
<u>Applicant:</u>	Wilson Hunt, C/O CJ Planning Ltd		

This application was deferred at the last meeting on 15/12/10 for a Planning Committee site visit.

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives:

Regulatory Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawing no. 1010 E01 submitted 28th June 2010; and approved drawing nos. 1010 P02 A, 1010 P03 A, 1010 P06 A, 1010 P07 A & 1010 P08 A submitted 19th October 2010.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The first floor side facing window to the south-eastern elevation shall not be glazed otherwise than with obscured glass and shall thereafter be 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. BH04.01A Lifetime Homes.
5. BH05.10 Hardsurfaces.
6. BH06.01 Retention of parking area.
7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no window, rooflight or door in the south-eastern elevation other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Authority.

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

Pre-Commencement Conditions:

8. BH03.01 Samples of Materials Non-Cons Area (new buildings).
9. BH05.01B Code for Sustainable Homes – Pre-Commencement (New build residential) Level 5.
10. BH07.02 Soundproofing of building.
11. BH11.01 Landscaping / planting scheme.
12. No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan.

13. BH05.08A Waste Minimisation Statement (1-2 housing units).

Pre-Occupation Conditions:

14. BH02.07 Refuse and recycling storage (facilities).
15. BH05.02B Code for Sustainable Homes – Pre-Occupation (New build residential) Level 5.
16. BH06.03 Cycle parking facilities to be implemented.
17. BH11.02 Landscaping / planting (implementation / maintenance).

Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe Development
TR14	Cycle access and parking
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
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
QD17	Protection and integration of nature conservation features
QD18	Species protection

QD19	Greenways
QD27	Protection of amenity
QD28	Planning Obligations
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes
NC6	Development in the countryside / downland

Supplementary Planning Document

SPD03	Construction and demolition waste
SPD06	Trees and Development Sites
SPD08	Sustainable building design
SPD11	Nature conservation and development; and

(ii) for the following reasons:-

The development makes efficient and effective use of land within the built up area without causing detriment to the character and appearance of the site or surrounding area. The development would not have a significant impact on amenity for occupiers of adjoining properties, or create a harmful demand for travel. Conditions are recommended to avoid any harmful impacts on species and their habitats and to secure the enhancement of the nature conservation interest of the site.

2. IN.05.02A Informative: Code for Sustainable Homes.
3. IN05.10 Informative – Hardsurfaces.
4. The proposed vehicular crossover should be constructed to accord with Council design standards (Manual for Estate Roads) and under licence from the Highway Operations Manager prior to the commencement of any other development upon the site.
5. IN05.08 Informative – Waste Minimisation Statements.

2 THE SITE

The application site relates to an enclosed area of land to the west of 481 Mile Oak Road on the outskirts of the built up area. The site comprises a large amount of established vegetation and shrub and was seemingly once connected to 481 Mile Oak Road. The site adjoins a paddock to the east and west and the A27 to the north.

3 RELEVANT HISTORY

BH2008/00844: Outline application for the erection of two dwellings. Refused for the following reasons:-

1. *The development would result in significant harm to amenity for occupiers of 481 Mile Oak Road through loss of light and outlook to*

side (north-west) facing windows at ground and first floor level. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

- 2. The site lies in close proximity to the A27 and as such there is potential for significant noise disturbance for future occupants of the proposed dwellings. Insufficient information has been submitted with the application to assess the effect of this existing noise source upon the proposed development and appropriate noise attenuation measures to reduce the impact on the proposed dwellings to acceptable levels. The proposal is therefore contrary to the aims of policy SU10 of the Brighton & Hove Local Plan.*
- 3. The development, in the absence of information to indicate otherwise, would result in significant damage to the health and vitality of existing trees on the site. The development would therefore fail to make a positive contribution to the visual quality of the environment or retain existing open space, trees and grassed areas in an effective way. The development is contrary to policies QD3 and QD16 of the Brighton & Hove Local Plan, and Supplementary Planning Document 06: Trees and Development Sites.*
- 4. The applicant has failed to undertake an appropriate site investigation to demonstrate that the development would not directly or indirectly affect a species of animal or plant, or its habitat, protected under National or European legislation. The proposal is therefore contrary to policy QD18 of the Brighton & Hove Local Plan.*

4 THE APPLICATION

Planning permission is sought for the erection of a two-storey semi-detached pair of properties. The building would incorporate a barn-end roof form with render and timber cladding the dominant materials.

5 CONSULTATIONS

External

Neighbours: Letters of representation have been received from **27 Hillcroft (x2) ; 347 (x2), 479 & 481 Mile Oak Road; 9 Sefton Road; 15 (x4), 16 & 17 Westway Gardens** and **1 letter of no address objecting** to the proposal for the following reasons:-

- a development of this size is wrong for the area, one property would be more appropriate;
- the site is on the boundary of the National Park;
- the development would destroy wildlife that live on and use the site and clearance works have already taken place;
- a family of badgers uses the site and these have not been recognised in the ecology report, the Council's Ecologist has previously identified a

- badger run;
- the site is home to slow worms which are not included in the ecology report;
- the site is a passage to Southwick Hill;
- the site should be considered as Greenfield land;
- the proposed rear boundary of the site extends into the adjoining paddock area, which is classed as countryside / downland;
- the concrete splay to the front of the property is out of keeping;
- there is no mention of archaeology as part of the proposals – the site lies at the foot of a monument dating to the Bronze age;
- loss of light to side facing windows of the adjoining property;
- loss of privacy;
- the proposed refuse and recycling facilities are sited alongside a shared side boundary;
- concerns relating to the stability of the adjoining A27 embankment;
- question the methodology and findings of the noise assessment;
- heavy traffic is already a problem along this road;
- building works will cause noise and disturbance.

Campaign to Protect Rural England: Objects. This is a Greenfield site and should be protected. Continuing development on the urban fringe can only devalue the setting of the City, ask that respect be given to our heritage as the loss of green land causes irreparable harm.

Environment Agency: No comments.

Internal:

Arboriculturalist: No comments.

Ecologist: No comments, any comments will be updated on the additional representations list.

Environmental Health: No comments.

Sustainable Transport: No comments.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe Development
TR14	Cycle access and parking
SU2	Efficiency of development in the use of energy, water and materials
SU10	Noise nuisance
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
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
QD27	Protection of amenity
QD28	Planning Obligations
HO3	Dwelling type and size
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Supplementary Planning Document

SPD03	Construction and demolition waste
SPD06	Trees and Development Sites
SPD08	Sustainable building design
SPD11	Nature conservation and development

7 CONSIDERATIONS

The main issues of consideration in the determination of this application are the principle of constructing two dwellings on the site having regard to character and appearance, the impact on neighbouring amenity and highway safety.

Principal of development

The application site is severed from 481 Mile Oak Road and has been since around 1999. The site has not been previously developed and there is no obvious separation between the site and adjoining countryside / downland. Although the site extends beyond the existing edge of built development it is included within the built-up area boundary as outlined on the local plan proposals map. It is not therefore appropriate to consider the development against the criteria of local plan policy NC6 which states that development outside the built-up area will not be permitted.

Notwithstanding this the application site has not been previously developed, and is therefore a greenfield site as classified by PPS3, and its contribution to the character and appearance of the area must therefore be considered further.

The site provides a visual gap between buildings on Mile Oak Road and the embankment of the A27 and 'links' adjoining countryside to the east and west (which is not within the built up area boundary). This is not though readily apparent in views north or south along Mile Oak Road, where the embankment and tunnel are the dominant features, and the open space created by the application site is not readily appreciated due to relatively extensive frontage vegetation which contrasts with the adjoining open countryside / paddocks.

It is considered that use of the site for housing would not undermine the existing character and appearance of the area to the extent that would warrant refusal of the application. The contribution of downland outside the built up area is considered to be far more significant than that provided by the application site and these areas would not be affected by the development. The principal of housing development on the site is therefore considered acceptable, subject to compliance with other relevant local plan policies.

Design

The application proposes a semi-detached pair of dwellinghouses, set back from the prevailing building line in this section of Mile Oak Road, and with a skewed siting in relation to the shared side boundary of the site. This siting would reduce the visual impact of the proposed building which would be screened and viewed against the existing adjoining pair of houses (in views from the south and north respectively).

The scale of development is appropriate in this location and the proposed building would not overpower the adjoining property. There is no dominant prevailing roof form to adjoining properties and the proposed barn-end reduces the bulk of the building and creates a softer transition to the adjoining pair of dwellings. The development would incorporate ground floor render with timber cladding, and a bay window, at first floor level and there is no objection to this approach in this location.

The development would result in the loss of existing trees along the frontage and within the site. There is no objection in principle to this loss of vegetation and due to the siting of the buildings there is scope for replacement planting to the front and rear garden areas of each property. This planting, which could be secured by condition, would potentially compensate for the loss of existing landscaping and preserve the wider character of the area.

Impact on neighbouring amenity

The development is most likely to impact upon 481 Mile Oak Road, a semi-detached property which adjoins to the south-east. The windows in closest proximity to the side boundary relate to a ground floor lounge and first floor bedroom within a more recent two-storey side extension to the property.

The development would reduce outlook from these side facing windows, there would though remain approximately 3 metres separation between the buildings. At ground floor level the primary outlook for the lounge is considered to derive from rear (south-west facing) patio door openings which overlook the rear garden and would be unaffected by the proposed development. At first floor level the window most affected by the development is the only source of light and outlook for a bedroom. It is though considered that due to the use of the room and remaining separation sufficient natural light and outlook would remain available for occupants of this property.

The side facing windows to the original property (i.e. excluding the later two-

storey side extension) are approximately 5.6 metres from the proposed dwellings. It is considered that over this distance no significant harm through loss of light or outlook would result.

It is noted that a previous application on the site for residential development was partly refused due to the impact on these window openings (ref: BH2008/00844). The development proposed by this application is materially different from the previous scheme which incorporated a dwelling sited on the shared side boundary with no. 481.

The development would not introduce any overlooking beyond that which would reasonably be expected on a residential street such as this. A first floor window to the side elevation (which relates to a bathroom) would though front an existing window to no. 481 and is required by condition to be obscurely glazed.

Standard of proposed accommodation

The development would create 2 x 3-bed dwellings both of which would be suitable for family occupation with private amenity space to the rear and adequate room sizes, natural light and ventilation throughout. There are no reasons why the development could not be built to lifetime home standards and a checklist has been submitted indicated that all relevant standards would be met.

The application site adjoins the A27 and as such there is potential for noise disturbance for future occupiers of the proposed dwellings. An acoustic report has been submitted which concludes that provided noise attenuation measures are incorporated in the design, and these measures include double glazing with secondary ventilation, there should not be an adverse impact on future residents of the development. The findings of the report have been accepted by the Council's Environmental Health team who have no objection to the proposal. A condition is recommended to require further details of soundproofing measures to be incorporated in the development.

Transport

The development makes provision for one off-street parking space for each dwelling. This level of parking is considered acceptable in this location and the additional crossover would not create a safety hazard for users of adjoining highways.

The proposed plans indicate secure cycle storage for each dwelling in an accessible location at ground floor level.

The application site, although on the outskirts of the built-up area, is reasonably well served by public transport with bus routes located approximately 300 metres to the south.

Sustainability

Policy SU2 requires proposals demonstrate a high standard of efficiency in the use of energy, water and materials. Further guidance within Supplementary Planning Document 08 'Sustainable Building Design' recommends that on land that has not been previously developed new development should achieve Level 5 of the Code for Sustainable Homes (CSH).

At this stage there are no apparent reasons why CSH level 5 could not be achieved and the applicant has confirmed they would accept a condition to this affect. Whilst only limited information has been submitted for a development of this scale it is considered that further details can be secured through conditions.

A waste minimisation statement has been submitted which demonstrates there are no reasons why construction waste could not be minimised in an effective manner. Although it is not compulsory for a development of this scale to prepare a site waste management plan in accordance with the guidance within SPD03 further details of waste management are required by condition.

Ecology

The applicant has submitted an ecological report which concludes that the site does not contain badger setts, had low potential to support bats, and is not suitable for reptiles or amphibians. The report therefore considers the site to be of limited ecological value. Although the findings of the report are accepted from the representations that have been received it is apparent that the site is locally valued.

At a site visit slow worms were observed and these are protected from killing and injury under Wildlife and Countryside Act 1981. It is considered that the presence of slow worms on the site would not be a reason to refuse the current planning application. The applicant has advised they would relocate the slow worms prior to the commencement of any development, and in accordance with a scheme to be submitted and approved at a later date. A condition is therefore recommended which requires the submission of a reptile translocation and conservation strategy to be agreed in writing by the Local Planning Authority prior to commencement of works.

The development would result in a loss of habitat on the site. There are though considered to be no reasons why nature conservation features could not be provided as part of the proposal and the applicant has advised that this could potentially include the adjoining paddock to the rear (which is also in the same ownership and currently species poor). It is considered reasonable to secure details of such features through condition and this approach would allow further input into the nature of such a scheme. Subject to compliance with this condition the development would not conflict with the importance of conserving and enhancing habitats and species within the City.

Although the site appears to be used by badgers there is no evidence of setts. An informative is though recommended to remind the applicant that badgers are protected under the Protection of Badgers Act 1992, and should evidence of a badger sett be found during implementation work should immediately stop and advice be sought from English Nature.

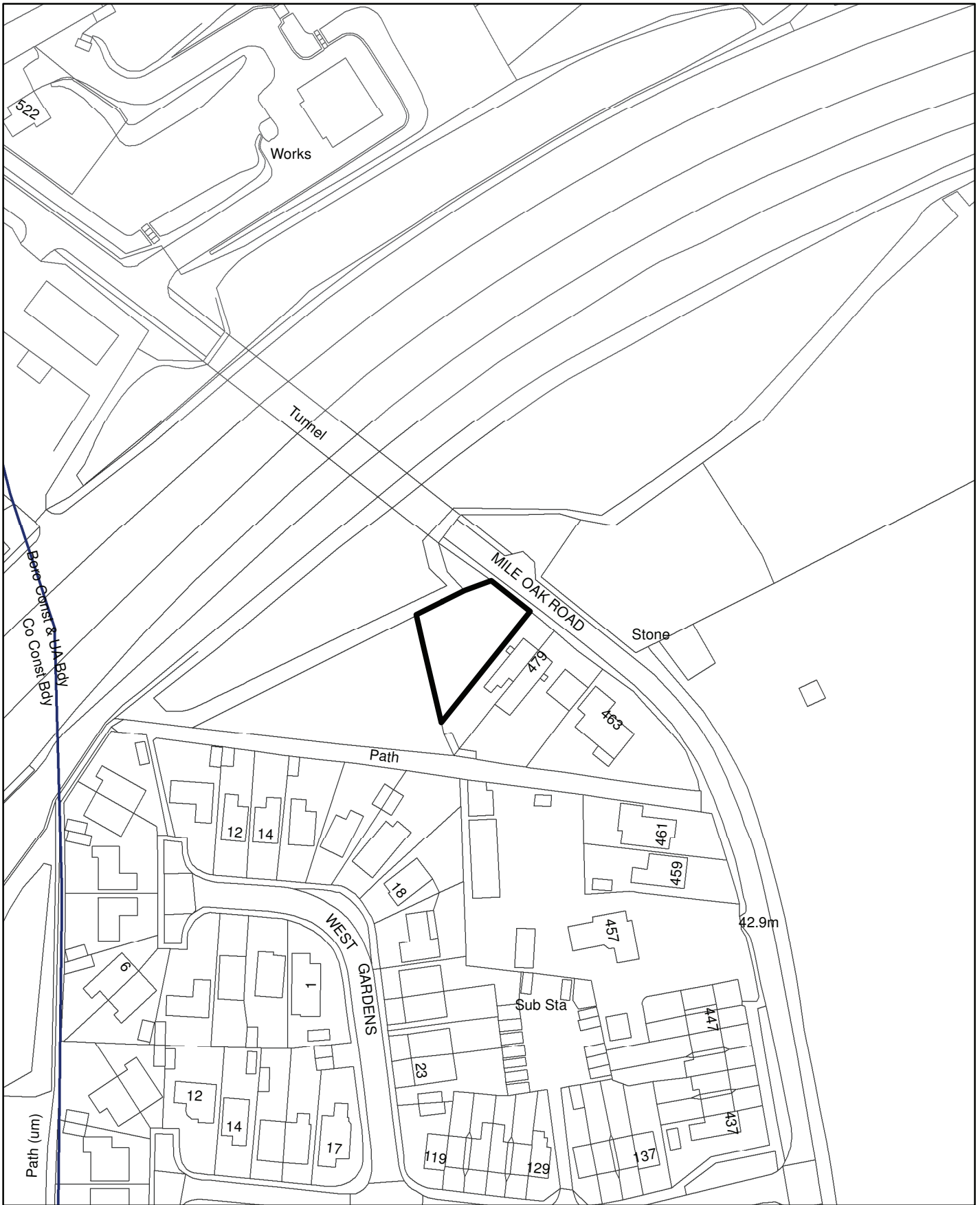
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The development makes efficient and effective use of land within the built up area without causing detriment to the character and appearance of the site or surrounding area. The development would not have a significant impact on amenity for occupiers of adjoining properties, or create a harmful demand for travel. Conditions are recommended to avoid any harmful impacts on species and their habitats and to secure the enhancement of the nature conservation interest of the site.

9 EQUALITIES IMPLICATIONS

The development would be built to Lifetime Home standards and a condition is recommended to secure this.

BH2010/01967 Land at 481, Mile Oak Road



<u>No:</u>	BH2010/02000	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Stanmer House, Stanmer Park, Brighton		
<u>Proposal:</u>	Proposed installation of fences to the garden area at the side of the building, replacement of fencing and walls to either side of gates with 1.8 metre high walls, and additional landscaping. (Part retrospective)		
<u>Officer:</u>	Jonathan Puplett, 292525	tel:	<u>Valid Date:</u> 14/07/2010
<u>Con Area:</u>	Stanmer	<u>Expiry Date:</u>	08/09/2010
<u>Agent:</u>	Purvis Draughting Ltd, 13 Petworth Road, Brighton		
<u>Applicant:</u>	Cherrywood Investments Ltd, Stanmer House, Stanmer Park, Lewes Road, Brighton		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

1. The development hereby permitted shall be carried out in accordance with the approved drawing no. 1588/79 A submitted on the 30th of June 2010, no. SHF/01/10 A submitted on the 15th of November 2010, and no. 1588/54 I submitted on the 16th of November.
Reason: For the avoidance of doubt and in the interests of proper planning.
2. Within six months of the date of this consent, the landscaping scheme shown on drawing no. SHF/01/10 A submitted on the 15th of November 2010 shall be implemented in full. 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.
Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1, HE3, HE6, HE11, QD15 and QD16 of the Brighton & Hove Local Plan.
3. The construction of the walls hereby approved shall not take place until samples of the materials to be used in their construction have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory appearance to the development and to comply with policies HE3 and HE6 of the Brighton & Hove Local Plan.

Informatives:

1. This decision to grant Planning Permission has been taken:

- (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:

Brighton & Hove Local Plan:

QD15 Landscape design

QD16 Trees and Hedgerows

NC3 Local Nature Reserves (LNRs)

NC7 Sussex Downs Area of Outstanding Natural Beauty

HE1 Listed Buildings

HE3 Development affecting the setting of a listed building

HE6 Development within or affecting the setting of Conservation Areas

HE11 Historic parks and gardens

HE12 Scheduled monuments and other important archaeological sites

National Planning Policy:

PPS5: Planning for the Historic Environment; and

- (ii) for the following reasons:-

The proposed fencing is of a utilitarian design and whilst parts of the fencing will be obscured by existing trees and planting, the railings will split the lawns from the wider park in a manner without historic precedent. Such concerns are however balanced with the landscaping improvements proposed, and the priority which must be giving to securing the ongoing maintenance and preservation of Stanmer House which is reliant on the property remaining a viable and successful business concern. The fencing will not cause permanent harm to the House and the park; it could be removed in the future if no longer required. The proposed walls alongside the Italian gates are considered to be of an appropriate design in keeping with the gates and the historic park setting. Overall, the proposed works are considered to be acceptable in compliance with local and national planning policies.

2 THE SITE

Stanmer House is a grade I Listed Palladian Mansion built between 1722 and 1727 by Nicholas Dubois, incorporating part of an earlier, possibly Jacobean, structure into the service wing.

The grade I listed building is part of the wider historic estate at Stanmer, set in landscaped parkland within the Stanmer Conservation Area and the South Downs National Park. Stanmer Park is listed grade II in English Heritage's Register of Parks and Gardens of Special Historic Interest. Stanmer House forms the focal point of a traditional rural landscape with the adjoining 19th Century estate village, church, farm, garden buildings and the Stable Block.

Stanmer House and grounds benefit from extant permission for use of the ground floor for public and private functions and for office use on the first and second floor.

This application specifically relates to the formal gardens located to the southeast of Stanmer House. The garden is formed of two distinct areas comprising the original lawn and fountain located directly southeast of the house and the 20th Century addition to the garden area that extends further southeast of the formal garden. The 'Cedar Lawn' to the west of this garden comprises a gently sloping grassed area with a number of large and particularly majestic cedar trees. The size, shape and colour of these trees are distinctive, and they are visible from many areas across the park.

3 RELEVANT HISTORY

Stanmer House has been subject to varying uses over the past decades, through which time the condition of the building was deteriorating. This deterioration led to a substantial grant from English Heritage for external repairs to Stanmer House, and the building being marketed by the Council for reuse. The 125-year lease for Stanmer House and gardens immediately to the southeast of house together with the stables was awarded to Cherrywood Investments.

BH2007/00165: Proposed fencing to the garden area south east of Stanmer House. Refused 9th March 2007. The application was refused for the following reasons:

1. The proposed fence and planting around the extended garden area adjoining Stanmer House would compromise the historic open relationship between Stanmer House, the garden and wider setting of Stanmer Park within a rural landscape, separating the House and garden from the remainder of the Park, and would therefore be detrimental to the architectural and historic character and appearance of Stanmer House and Stanmer Park, the Stanmer Park conservation area, contrary to Brighton & Hove Local Plan policies HE1, HE3, HE6 and HE11.
2. The proposed fence and planting, by reason of detriment to the biodiversity of Stanmer Park, in particular to an existing Glow-worm population and habitat, would have an adverse impact on the nature conservation features of the Proposed Stanmer Park Local Nature Reserve, contrary to Brighton & Hove Local Plan policy NC3.

BH2006/02966: Proposed alterations to cellar and external alterations to means of escape hatch. Approved April 2008.

BH2006/02951: Proposed alterations to cellars to enable change of use from storage areas to function rooms for use in conjunction with ground floor function rooms. External alterations to means of escape hatch. Approved March 2008.

BH2006/02947: Display of free-standing poster sign. Refused 25 October 2006.

BH2006/02945: Installation of painted galvanised steel gates and fencing to height of 2.5 metres. Withdrawn May 2009.

BH2006/00068: Installation of bollards and timber posts around parking area to front of building (Retrospective). Approved May 2009.

BH2006/00063: Installation of lighting posts and fences to the garden area at the side of the building. Approved June 2009.

BH2005/02387/FP and **BH2005/02395/LB:** Reconstruction of north-west wing to provide 7 terraced houses, comprising 6 x three-bedroom units and 1 x four-bedroom unit and provision of 15 car parking spaces and demolition of existing detached public toilet block. Approved July 2009.

An application for Stanmer House to change the use of ground floor from office use to art gallery, public exhibition, conference and reception rooms for public and private functions with the first and second floor to retain existing office use (**BH2004/03712/FP**) was granted planning permission subject to S106 agreement to secure public access to the building and the setting up of a maintenance fund for the sustainable maintenance of the building.

Planning permission and listed building consent was then granted in 26 June 2003, (**BH2001/01173/FP** and **BH2001/01174/LB**) subject to a S106 agreement, for the restoration/refurbishment of Stanmer House for residential use (2 flats) on the upper floors and an art gallery open to the public at ground floor. This permission also included the reconstruction of the north west wing to provide seven houses. Demolition of an existing toilet block and replacement with new public toilets/changing room facilities in the north corner of the site was also secured.

Other matters currently under consideration

BH2007/01206: Proposed fencing to the garden area south east of Stanmer House and formation of alternative access route. (Reported elsewhere on this agenda)

A Deed of Variation to the s106 agreement signed in relation to planning permission ref. **BH2004/03712/FP** is proposed. **Clause 3.4** of this legal agreement secures public access over a 3 metre wide strip of the garden attached to Stanmer House. The Deed of Variation proposed would secure the forming of an alternative access, and the access route across the garden would be removed. (Reported elsewhere on this agenda)

4 THE APPLICATION

At present fencing in the form of railings encloses the area of lawn / garden alongside the House. Under application BH2006/00063 permission was granted for railings of 1.5 metres in height to the western side of the lawn, and 1.7 metres in height to the eastern side of the lawn. Railings of 1.7 metres in height are in situ to both sides of the lawn.

Consent is therefore now sought for the retention of railings of 1.7 metres in height to the western side of lawn (the railings to the eastern side of the lawn having been granted consent under application BH2006/00063). The railings which bisect the lawn to the southern side are temporary and unauthorised; consent is not sought for this section of fencing under the current application.

It is also proposed that the curved low level walls and railings to either side of a pair of 'Italian' gates be replaced with brick walls. In conjunction with the fencing proposed under application BH2007/01206 (if approved and implemented) the proposed works would provide a secure enclosure around the entire lawn / garden area to a height of 1.7 metres.

The application was originally submitted in July 2010. A revised set of plans were submitted in November 2010 and process of public re-consultation was carried out.

5 CONSULTATIONS

[N.B. A number of the comments received appear to relate to the works proposed under application BH2007/01206 rather than those proposed under BH2010/02000.]

External

Neighbours: Letters have been received from the residents of **nos. 6, 8, 10, 11, 16 Stanmer Village, no. 19 Hawkhurst Road, no. 5 Cornwall Gardens, Meadow View Chapel Lane Uckfield, no. 17 High Street Hurstpierpoint, and no. 18 Brooker Street Hove** objecting to the application on the following grounds:

- The access across the lawns / garden has been in constant use since before 1957; it should not be cut off.
- The area the application relates to is very popular, particularly for wheelchair users, families and those with pushchairs.
- The alternative access route proposed will not be usable for many; in particular wheelchair users will not be able to use the route. The existing route is the easiest and safest and should be upheld.
- It is not acceptable to cut out a section of the park in this manner.
- The walls and railings alongside the Italian gates should not be altered.
- The proposed walls alongside the Italian gates would have an inappropriate appearance.
- Additional railings and walls are not required; security staff can protect the house and events held there.
- The proposed railings are excessively high.
- The proposed railing would harm the character of the Park and the setting of Stanmer House. The house should remain an adequate part of Park.
- The existing temporary fencing should be removed.
- The Glow Worm habitat in the garden should be protected.
- Security needs to be improved but the proposed fencing will not solve the problem; a number of jobs and unauthorised users of the park are running the majority's right to peaceful enjoyment of the garden.
- Security to the house is already adequate with lights, locked gates, and guard dogs in use.
- The garden space which is currently fenced in provides adequate space associated with the House.

- Members of the public will still be free to sit on the bank overlooking the garden; no increased privacy will be afforded to customers of the House.
- The fencing and digging of trenches will harm wildlife.

A petition with 18 names and addresses has also been submitted, objecting to the application on the grounds that 'it denies entry by the general public to a flat area of Stanmer Park frequented by the elderly, disabled and families with young children'.

Councillor Maria Caulfield has written in support of the application as Chair of the Stanmer Park Stakeholders Group, and has requested that the application be taken to the Planning Committee should refusal be recommended (copy of letter attached).

Councillor Pat Hawkes has written on behalf of herself and **Councillor Lepper** and **Councillor Simpson** objecting to the application (copy of letter attached).

A letter was submitted on behalf of **Caroline Lucas MP** questioning the number of public notices posted in relation to the application. No comment on the application itself is made.

English Heritage: No comment.

Natural England: No comment.

Brighton & Hove Archaeological Society: The proposed development may require the carrying out of an archaeological watching brief; it is recommended that the County Archaeologist be contacted for their recommendations.

County Archaeologist: Although the site is located within an Archaeological Notification area, it is considered that no archaeological remains are likely to be affected by the proposal.

CAG: Object to the proposal. The height of the fencing and would create the feeling of being in a compound and would not preserve / enhance the setting of the listed building.

South Downs National Park Authority: The enclosure of garden is not welcomed, however no objection is raised subject to the proposal being considered acceptable by the Council's Conservation and Design Department. It is suggested that the garden should remain publicly accessible during the daytime when no private events are taking place.

Sussex Gardens Trust: Appreciate the need for an increased fence height therefore no objection is raised in principle, it however recommended that masonry piers should also be increased in height to provide a balanced

design.

Open Space Society: Object to application BH2007/01206 and BH2010/02000 on the following grounds:

- The proposed works involve the erection of ugly utilitarian iron railings and the destruction of trees and hedges.
- The part of the park the application relates to is well used by the public, the access across the lawns is particularly well used and has been since 1957. There is a strong case to resist the route as a public right of way.
- The works would harm a Glow Worm habitat.

Stanmer Preservation Society: Object to application on a number of grounds:

- The lawn area is widely used by members of the public and is particularly accessible to those with limited mobility, wheelchair users, and those with pushchairs.
- The loss of trees is not justified by the fact that increased views of the house would be created.
- The proposed fencing will harm a Glow Worm habitat.
- The current leaseholders of Stanmer House have already blocked off areas surrounding the house from public access, the proposed works would further limit public access.
- The proposed works would block access to a footpath across the lawns. The Society intends to establish this path as a public right of way.
- The existing wall and railings to either side of the Italian gates would be destroyed.
- Further security measures are not needed.

The Society wish to elect a speaker to represent the group at Planning Committee.

Friends of Stanmer Park: Object to the application on the following grounds:

- The proposed landscaping to the west of the lawns / garden will make the area unavailable for general / passive recreation. No planting should be allowed as it would be out of keeping with the open character of the area alongside the house.
- The walls proposed to either side of the 'Italian' gates are inappropriate. If the walls are allowed, it should be ensured that views of the house currently available through the gates are not blocked in the future.
- The proposed pruning of shrubs and tress to the southern end of the lawn area should not be allowed.

Internal

Conservation and Design: The proposed fencing will appear at odds with the house's open garden setting, but there is no substantial harm, particularly having regard to the existing landscape condition. The enclosure of the lawn is important to the successful operation of the conference and events centre

within the house, to which considerable weight may be given. It will contribute positively to maintaining the building in active use.

The proposed landscape works will compensate in a modest but meaningful way for the visual harm caused by the height and detail of the fencing. The proposed walling [to either side of the Italian gates] will ensure a comfortable relationship between the ornamental gate and gate piers and the utilitarian railings.

Arboriculture: Recommend a condition requiring landscaping to be carried out in accordance with the scheme shown on drawing no. SHF/01/10 A.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD15	Landscape design
QD16	Trees and Hedgerows
NC3	Local Nature Reserves (LNRs)
NC7	Sussex Downs Area of Outstanding Natural Beauty
HE1	Listed Buildings
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of Conservation Areas
HE11	Historic parks and gardens
HE12	Scheduled monuments and other important archaeological sites

National Planning Policy:

PPS5: Planning for the Historic Environment

7 CONSIDERATIONS

The main considerations in the determination of this application relate to visual impact of the proposed fencing and walls, the effect on the historic park and the setting of Stanmer House and the Stanmer Conservation Area, security, and matters relating to trees and landscaping.

Background

Stanmer House is a grade 1 listed building of exceptional architectural importance. It is set in an 18th century park landscape, registered as a park of special historic interest. The house is the centre piece of this landscape. It also falls within the Stanmer Conservation Area and the South Downs National Park.

The house has two principal fronts, one looking over the drive way and 'green' toward the church to the north east, and the second, the garden front, facing the park to the south east. The building dates from the 1720s, and was designed to be seen within the wider landscape.

It is believed that the area of lawn adjoining the garden front was levelled during the early C18th phase of development. By the late C18th this lawn was incorporated into an area of paddock sweeping around the principal fronts, in

a natural fashion. In the mid to late C19th the lawn was laid out in a formal manner with perimeter paths, evidence of which remains, including the central fountain pool and two flights of steps.

The lawn was extended further in the early part of the C20th along the lines that now exist, when the land was reshaped creating the bank and 'knoll'. The screen tree and shrub planting and the cherry orchard nearby are more recent. These C20th landscape features enclose the garden and obscure the open undulating parkland.

The Stanmer Park Historic Landscape Survey & Restoration Management Plan (2003) advised 'that the house is now rather less visible from the surrounding parkland than has previously been the case' and that the planting referred to above 'significantly alters the character of the gardens and parkland alike, contradicting the historic designed layout.'

The 1840 tithe map and 1870s OS map illustrate a meandering path from the driveway running to the south of the formal lawn and through the Cedar Lawn to the Great Wood i.e. through the informal pleasure grounds.

Recent History

A lease (of 125 years) on the house and adjoining land, including the lawn to the south east of the house was granted to the applicant in 2002, to secure the restoration of the house, and its preservation. The inclusion of the lawn within the lease was considered important to assist the sale and restoration of the house.

It is now restored as a conference venue, with reception rooms for public and private functions, including wedding receptions; the success of which depends in part on the exclusive use of the lawn.

Planning permission was granted for this use (ref. BH2004/03712/FP) subject to a degree of public access to the house, and subject to a legal agreement to maintain public access across the lawn. It appears that these requirements are currently being met.

At present only the northern section of the lawn allocated to the house is used in association with private functions, with permanent fencing in situ to either side of this lawn area, and temporary fencing bisecting the lawn to provide a secure enclosed area alongside the House. A pair of 'Italian' gates on the eastern side of the lawn provide access to the pedestrian route across the lawn which is secured by the legal agreement attached to permission ref. BH2004/03712/FP. The remainder of the lawn allocated to the house has no formal boundary treatment at present, relatively dense trees and planting surround the lawn to the eastern side and southern end, with a more open aspect to the western side.

The current application

At present fencing in the form of railings encloses the area of lawn / garden alongside the House. Under application BH2006/00063 permission was granted for railings of 1.5 metres in height to the western side of the lawn, and 1.7 metres in height to the eastern side of the lawn. Railings of 1.7 metres in height are in situ to both sides of the lawn.

Consent is therefore now sought for the retention of railings of 1.7 metres in height to the western side of lawn (the railings to the eastern side of the lawn having been granted consent under application BH2006/00063). The railings which bisect the lawn to the southern side are temporary and unauthorised; consent is not sought for this section of fencing under the current application.

It is also proposed that the curved low level walls and railings to either side of a pair of 'Italian' gates be replaced with brick walls. In conjunction with the fencing proposed under application BH2007/01206 (if approved and implemented) the proposed works would provide a secure enclosure around the entire lawn / garden area to a height of 1.7 metres. The applicant states that a secure enclosure around the garden is required as a number of intrusions into the garden and the House have occurred in the past.

Visual Impact

The Council's Stanmer Park Historic Landscape Survey & Restoration Management Plan (2003) describes the significance of the park and means by which it might be preserved or enhanced.

The Council's Character Statement for the Stanmer Conservation Area (2009) similarly highlights the parkland setting of the house as significant and refers to the harm caused by the 20th C planting, which obscures the traditional relationship between the parkland and the House and pleasure gardens. The area the subject of this application is described as having a character 'somewhere between the formal space of the fountain garden and the more informal character of the rest of the park. It is accessed via a 20th century decorative iron gate.' The sense of enclosure is described as being 'overemphasised by 20thC vegetation, including a cherry tree orchard and dense hedge, (which) have a harmful effect on the originally more open aspect between the House and parkland to the south.' The statement recommends improvements to the cedar lawn including opening up views out of the area.

Local Plan Policies HE3 (development affecting the setting of a listed building), HE6 (development within the conservation area) and HE11 (Historic Parks and Gardens) require that no harm is caused to the setting, character or appearance of heritage assets of architectural, historic or landscape importance.

Policy HE10 of Planning Policy Statement 5 (Planning for the Historic Environment) states that applications that make a contribution to or better

reveal the significance of a heritage asset should be treated favourably. Any harm caused should be weighed against the wider benefits of the application. The greater the negative impact, the greater the benefits necessary to justify approval. Policy HE9 of PPS5 requires LPAs to weigh the public benefit of the proposal (for example that it helps to secure the optimum viable use of the building in the interests of its long term conservation) against the harm.

The application seeks consent for the retention of railings of 1.7 metres in height to the western side of the lawn. These are currently in place and along the western fence line an evergreen hedge has been planted which accentuates the fence line. Approval was previously granted (application ref. BH2006/00063) for lower railings, 1.5m in height, i.e. below eyeline. At that time a railing of traditional detail was recommended. A more attractive railing would still be preferred, but it is accepted that for the most part the railings will be concealed by existing vegetation and from the cedar lawns the impact on the garden landscape will be softened by the proposed native tree and shrub planting, which will draw the eye away from the fence.

These works of enclosure, whilst without historic precedent and contrary to the recommendations of the Restoration Management Plan, will ensure the use of the garden for events at the house is maintained, and give privacy and security for the house and its users. The proposed fencing will appear at odds with the house's open garden setting, but there is no substantial harm, particularly having regard to the existing landscape condition. The enclosure of the lawn is important to the successful operation of the conference and events centre within the house, to which considerable weight may be given. It will contribute positively to maintaining the building in active use. The proposed landscape works will compensate in a modest but meaningful way for the visual harm caused by the height and detail of the fencing.

The application as originally submitted included a proposal to replace low curved walls and railings to either side of the 'Italian' gates with railings. It was considered that there would be an awkward / inappropriate visual relationship between the decorative design of the gates and the more utilitarian appearance of the proposed railings. Following discussions with the Design and Conservation Officer, this proposal was revised; brick walls with stone copings to match the materials and detail of the existing gate piers are now proposed to either side of the gates. The proposed walling will ensure a comfortable relationship between the ornamental gate and gate piers and the utilitarian railings. Samples of the materials to be used in the construction of the proposed walls would be required by condition.

Security

A secure boundary treatment around the garden is required for two reasons:

- To restrict public access into the garden whilst private functions such as wedding receptions take place.
- To restrict access into the gardens and house as a number of intrusions / break-ins have occurred in the past.

In regard to the second reason, a security survey report from a Sussex Police Crime Prevention Officer dated 25/09/2007 has been submitted. This report details that anti-social incidents has occurred where members of the public had intruded upon private functions, and motor vehicles had driven across the gardens causing a safety risk. It is recommended that the erection of a boundary fence would clearly indicate the boundary between the park and the garden. Whilst no further evidence of incidents occurring in the last three years has been submitted, it has been stated by the applicant that break-ins into the House have occurred, and further incidents of members of the public disrupting private functions have also taken place.

Overall, it is considered that there are valid security concerns which the proposed fencing and walls would address to some extent.

Trees and landscaping

The proposed works include the planting of additional landscaping, in the form of native tree and shrub planting, to the western side of the lawn. The design of this landscaping has been formulated following discussions with the Conservation and Design Officer, with the intention of drawing the eye away from the fencing alongside when viewed from the west. The landscaping proposal is considered appropriate by the Arboriculturist / City Parks who will be responsible for the ongoing maintenance of the landscaping following its planting by the applicant. The planting of the proposed landscaping within a reasonable timescale can be secured by condition.

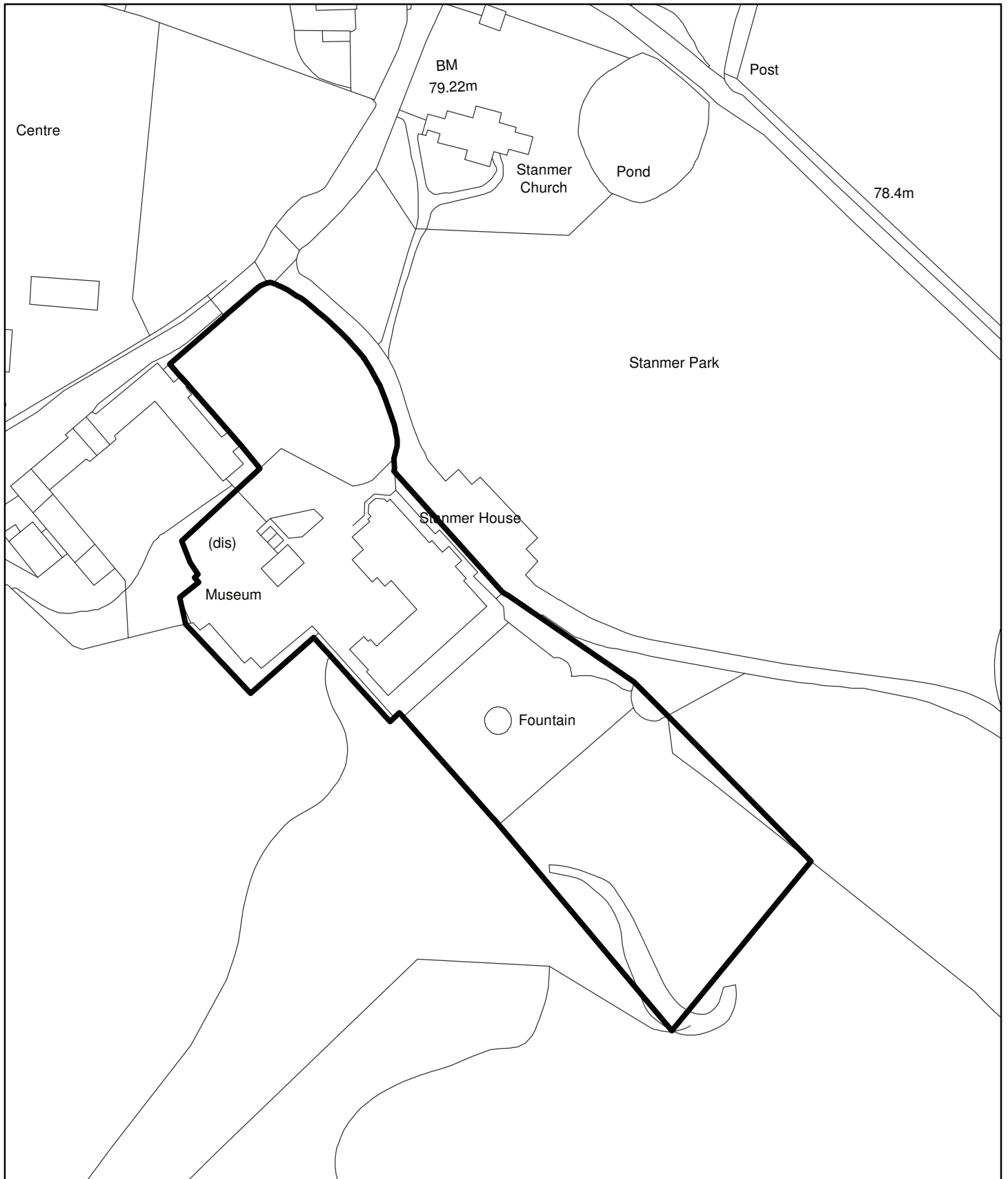
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed fencing is of a utilitarian design and whilst parts of the fencing will be obscured by existing trees and planting, the railings will split the lawns from the wider park in a manner without historic precedent. Such concerns are however balanced with the landscaping improvements proposed, and the priority which must be giving to securing the ongoing maintenance and preservation of Stanmer House which is reliant on the property remaining a viable and successful business concern. The fencing will not cause permanent harm to the House and the park; it could be removed in the future if no longer required. The proposed walls alongside the Italian gates are considered to be of an appropriate design in keeping with the gates and the historic park setting. Overall, the proposed works are considered to be acceptable in compliance with local and national planning policies.

9 EQUALITIES IMPLICATIONS

None identified.

BH2010/0200 Stanmer House, Stanmer Park





PLANS LIST – 14 JANUARY 2011

COUNCILLOR REPRESENTATION

From: Maria Caulfield [mailto:Maria.Caulfield@brighton-hove.gcsx.gov.uk]
Sent: 06 September 2010 14:09
To: Jonathan Puplett
Subject: stanmer House BH2010/02000

Hi Jonathan

I am writing in support of the above application in my capacity as chair of the stammer park stakeholders group and ask that if it is to be refused that it is taken to planning committee for decision.

Please can you let me know if you need any further information

Many thanks

Cllr Maria Caulfield
Conservative Councillor
Moulsecoomb and Bevendean
07826951758
maria.caulfield@brighton-hove.gov.uk

From: Pat Hawkes
Sent: 15 August 2010 18:50
To: 'jonathan.puplett@brighton-hove.gov.ukk'
Cc: 'Jeane Lepper'; 'Christine Simpson'
Subject: Objection to Planning Application : BH2010/02000 Stanmer House, Stanmer Park, Brighton submitted by Cherrywood Investments Ltd.

Dear Jonathann,

Please take this letter to be my objection to the above Planning Application for Stanmer House within my Ward. I am objecting on behalf of all three Ward Councillors.

The application is trying to take public land from the Park to be included within the grounds of the House. This is not in the public interest and therefore I would request that the application is heard by the Planning Committee and I am enabled to speak to my objection.

Regards Pat

Cllr.Pat Hawkes MBE,
Labour Councillor for Hollingdean & Stanmer Ward
Deputy Leader Labour Group
Opposition Spokesperson for Children's Services
Brighton & Hove City Council

<u>No:</u>	BH2007/01206	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Stanmer House, Stanmer Park, Brighton		
<u>Proposal:</u>	Proposed fencing to the garden area south east of Stanmer House and formation of alternative access route.		
<u>Officer:</u>	Jonathan Puplett, tel: 292525	<u>Valid Date:</u>	27/03/2007
<u>Con Area:</u>	Stanmer	<u>Expiry Date:</u>	22 May 2007
<u>Agent:</u>	Phil Purvis, Purvis Draughting Ltd, 13 Petworth Road, Brighton		
<u>Applicant:</u>	Cherrywood Investments Ltd, Stanmer House, Stanmer Park,		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

Regulatory Conditions:

1. BH01.01 Full Planning.
2. The development hereby permitted shall be carried out in accordance with the approved drawings nos. 1588/104 F and 109 D received on the 25th of June 2010, the 'Fiona Atkinson Landscape Design' plan and statement dated 09/06/2010, and the 'Specification For Works' Statement received on the 14th of April 2010.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. No development shall commence until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail measures to ensure the protection of the trees to be retained in the vicinity of the works hereby approved. The measures shall be carried out in strict accordance with the approved Method Statement.
Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies NC7, HE3, HE9, HE11 and QD16 of the Brighton & Hove Local Plan.
4. Within 3 months of the date of commencement of the development hereby approved, the temporary railings in situ which bisect the lawn (marked "Temporary Fence to be removed" on drawing 1588/109 Issue D received on 25 June 2010) shall be removed.
Reason: To ensure the removal of the unauthorised railings which harm the setting of the listed building, the conservation area and the character of the historic park, and to comply with policies HE1, HE3, HE6, and HE11 of the Brighton & Hove Local Plan.
5. No additional lighting shall be installed on the fencing hereby approved or the lawn area within the approved fencing without the prior written

consent of the Local Planning Authority.

Reason: To protect wildlife in the vicinity of the proposed fencing and to comply with Policy NC3 of the Brighton & Hove Local Plan.

Informatives:

1. This decision to grant Planning Permission has been taken:

(i) having regard to the policies and proposals in the Brighton & Hove Local Plan and National Planning Policy set out below:

Brighton & Hove Local Plan:

QD15 Landscape design

QD16 Trees and Hedgerows

NC3 Local Nature Reserves (LNRs)

NC7 Sussex Downs Area of Outstanding Natural Beauty

HE1 Listed Buildings

HE3 Development affecting the setting of a listed building

HE6 Development within or affecting the setting of Conservation Areas

HE11 Historic parks and gardens

HE12 Scheduled monuments and other important archaeological sites

National Planning Policy:

PPS5: Planning for the Historic Environment; and

(ii) for the following reasons:-

The proposed fencing is of a utilitarian design and whilst parts of the fencing will be obscured by existing trees and planting, the railings will split the lawns from the wider park in a manner without historic precedent. Such concerns are however balanced with the landscaping improvements proposed, and the priority which must be giving to securing the ongoing maintenance and preservation of Stanmer House which is reliant on the property remaining a viable and successful business concern. The fencing will not cause permanent harm to the House and the park; it could be removed in the future if no longer required. Overall, the proposed scheme of works is considered to be acceptable in compliance with local and national planning policies. The loss of a small number of trees is considered acceptable; trees to remain in the vicinity of the proposed works will be protected from harm subject to compliance with an Arboricultural method statement required by planning condition. Proposed landscaping and the formation of a new access route around the garden are considered appropriate and an existing Glow Worm habitat would not be harmed.

2 THE SITE

Stanmer House is a grade I Listed Palladian Mansion built between 1722 and 1727 by Nicholas Dubois, incorporating part of an earlier, possibly Jacobean, structure into the service wing.

The grade I listed building is part of the wider historic estate at Stanmer, set in landscaped parkland within the Stanmer Conservation Area and the South Downs National Park. Stanmer Park is listed grade II in English Heritage's Register of Parks and Gardens of Special Historic Interest. Stanmer House forms the focal point of a traditional rural landscape with the adjoining 19th Century estate village, church, farm, garden buildings and the Stable Block.

Stanmer House and grounds benefit from extant permission for use of the ground floor for public and private functions and for office use on the first and second floor.

This application specifically relates to the formal gardens located to the southeast of Stanmer House. The garden is formed of two distinct areas comprising the original lawn and fountain located directly southeast of the house and the 20th Century addition to the garden area that extends further southeast of the formal garden.

The 'Cedar Lawn' to the west of this garden comprises a gently sloping grassed area with a number of large and particularly majestic cedar trees. The size, shape and colour of these trees are distinctive, and they are visible from many areas across the park. The Cedar Lawn is currently accessed via a route across the garden, other routes to the Cedar Lawn are available from the south, they are however partially blocked by trees and planting.

3 RELEVANT HISTORY

Stanmer House has been subject to varying uses over the past decades, through which time the condition of the building was deteriorating. This deterioration led to a substantial grant from English Heritage for external repairs to Stanmer House, and the building being marketed by the Council for reuse. The 125-year lease for Stanmer House and gardens immediately to the southeast of house together with the stables was awarded to Cherrywood Investments.

BH2007/00165: Proposed fencing to the garden area south east of Stanmer House. Refused 9th March 2007. The application was refused for the following reasons:

1. The proposed fence and planting around the extended garden area adjoining Stanmer House would compromise the historic open relationship between Stanmer House, the garden and wider setting of Stanmer Park within a rural landscape, separating the House and garden from the remainder of the Park, and would therefore be detrimental to the architectural and historic character and appearance of Stanmer House and Stanmer Park, the Stanmer Park conservation area, contrary to Brighton & Hove Local Plan policies HE1, HE3, HE6 and HE11.
2. The proposed fence and planting, by reason of detriment to the biodiversity of Stanmer Park, in particular to an existing Glow-worm population and habitat, would have an adverse impact on the nature conservation features of the Proposed Stanmer Park Local Nature

Reserve, contrary to Brighton & Hove Local Plan policy NC3.

BH2006/02966: Proposed alterations to cellar and external alterations to means of escape hatch. Approved April 2008.

BH2006/02951: Proposed alterations to cellars to enable change of use from storage areas to function rooms for use in conjunction with ground floor function rooms. External alterations to means of escape hatch. Approved March 2008.

BH2006/02947: Display of free-standing poster sign. Refused 25 October 2006.

BH2006/02945: Installation of painted galvanised steel gates and fencing to height of 2.5 metres. Withdrawn May 2009.

BH2006/00068: Installation of bollards and timber posts around parking area to front of building (Retrospective). Approved May 2009.

BH2006/00063: Installation of lighting posts and fences to the garden area at the side of the building. Approved June 2009.

BH2005/02387/FP and **BH2005/02395/LB:** Reconstruction of north-west wing to provide 7 terraced houses, comprising 6 x three-bedroom units and 1 x four-bedroom unit and provision of 15 car parking spaces and demolition of existing detached public toilet block. Approved July 2009.

An application for Stanmer House to change the use of ground floor from office use to art gallery, public exhibition, conference and reception rooms for public and private functions with the first and second floor to retain existing office use (**BH2004/03712/FP**) was granted planning permission subject to S106 agreement to secure public access to the building and the setting up of a maintenance fund for the sustainable maintenance of the building.

Planning permission and listed building consent was then granted in 26 June 2003, (**BH2001/01173/FP** and **BH2001/01174/LB**) subject to a S106 agreement, for the restoration/refurbishment of Stanmer House for residential use (2 flats) on the upper floors and an art gallery open to the public at ground floor. This permission also included the reconstruction of the north west wing to provide seven houses. Demolition of an existing toilet block and replacement with new public toilets/changing room facilities in the north corner of the site was also secured.

Other matters currently under consideration

BH2010/02000: Proposed installation of fences to the garden area at the side of the building, replacement of fencing and walls to either side of gates with 1.8 metre high walls, and additional landscaping. (Reported elsewhere on this agenda)

A Deed of Variation to the s106 agreement signed in relation to planning permission ref. **BH2004/03712/FP** is proposed. **Clause 3.4** of this legal agreement secures public access over a 3 metre wide strip of the garden attached to Stanmer House. The Deed of Variation proposed would secure the forming of an alternative access, and the public access across the garden would be removed. (Reported elsewhere on this agenda)

4 THE APPLICATION

Planning permission is sought to enclose the lower end of the garden area associated with the house with railings of 1.7 metres in height. Gated openings would provide an access route across the site. The formation of an alternative access route around the southern end of the garden is also proposed.

It is not proposed under the current application that the route across the garden which provides access to the 'Cedar Lawn' be closed. The access route is currently secured by legal agreement and will remain as such unless a variation of the agreement is approved. It should however be noted that a gated access to the western side of the route is proposed. Should this gate and the (existing) Italian gates to the western side of the route be locked, this would preclude access directly across the lawn.

The application was originally submitted in March 2007. Following extensive negotiations and discussions with the applicant, the latest set of plans were submitted for consideration in June 2010.

5 CONSULTATIONS

Comments received following the submission of the application in 2007

External

Neighbours: Letters were received from occupiers of no. 56 Rotherfield Crescent, no. 73 Vale Road (Seaford), no. 76 Dale View, and no address given objecting to the proposed development on the following grounds:

- It is bad enough the Council sold off this public property, to cede more to private ownership would be immoral. The application is the beginning of a slippery slope- how long until more public land is taken?
- The proposed development would deny public access to the 'Cedar Lawn' to the west of the garden. The alternative route proposed is longer and would be more difficult for those less mobile.
- It is unacceptable that a 'right of way' should be considered for alteration by means of a planning application.
- To deny the public the use of the existing route works against the current modern day policies of 'access for all' and the 'right to roam' over private property.
- The proposed development will endanger a Glow Worm colony.

English Heritage: No comment.

Natural England: No comment.

CAG: Objected to the proposal on the grounds it would be harmful to the historic landscape and the setting of the house.

South Downs Society: Did not object to the installation of fencing, but did

wish to ensure that the access route to the Cedar Lawn was retained, and recommended that access to the Glow Worm habitat area be controlled by condition.

South Downs Joint Committee: Objected to the proposed fencing on the grounds that it would not be particularly attractive, and would result in an area being fenced off from the public.

Stanmer Preservation Society: Object to the proposal on the grounds that public access to the garden area would be curtailed. Furthermore the root system from any 'aggressive planting' could damage an old sewer which represents an interesting historic part of the original house. The loss of the access route across the garden is objected to, as is the enclosure of the southern end of the garden which is at present extremely popular with members of the public. It is emphasised that Stanmer Park was purchased in 1947 to preserve a water table and also for the use and enjoyment of the whole Park for the recreation and enjoyment of the Brighton public.

Brighton & Hove Local Access Forum: Objects to the enclosure of the southern end of the garden, and strongly objects to any proposal to block the access route across the garden. The proposed alternative access route would be inconvenient and is not a satisfactory alternative. Any planting should not restrict views of the House; existing open views should be maintained. Concern is also raised regarding the potential for harm to be caused to a Glow Worm Colony.

Internal

Conservation and Design:

Initial comments (May 2007): The proposal appears to be in compliance with advice given at pre-application stage; large parts of the fencing would be lost within existing planting, additional planting could further soften this appearance whilst maintaining sightlines. The proposed fencing would enclose land already within the leasehold ownership of the Stanmer House occupier. The public route across the garden would be preserved through gated accesses. Conditions are recommending the submission of further details re. the colour of the fencing and a planting scheme.

Further Comments (June 2008): Advice is given regarding the heights of the sections of fencing proposed and route of the fencing and its colour. Further details of planting to be removed and additional planting proposed. It is detailed that the applicant is proposing to seek an amendment to the legal agreement which preserves an access route over the garden as a matter separate to the planning application.

Rights of Way Officer: Objected to the proposal. The proposed development would block public access to the lawns to the south of Stanmer House, and the access route across the garden would be lost. Public access to view the House directly would be reduced, and views of the House from the rest of

park would be obscured.

Ecologist: The site is located within a Local Nature Reserve and insufficient information has been submitted to demonstrate that the development is not likely to cause harm to a Glow Worm population. The excavation and foundations associated with the installation of the proposed fence, and the planting proposed would cause harm and permanent change to the Glow Worm habitat. The proposal would also restrict public access to an area of the Local Nature Reserve.

Countryside Ranger: Glow Worms have been observed on the site in previous years; the habitat (of the larvae) should therefore be preserved.

Comments following the submission of revised drawings and information in June 2010

External

Neighbours: Letters have been received from the residents of **nos. 10 and 16 Stanmer Village, no. 76 Dale View, 'Earthship Brighton', no. 28 Brunswick Place, no. 104 Hawkhurst Road, 'Meadow View', Chapel Lane (Uckfield), and no. 13 Clarendon House, Clarendon Road, objecting** to the proposed development on the following grounds:

- The revised application has not been brought to the attention of the Local Access Forum. *[N.B. Comments had been made on behalf of the forum in response to the application in 2007- see above.]*
- The Galvanized fencing around the stable block of Stanmer House has been identified by the conservation department as out of keeping with the historic character of the park.
- A previous report recommended that access routes across the garden be retained / reinstated.
- A 'Security Survey' from Crime Prevention Officer P. Edwards has been submitted in support of the application. It is requested that a full report of all crime related incidents at Stanmer House be made publicly available. It is also noted that this report refers to the alternative access route being hard surfaced; this is not confirmed in the planning application documents.
- There is an adequate fence around the garden to ensure security at present; increasing the height of the fencing will not make a significant difference.
- The appearance of the proposed fencing would be unsightly, and would compromise the historic landscape of the park and the setting of Stanmer House.
- The applicants should not be allowed to remove the access route across the garden as it is the quickest route to the woods for many people.
- The proposed development would harm a Glow Worm Colony.
- The proposed scheme would decrease biodiversity and peoples' access to and enjoyment of the park.
- The development would require the removal of some mature trees, and the fence route proposed would damage trees.

- The removal of planting to the south-eastern boundary would provide views of the Falmer Stadium site from the house and gardens, and would further expose views of the 'ugly marquee' which has been installed to the rear of the Stanmer House building and associated function.
- A larger secure outdoor space in association with the house would enable functions of an increased size. Increased noise and traffic/ parking would therefore be caused.
- The fencing should be painted dark green rather than black.
- The proposed alternative access route is several times as long as the existing; a long upward slope will be difficult for wheelchair users and people pushing baby buggies to access.
- The proposal to dig deep trenches to lay foundations for the fencing appears excessive.
- The proposed development would enclose additional garden area and block access to the Cedar Lawn, both of which are currently open to all and well used. The garden area is popular with wheelchair users and those with children. This is in direct contravention of the open access policy that concerns public parks.
- The existing railings look cheap and nasty, 'cheesy', rubbish, and 'chavvy'. It is impossible to understand why they were allowed. Rather than installing fencing and railings, impermeable hedging should be used.

Councillor Maria Caulfield has written in support of the application as Chair of the Stanmer Park Stakeholders Group, and has requested that the application be taken to Planning Committee should refusal be recommended (copy of letter attached).

Councillor Pat Hawkes has written on behalf of herself and **Councillor Lepper** and **Councillor Simpson** objecting to the application (copy of letter attached).

English Heritage: No comment.

Natural England: No comment.

CAG: Object to the proposal. The height of the fencing and the extension of the fenced area would create the feeling of being in a compound and would not preserve / enhance the setting of the listed building. The proposal for an alternative access route is also objected to.

South Downs Society: As per comments from 2007, there is no objection in principle to the erection of fencing around the southern end of the garden. It requested that it be considered whether public access should be retained whenever reasonable / possible, i.e. when the garden area is not being used for private functions.

South Downs National Park Authority: The enclosure of land which is currently publicly accessible is not welcomed, however no objection is raised

subject to the proposal being considered acceptable by the Council's Conservation and Design Department. It is suggested that the garden should remain publicly accessible during the daytime when no private events are taking place.

Stanmer Preservation Society: Wish to elect a speaker to represent the group at Planning Committee.

Friends of Stanmer Park: Object to the proposal on the grounds that the height of the fencing proposed is 1700mm, and that the proposed fencing would block an access route and area of the Park which are currently, and have been historically, publicly accessible. A history of this area of the Park is detailed. It is stated that public access across this area has been available since 1949 and as such has gained the status of a 'permissive footpath'. The works required to form the alternative access are considered unacceptable.

In regard to Glow Worms it is suggested that no works take place until further surveys can be carried out in the Summer of 2010.

In regard to the height of the fencing proposed, the 'Security Survey' (Police Report) document submitted is based on the situation as it was in 1997. There is no longer a regular problem of vehicles and motorbikes driving over the grassed areas of the park. The Stanmer House site should have 24 hour security in any case. If the use of the entire garden area for occasional functions is required, this could be achieved by the use of temporary barriers to be removed after the event. The Police Report is out of date and should be disregarded. The proposed fencing would be unduly obtrusive and not in keeping with the historic listed building.

Brighton & Hove Archaeological Society: The proposed development may require the carrying out of an archaeological watching brief; it is recommended that the County Archaeologist be contacted for their recommendations.

County Archaeologist: Although the site is located within an Archaeological Notification area, it is considered that no archaeological remains are likely to be affected by the proposal.

Open Space Society: Object to application BH2007/01206 and BH2010/02000 on the following grounds:

- The proposed works involve the erection of ugly utilitarian iron railings and the destruction of trees and hedges.
- The part of the park the application relates to is well used by the public, the access across the lawns is particularly well used and has been since 1957. There is a strong case to resist the route as a public right of way.
- The works would harm a Glow Worm habitat.

Internal

Conservation and Design: The benefits associated with this application comprise the proposed planting and tree clearance. The justification is the importance of enclosure of this site to the use of the house as a conference and events centre. The reasoning is supported and the benefits are considered sufficient to outweigh the visual harm caused to the setting of the house, any harm to the character or appearance of the conservation area and any harm to the character of the historic park. The proposed works would enable the removal of the unauthorized and inappropriate fencing which at present bisects the lawn.

Arboriculture: No objection is raised to the removal of trees proposed. The submission of an arboricultural statement is required to ensure that the trees in the vicinity of the proposed works are protected from harm whilst works take place.

Ecologist: A colony of Glow Worms exists in the vicinity of the proposed fencing. Subject to conditions requiring the implementation of proposed landscaping, and restricting the installation of additional lighting in the future, it is considered unlikely there would be an adverse impact on the Glow Worm.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD15 Landscape design

QD16 Trees and Hedgerows

NC3 Local Nature Reserves (LNRs)

NC7 Sussex Downs Area of Outstanding Natural Beauty

HE1 Listed Buildings

HE3 Development affecting the setting of a listed building

HE6 Development within or affecting the setting of Conservation Areas

HE11 Historic parks and gardens

HE12 Scheduled monuments and other important archaeological sites

National Planning Policy:

PPS5: Planning for the Historic Environment

7 CONSIDERATIONS

The main considerations in the determination of this application relate to visual impact of the proposed fencing and alternative access route, the effect on the historic park and the setting of Stanmer House and Stanmer Conservation Area, accessibility, security, ecology, and matters relating to trees and landscaping.

Background

Stanmer House is a grade 1 listed building of exceptional architectural importance. It is set in an 18th century park landscape, registered as a park of special historic interest. The house is the centre piece of this landscape. It also falls within the Stanmer Conservation Area and the South Downs

National Park.

The house has two principal fronts, one looking over the drive way and 'green' toward the church to the north east, and the second, the garden front, facing the park to the south east. The building dates from the 1720s, and was designed to be seen within the wider landscape.

It is believed that the area of lawn adjoining the garden front was levelled during the early C18th phase of development. By the late C18th this lawn was incorporated into an area of paddock sweeping around the principal fronts, in a natural fashion. In the mid to late C19th the lawn was laid out in a formal manner with perimeter paths, evidence of which remains, including the central fountain pool and two flights of steps.

The lawn was extended further in the early part of the C20th along the lines that now exist, when the land was reshaped creating the bank and 'knoll'. The screen tree and shrub planting and the cherry orchard nearby are more recent. These C20th landscape features enclose the garden and obscure the open undulating parkland.

The Stanmer Park Historic Landscape Survey & Restoration Management Plan (2003) advised 'that the house is now rather less visible from the surrounding parkland than has previously been the case' and that the planting referred to above 'significantly alters the character of the gardens and parkland alike, contradicting the historic designed layout.'

The 1840 tithe map and 1870s OS map illustrate a meandering path from the driveway running to the south of the formal lawn and through the Cedar Lawn to the Great Wood i.e. through the informal pleasure grounds.

Recent History

A lease (of 125 years) on the house and adjoining land, including the lawn to the south east of the house was granted to the applicant in 2002, to secure the restoration of the house, and its preservation. The inclusion of the lawn within the lease was considered important to assist the sale and restoration of the house.

It is now restored as a conference venue, with reception rooms for public and private functions, including wedding receptions; the success of which depends in part on the exclusive use of the lawn.

Planning permission was granted for this use (ref. BH2004/03712/FP) subject to a degree of public access to the house, and subject to a legal agreement to maintain public access across the lawn. It appears that these requirements are currently being met.

At present only the northern section of the lawn allocated to the house is used in association with private functions, with permanent fencing in situ to either

side of this lawn area, and temporary fencing bisecting the lawn to provide a secure enclosed area alongside the House. A pair of 'Italian' gates on the eastern side of the lawn provide access to the pedestrian route across the lawn which is secured by the legal agreement attached to permission ref. BH2004/03712/FP. The remainder of the lawn allocated to the house has no formal boundary treatment at present, relatively dense trees and planting surround the lawn to the eastern side and southern end, with a more open aspect to the western side.

The current application

Consent is now sought to enclose the entire lawn / garden area which forms part of the Stanmer House lease. This would enable the use of the entire area for private functions at Stanmer House, and would also enable the removal of unauthorized and inappropriate fencing which at present bisects the lawn. Gated openings would provide an access route across the site. The formation of an alternative access route around the southern end of the garden is also proposed. The applicant states that a secure enclosure around the garden is required as a number of intrusions into the garden and the House have occurred in the past.

It is not proposed under the current application that the route across the garden which provides access to the 'Cedar Lawn' be closed. The access route is currently secured by legal agreement and will remain as such unless a variation of the agreement is approved. It should however be noted that a gated access to the western side of the route is proposed. Should this gate, and the (existing) Italian gates to the western side of the route be locked, this would preclude access directly across the lawn.

Visual Impact

The Council's Stanmer Park Historic Landscape Survey & Restoration Management Plan (2003) describes the significance of the park and means by which it might be preserved or enhanced.

The Council's Character Statement for the Stanmer Conservation Area (2009) similarly highlights the parkland setting of the house as significant and refers to the harm caused by the 20th C planting, which obscures the traditional relationship between the parkland and the House and pleasure gardens. The area the subject of this application is described as having a character 'somewhere between the formal space of the fountain garden and the more informal character of the rest of the park. It is accessed via a 20th century decorative iron gate.' The sense of enclosure is described as being 'overemphasised by 20thC vegetation, including a cherry tree orchard and dense hedge, (which) have a harmful effect on the originally more open aspect between the House and parkland to the south.' The statement recommends improvements to the cedar lawn including opening up views out of the area.

Local Plan Policies HE3 (development affecting the setting of a listed

building), HE6 (development within the conservation area) and HE11 (Historic Parks and Gardens) require that no harm is caused to the setting, character or appearance of heritage assets of architectural, historic or landscape importance.

Policy HE10 of Planning Policy Statement 5 (Planning for the Historic Environment) states that applications that make a contribution to or better reveal the significance of a heritage asset should be treated favourably. Any harm caused should be weighed against the wider benefits of the application. The greater the negative impact, the greater the benefits necessary to justify approval. Policy HE9 of PPS5 requires LPAs to weigh the public benefit of the proposal (for example that it helps to secure the optimum viable use of the building in the interests of its long term conservation) against the harm.

The proposal includes fencing around the lawn and the formation of an alternative access route. The fencing is of simple modern design, 1.7m in height to be painted black. A more attractive railing would be preferred, but it is accepted that for the most part it will be concealed by existing vegetation and carefully selected new planting. It will enable the removal of the unauthorized and inappropriate fencing that bisects the lawn, and which causes harm. These works will ensure best use is made of the garden for events at the house, and give the required security.

The proposed works include the felling of some trees (and new landscaping works), which will open up views of the house and park to good effect and provide a waymarked accessible pathway from the drive to the Cedar Lawns.

The proposed fencing will appear at odds with the house's open garden setting, but no substantial harm would be caused, particularly having regard to the existing landscape condition. The enclosure of the lawn is important to the successful operation of the conference and events centre within the house, to which considerable weight may be given. It will contribute positively to maintaining the building in active use.

The proposed landscape works will compensate in a modest but meaningful way the visual harm caused by the height and detail of the fencing.

Access

Clause 3.4 of the legal agreement signed in relation to planning permission ref. BH2004/03712/FP secures public access over a 3 metre wide strip of the garden attached to Stanmer House. If implemented, the proposed development would retain a gated access to either end of this public access; it would not be blocked. The access route is currently secured by legal agreement and will remain as such unless a variation of the agreement is approved.

The formation of an alternative access route is proposed which would run round the southern end of the garden. This path would be of closely mown

grass, Cherry trees (which are nearing the end of their life) and a hedge would need to be removed to enable clear access into the Cedar Lawn.

Security

A secure boundary treatment around the garden is required for two reasons:

- To restrict public access into the garden whilst private functions such as wedding receptions take place.
- To restrict access into the gardens and house as a number of intrusions / break-ins have occurred in the past.

In regard to the second reason, a security survey report from a Sussex Police Crime Prevention Officer dated 25/09/2007 has been submitted. This report details that anti-social incidents has occurred where members of the public had intruded upon private functions, and motor vehicles had driven across the gardens causing a safety risk. It is recommended that the erection of a boundary fence would clearly indicate the boundary between the park and the garden. Whilst no further evidence of incidents occurring in the last three years has been submitted, it has been stated by the applicant that break-ins into the House have occurred, and further incidents of members of the public disrupting private functions have also taken place.

Overall, it is considered that there are valid security concerns which the proposed fencing would address to some extent.

Ecology

At the time of previous application BH2007/00165 and in 2007 at the time the current application was submitted, concerns were raised regarding a Glow Worm colony which may habit an area of raised bank to the western side of the garden. The Ecologist has commented on the latest proposals and considers the fence route now proposed would ensure that harm to this habitat would not be caused. Conditions are recommended requiring the proposed landscaping works to be carried out in full, and ensuring that no lighting be installed in the future.

Trees and landscaping

The submitted plans show the removal of four trees to the southern end of the garden, it is intended that the removal of these trees would provide more open views of the house from the park in keeping with its historic layout. Five trees to the western side of the garden would also require removal to enable a clear access route into the Cedar Lawn. The Arboriculturist has commented on the proposed works; the removal of these trees is not objected to and would in fact be in accordance with the landscaping strategy for the Park. It is recommended that an Arboricultural Method Statement be required by condition to ensure that the trees which are to be retained in the vicinity of the works are not harmed. Some additional landscaping is proposed as part of application BH2010/02000 reported elsewhere on this agenda.

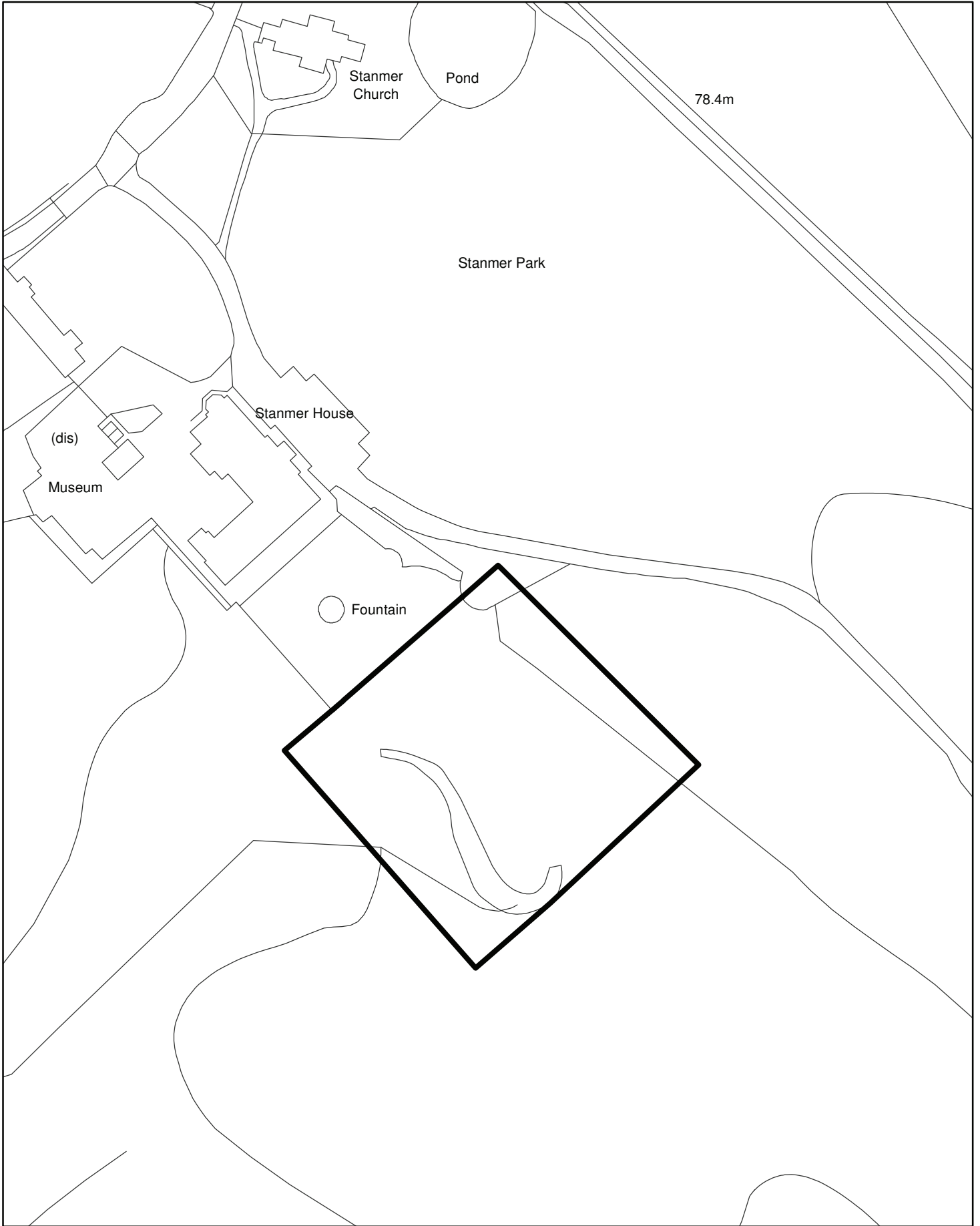
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed fencing is of a utilitarian design and whilst parts of the fencing will be obscured by existing trees and planting, the railings will split the lawns from the wider park in a manner without historic precedent. Such concerns are however balanced with the landscaping improvements proposed, and the priority which must be giving to securing the ongoing maintenance and preservation of Stanmer House which is reliant on the property remaining a viable and successful business concern. The fencing will not cause permanent harm to the House and the park; it could be removed in the future if no longer required. Overall, the proposed scheme of works is considered to be acceptable in compliance with local and national planning policies. The loss of a small number of trees is considered acceptable; trees to remain in the vicinity of the proposed works will be protected from harm subject to compliance with an Arboricultural method statement required by planning condition. Proposed landscaping and the formation of a new access route around the garden are considered appropriate and an existing Glow Worm habitat would not be harmed.

9 EQUALITIES IMPLICATIONS

The proposed new access route is considered appropriate. It is not proposed under the current application that the route across the garden which provides access to the Cedar Lawn be closed. The access route is currently secured by legal agreement and will remain as such unless a variation of the agreement is approved.

BH2007/01206 Stanmer House, Stanmer Park





PLANS LIST – 14 JANUARY 2011

COUNCILLOR REPRESENTATION

From: Maria Caulfield [mailto:Maria.Caulfield@brighton-hove.gcsx.gov.uk]
Sent: 06 September 2010 14:09
To: Jonathan Puplett
Subject: stanmer House BH2010/02000

Hi Jonathan

I am writing in support of the above application in my capacity as chair of the stammer park stakeholders group and ask that if it is to be refused that it is taken to planning committee for decision.

Please can you let me know if you need any further information

Many thanks

Cllr Maria Caulfield
Conservative Councillor
Moulsecoomb and Bevendean
07826951758
maria.caulfield@brighton-hove.gov.uk

From: Pat Hawkes
Sent: 15 August 2010 18:50
To: 'jonathan.puplett@brighton-hove.gov.ukk'
Cc: 'Jeane Lepper'; 'Christine Simpson'
Subject: Objection to Planning Application : BH2010/02000 Stanmer House, Stanmer Park, Brighton submitted by Cherrywood Investments Ltd.

Dear Jonathann,

Please take this letter to be my objection to the above Planning Application for Stanmer House within my Ward. I am objecting on behalf of all three Ward Councillors.

The application is trying to take public land from the Park to be included within the grounds of the House. This is not in the public interest and therefore I would request that the application is heard by the Planning Committee and I am enabled to speak to my objection.

Regards Pat

Cllr.Pat Hawkes MBE,
Labour Councillor for Hollingdean & Stanmer Ward
Deputy Leader Labour Group
Opposition Spokesperson for Children's Services
Brighton & Hove City Council

<u>No:</u>	BH2010/02996	<u>Ward:</u>	HOLLINGDEAN & STANMER
<u>App Type:</u>	Full Planning		
<u>Address:</u>	348 Ditchling Road, Brighton		
<u>Proposal:</u>	Loft conversion to form a one bedroom studio flat incorporating 2no rear dormers.		
<u>Officer:</u>	Chris Swain, tel: 292178	<u>Valid Date:</u>	21/09/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	16 November 2010
<u>Agent:</u>	Plan Right, Adur Business Centre, Little High Street, Shoreham-by-Sea		
<u>Applicant:</u>	Investsave Ltd, C/O Plan Right		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in this report and resolves to **REFUSE** planning permission for the following reason:

1. The proposed conversion would result in the creation of an unacceptably cramped residential unit, significantly deficient in usable floor space within the main living area and would provide for poor living conditions for future occupiers. The accommodation is therefore below the standard that the Local Planning Authority could reasonably expect and contrary to policy QD27 of the Brighton & Hove Local Plan.

Informatives:

1. This decision is based on an unnumbered drawing, a site plan, a lifetime homes checklist, a waste minimisation statement, a design and access statement and a sustainability checklist received on 21 September 2010, two signed affidavits received on 6 December 2010 and an unnumbered sectional drawing received on 30 November 2010.

2 THE SITE

The site relates to a two storey terraced property located to the eastern side of Ditchling Road. The property has been converted into two self contained flats, one situated on the ground and one on the first floor. There is a garden to the rear that is attached to the ground floor flat. The existing loft space is currently used for storage and is accessed from stairs leading from the common way at first floor level.

3 RELEVANT HISTORY

84/963EUC: Use of house as two self contained flats. Approved 9 September 1984.

4 THE APPLICATION

Planning permission is sought for the proposed creation of an additional self

contained unit in the roofspace with bathroom facilities at first floor level. Two dormers are proposed for the rear roofslope.

5 CONSULTATIONS

External:

Neighbours: Letters of support have been received from **No.108 Roedale Road** and from **5 other unspecified addresses** stating that the proposed studio flat would provide ideal accommodation for students or those on lower incomes. The proposal is stated as acceptable with regard to design and scale for the proposed target market.

Internal:

Sustainable Transport: We would not wish to restrict grant of consent subject to a financial contribution secured via a s106 agreement of £750. This will contribute towards upgrading of bus stop flags on Ditchling Road and in the vicinity.

It is noted in the Design and Access Statement the applicant has considered cycle parking provision in the front garden on the site, however has not proposed it in the application form or drawings.

If the applicant decides to conform to cycle parking guidance the facilities on site should be ‘Sheffield’ type stands, covered and secure, preferably near to the main entrance and within the red line boundary.

If not, you may wish to ask the developer for contributions to enhance the existing on street provision.

Private Sector Housing: No comments.

6 PLANNING POLICIES

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
QD14	Extensions and alterations
QD27	Protection of amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO9	Residential conversions and the retention of smaller dwellings
HO13	Accessible housing and lifetime homes

EM6 Small industrial, business units and warehouse units

Supplementary Planning Guidance

SPGBH1 Roof Alterations and Extensions

SPGBH4 Parking Standards

7 CONSIDERATIONS

The main considerations in the determination of this application are the principle of the conversion, design, visual amenity, impact on street scene, impact on residential amenity and traffic impacts.

Acceptability of the conversion

The proposal involves the creation of an additional studio flat within the existing loft space. The existing first floor lobby would be split to form a bathroom and an area with dimensions of 1.1m x 1.1m would be taken from the south western corner of the rear bedroom of the first floor flat.

At the date of the site visit it was noted that the loft space was boarded out and that there was an existing access stairway from the communal first floor landing. The applicant has provided evidence in the form of two signed affidavits to demonstrate that the loft area and stairway have been separated from the first floor flat for over ten years and that the loft has been used as a storage facility. The first signed affidavit from James Lytle states that he used the loft space for storing files for a period of time in 1994. The second signed document from Robert Hitchcock (property manager for the freeholder, Investsave Ltd) states that the loft area has been used solely for purposes of storage by the freeholder continuously since 1998 until the present day.

Whilst a section of the existing first floor flat has been included within the scheme to create part of the proposed bathroom it is not on balance considered that the application involves the division of an existing residential unit and thus it will not be assessed under policy H09 of the Brighton & Hove Local Plan.

Policy EM6 states that small industrial, business and warehouse premises (Use Classes B1, B2 and B8 of 235 sq m or less) will be retained for employment purposes. The loft space is currently used informally for storage by the freeholder of the property. The applicant has argued that the loft space should not be assessed under EM6 and has not provided any evidence to justify the change of use from storage to residential.

The applicant has not demonstrated redundancy under policy EM6. However officers consider that, due to the restricted size of the loft space and the use by the freeholder as ancillary storage, it does not form a freestanding commercial or storage unit. It is not considered necessary that the application should adhere to this policy.

Amenity for residential occupiers

It is not considered that the proposed studio flat would provide acceptable living conditions for future occupiers.

The internal floor area of the main living area would be approximately 25.6sqm, with the main living area approximately 20.8sqm. As the flat is set in the eaves, not all of the floorspace is usable. The main living area would have 16.8sqm of usable floor space (discounting any floor area lower than 1.5m in height). Taking the floor area with reasonable head room (taken at 2m) the floor area in the main living area is reduced again to 13.5sqm. Due to the proposed dormers the floor area with good headroom would also be awkwardly presented within the proposed flat.

There are no rooflights proposed for the front roofslope of the property and this would increase the feeling of claustrophobia within the roofspace.

While the Local Planning Authority does not have minimum room size standards there have been appeal decisions that have upheld refusals of conversions on the grounds of cramped and poor living conditions.

An appeal was dismissed at 99 Sackville Road on 18 May 2005 (APP/Q1445/A/04/1153693) for a proposal to create three self contained units above a shop, due to the cramped conditions of one of the proposed flats. The one bedroom top floor flat had a floor area of under 30sqm, much with restricted headroom. The Inspector was concerned with an “overall floor area falling below 30 square metres” and stated that, “the flat would be significantly deficient in space and would provide cramped and poor living conditions for future occupants”.

There are a number of letters of support for the current application from potential occupiers who state that the proposal would be acceptable in regards to design and scale and would provide adequate accommodation for their needs. A letter has also been received from the housing officer stating that there are high numbers of people on housing waiting lists within Brighton & Hove that require this type of accommodation. While it is acknowledged that studio flat accommodation is in short supply within the City this should not result in the Local Planning Authority having an obligation to approve schemes that it considers to be deficient in space and that would provide substandard living conditions for future occupiers.

Local Plan Policy HO5 seeks the provision of useable private amenity space within a development. The studio flat would be largely on the second floor and does not benefit from access to private amenity space. However, there is no obvious scope to create private outside amenity space, but the property is close to a number of public open spaces. It is therefore considered in this case that useable private amenity space for the new unit is not required.

The Design and Access Statement states that cycles are currently stored in

the front entrance lobby though provision could be made for cycle storage via Sheffield Hoops in the front garden area. This storage may not be undercover and no drawings or comprehensive details have been provided. There is considered to be sufficient space within the front garden for storage and details could be conditioned if the scheme were otherwise acceptable.

Refuse provision would be provided in the front garden with recycling boxes stored in the flat and brought down when required. It is considered that there would be limited space for recycling boxes within the flat, further reducing the usable space.

Lifetime Homes

Policy HO13 of the Local Plan seeks proposals for conversions to provide residential accommodation to demonstrate that wherever practicable, lifetime homes criteria have been incorporated into the design. The proposal would meet certain elements of the lifetime homes standards though the positioning of the flat on the first and second floors would result in many of the standards being unachievable.

It is not considered that the proposed flat would be suitable for wheelchair users. The bathroom and toilet facilities would not be easily accessible as they are on a lower floor than the main living area. Whilst many of the standards have not been met, due to the nature of the conversion it is considered that the applicant has addressed policy H09 as far as can be reasonably be expected for conversion of this type and on balance the application is considered to be acceptable in this regard.

Impact upon neighbouring amenity

Policy QD27 seeks to protect neighbouring amenity from a material nuisance and loss of amenity. It is considered that the additional unit will have a minimal impact upon the amenity of the adjoining neighbours or of the future occupiers of the new proposal. The proposed dormers would not result in significant levels of overlooking to the rear over and above current levels from the existing first floor rear windows. The side windows of the proposed shower room are to be obscure glazed. If the application were acceptable the windows could also be conditioned to have limited opening and thus would not afford clear views into the kitchen window of the first floor flat.

Design and Visual Amenity

Two dormers are proposed for the rear elevation. The dormers would be 1.9m in width and 1.2m in height and set down 0.9m from the ridge. The window frames would be uPVC sliding sash and the cheeks would be tile hung to match the existing roof tiles. The two double sash style units have a horizontal rather than vertical emphasis and would have an awkward relationship with the existing property. The proposed dormers would be screened to a degree by the existing party wall upstands and also by the original two storey projections to the rear of the properties on Ditchling Road. The three properties to the south, Nos. 342, 344 and 346 Ditchling Road, have unsightly

box dormers to the rear elevation and the uniformity of the rear street scene has already been compromised to a significant degree. As such it is considered that the proliferation of rear dormers in the immediate vicinity has altered the character of the area and this coupled with the significant screening that the proposed dormers would receive from the existing rear projections would ensure that the proposed alterations would not detract significantly from the appearance or character of the building or the surrounding area.

Highways

TR1 requires that new development provides for the travel demand which it generates. There are no off-street parking spaces proposed as part of this application, which is situated outside a controlled parking zone. Therefore the proposal may result in an increase in on-street parking. However, given the Council's transport planning officers make no adverse comments, it is considered that that traffic impact is acceptable and will not jeopardise highway safety or lead to an unacceptable increase in on-street parking.

The Sustainable Transport Team consider that the subdivision of the existing unit would result in additional car movements and therefore a contribution is requested towards sustainable transport measures. However, the Local Planning Authority is currently not seeking contributions on schemes of this scale in an attempt to aid the construction industry. Therefore in terms of the potential impact upon the highways network the proposal is considered to adhere with policy TR1 of the Local Plan.

Sustainability

Policy SU2 which seeks to ensure that development proposals are efficient in the use of energy, water and materials. The applicant has submitted a completed Sustainability Checklist which suggests that the proposal could achieve the minimum level of sustainability, in accordance with SPD08.

Conclusion

For the reason set out in this report the application is recommended for refusal.

8 EQUALITIES IMPLICATIONS

The proposed flat would be split level and accessed by staircase only.

BH2010/02996 348, Ditchling Road



**Brighton & Hove
City Council**



Scale: 1:1,250

<u>No:</u>	BH2010/03233	<u>Ward:</u>	PATCHAM
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Mill House, Overhill Drive, Brighton		
<u>Proposal:</u>	Erection of single detached bungalow.		
<u>Officer:</u>	Anthony Foster, tel: 294495	<u>Valid Date:</u>	22/10/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	17 December 2010
<u>Agent:</u>	Folkes Architects, The Design Studio, 94 High Street, Steyning		
<u>Applicant:</u>	Mrs Janet Hall, 15 Chewton Road, Walthamstow, London		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.
Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
3. No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage 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.
4. No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) 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. 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.

5. The new dwellings shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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.

6. Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage Report / Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and

(b) a Design Stage / Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 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.

7. 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 Certificate by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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.

8. No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

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

9. 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.

10. The development shall not be occupied until details of cycle parking have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development to comply with policies TR1 and TR14 of the Brighton & Hove Local Plan.

11. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road[s], surface water drainage, outfall disposal and crossover to be provided, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details prior to occupation of the dwelling hereby approved.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large and for protection of trees and to comply with policies TR7 and QD16 of the Brighton & Hove Local Plan.

12. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway to comply with policies TR7 and TR19 of the Brighton & Hove Local Plan.

13. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of 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. 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.

15. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme to BS5837 (2005) which has been submitted to and approved in writing by the Local Planning Authority. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

16. No development shall commence until an Arboricultural Method Statement is submitted to and approved in writing by the Local Planning Authority. The Statement shall include details relating to the levels of the site within the Root Protection Areas and details regarding service runs. The development shall be carried out in strict accordance with the approved Statement.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

17. Unless otherwise agreed in writing by the Local Planning Authority, a scheme detailing the measures to improve ecological biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the number and type of bat boxes, and bird boxes. The development shall be carried out in strict accordance with the approved details and thereafter maintained.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with Policy QD17 of the Brighton & Hove Local Plan.

18. The development hereby permitted shall be carried out in accordance with the approved drawing nos. 1012 1.01, 2.01, 2.02, 2.03, 2.04 and 2.05 received 12 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:

1. This decision to grant Planning Permission has been taken:

- i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials

PLANS LIST – 14 JANUARY 2011

SU4	Surface water run-off and flood risk
SU9	Pollution and nuisance control
SU10	Noise pollution
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design – Quality of development and design statements
QD2	Design – Key principles for neighbourhoods
QD3	Design – Efficient and effective use of sites
QD4	Design – Strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD27	Protection of amenity
QD28	Planning obligations
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 Documents: (SPG's)

SPGBH 4 Parking Standards

Supplementary Planning Document

SPD03	Construction & Demolition Waste
SPD06	Trees and Development Sites
SPD08	Sustainable Building Design; and

ii) for the following reasons:

The proposal is an effective and efficient re- use of residential land which will result in an additional family dwelling, whilst maintaining the character and appearance of the area. Furthermore the development would not adversely affect the amenities of neighbouring properties, or the surrounding highways network. The loss of protected trees on the site would be mitigated by additional planting.

2. The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.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).

4. The applicant is advised that details of the Council's requirements for Site Waste Management Plans and Waste Minimisation Statements can be found in Supplementary Planning Document SPD03 Construction and Demolition Waste, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
5. 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).
6. The applicant is advised that the driveways and access road should be built in accordance with BS 5837 (2005).
7. The applicant is advised of their obligation to protect bats during construction work, if any bats are found during demolition/conversion, then works should be stopped immediately and advice sought from Natural England

2 THE SITE

The site is an enclosed plot of land measuring 0.3 ha in total, which is accessed via a narrow driveway between nos. 61 and 61a Overhill Drive to the south of the junction with Overhill Way and Highview Avenue South.

The site currently comprises a main two storey dwelling, ancillary outbuildings and a single storey studio that are sited along the southern site boundary, and a swimming pool located in the north eastern corner of the site. A public footpath runs alongside the driveway to the east of the site and continues along the south of the site giving access through to Grangeways.

The site is bounded by the rear of residential properties in Overhill Drive to the east, woodland and the rear of Audrey Close properties to the west, 61a Overhill Drive to the north, and the residential development of Grange Walk, Grangeways to the south.

The site has a number of trees which are protected by a number of Tree Preservation Orders covering the site.

3 RELEVANT HISTORY

BH2010/00097: Erection of 3 detached two storey dwellings and a single detached bungalow. Refused at Planning Committee on the following grounds:

1. Proposed Unit 2 would result in overlooking of 3 Grange Walk to the detriment of the amenity of the occupiers of that property, contrary to policy QD27 of the Brighton & Hove Local Plan.
2. Proposed Unit 1 would have an overbearing affect on 61A Overhill Drive to the detriment of the amenity of the occupiers of that property, contrary to

policy QD27 of the Brighton & Hove Local Plan.

3. The access to the proposed development is not designed to accommodate the transport demands that the development would create, contrary to policy TR1 of the Brighton & Hove Local Plan.

BH2008/02490: Erection of 3 detached two-storey dwellings and a single detached bungalow – appealed for non-determination with a committee recommendation for refusal - dismissed at Appeal.

BH2005/05112: Outline application for 4 detached dwellings. Means of access to be determined for the development site. (Revised description). Refused 28/11/2006

BH2004/00366/OA: Outline application for six detached dwellings. Withdrawn.

BH2004/02778/OA: Outline application for the erection of 4 detached houses. Refused 04/02/2004.

4 THE APPLICATION

Planning permission is sought for the erection of a single detached bungalow, located in the north western quadrant of the existing site. This bungalow is located in exactly the same position and is of the same design as Unit 4 proposed as part of the previously refused application reference BH2010/00097.

The proposed access road is to be a shared surface and will follow the same route as the previously proposed application.

5 CONSULTATIONS

External:

Neighbours: A total of 17 letters of objection have been received from **18 Old London Road, 5, 17 Audrey Close, 59, 61, 61A, 63, 86, 94 Overhill Drive, 2, 25 Overhill Way, 47 Highview Way, 1, 2, 7 The Grangeways, 42 Highview Avenue South, 1 Mill Cottages Highview Avenue North.**

A planning statement has been submitted on behalf of the occupiers of, **61a Overhill Drive** and **17 Audrey Close** in support of their objections.

The objections relate to the following aspects of the scheme:

- Loss of the dedicated existing public right of way, which is used by local people and particularly school children, and concern that the proposed shared surface (site access and public right of way) would be unsafe for pedestrians.
- This application clearly is trying to achieve the access through a back door approach.
- The bungalow should not be located so close to the boundary with 17 Audrey Close, a scheme for the whole of the site should be considered.
- Overbearing impact and overlooking of neighbouring properties, particularly those in Audrey Close, which are set lower than the application site level.

- Noise and disturbance during construction work.
- Increased pressure on services such as drainage and sewer.

Patcham Infant School object to the scheme and have concerns over the proposed access.

A letter of objection has been received from **Cllr Brian Pidgeon** and **Cllr Geoffrey Theobald** a copy of which is attached.

Internal:

Arboricultural Team: Comments received on previous application BH2008/02490.

The Arboricultural Section have visited this site on several occasions, and having reviewed the current application, would like to make the following comments.

Canopy's Arboricultural, Landscape and Ecology Report of June 2008 is comprehensive and the Arboricultural Section are mostly in agreement with it.

17 trees on this site are currently covered by Tree Preservation Order (No. 7) 2008. Canopy objected to the placement of most trees on the Preservation Order for various reasons, all of which the Arboricultural Section disagreed with, and therefore the current TPO stands.

Canopy's Arb report states that 6 trees covered by the TPO will be lost. As most of the trees on the site covered by the TPO are to be retained, the Arboricultural Section will not object to the loss of these trees and are pleased to note that 23 replacement trees are mentioned on the landscaping plan attached. This should be made a condition of any planning consent granted.

The trees to be retained on site should be protected to BS 5837 (2005) as per the Arb report submitted. This too should be made a condition of any planning consent granted.

Finally, as also submitted in the Arb report, it should be made a condition of any planning consent granted that the driveways and access road are built in accordance with BS 5837 (2005), ie, no mechanical digging, porous top surface etc.

As requested in previous correspondence regarding applications on this site, the arboricultural section would like assurances that soil levels around the trees within the Root Protection Areas are not altered in any way, and also we need to see service runs to ensure that, if they are in the vicinity of any trees' roots, they are built in accordance with the current guidelines to ensure the trees are retained post-development. An Arboricultural Method Statement would need to be provided regarding service runs as recommended in Brighton & Hove's Supplementary Planning Document (Appendix 4) and BS

5837 (2005).

Sustainable Transport: No objections on traffic grounds subject to the following conditions:

1. Prior to the commencement of development on site, detailed drawings, including levels, sections and constructional details of the proposed road[s], surface water drainage, outfall disposal and street lighting to be provided, shall be submitted to the Planning Authority and be subject to its approval, in consultation with this Authority.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

2. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

3. The development shall not be occupied until parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

As noted in connection with previous Applications & Appeals on this site the access is designed to an appropriate standard as a shared surface street that can be used by both pedestrians & drivers in a safe manner, it has already been through a Road Safety Audit. There are clear case precedents that support the use of shared surfaces within residential areas where traffic flows are less than 100 vehicles per hour.

The highway works, although not fully part of the adopted highway network do affect a public right of way and as such should be controlled via either a condition – as noted above – and/or a S106 Agreement of the Town & Country Planning Act to ensure that the access road and adopted footway are constructed to a satisfactory standard.

Ecologist: Comments received on previous application BH2008/02490.

Having reviewed the evidence and from my own knowledge of the site I agree with the conclusions of the ecological reports submitted in support of the application, which found no evidence of protected species resident on site. However in order to ensure conformity with PPS 9 paragraph 14 and Local Plan Policy QD 17, the landscape mitigation and enhancement measures detailed on the Soft Landscaping Drawing CMHOD.1007.LP01 and the bat protection measures detailed in Section 6 of Appendix 11 to the ecology report should be secured via suitably worded conditions.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface water run-off and flood risk
SU9	Pollution and nuisance control
SU10	Noise pollution
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design – Quality of development and design statements
QD2	Design – Key principles for neighbourhoods
QD3	Design – Efficient and effective use of sites
QD4	Design – Strategic impact
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD27	Protection of amenity
QD28	Planning obligations
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 Documents: (SPG's)

SPGBH 4 Parking Standards

Supplementary Planning Document

SPD03	Construction & Demolition Waste
SPD06	Trees and Development Sites
SPD08	Sustainable Building Design

7 CONSIDERATIONS

The main issues for consideration are the principle of the proposed intensification of residential use on the site, the impact of the development on the living amenities of neighbouring properties, the impact on the existing TPO protected trees on the site, the adequacy of the access into the site and sustainability matters.

Principle of Use

The proposal seeks permission to build on a site which was once the private garden space for the existing dwelling at Mill House. The recent amendment to Planning Policy Statement 3 on Housing (PPS3) now excludes gardens

from the definition of previously developed land.

The change in national policy means that the Local Planning Authority can consider the specific qualities of the garden area which is proposed to be developed. Notwithstanding the change in national policy, the adopted local approach has not changed in that proposals for 'backland' development will always need to be rigorously examined in respect of the impact of the surrounding area and its impact on amenities. Special attention will be paid to the design and quality of spaces between buildings. Local plan policies remain applicable; policies QD3 and HO4 can support planning permission for 'backland' development, including development on previously un-developed gardens providing that the proposed building responds well to the character of the area, does not harm neighbouring occupiers, and is acceptable in all other respects.

PPS3 along with Local Plan policies QD3 and HO4 seek the more effective and efficient use of development sites. However, in seeking the more efficient use of sites, PPS3 and Local Plan policies QD2, QD3 and HO4 also seek to ensure that developments are not viewed in isolation and must be characteristic of their surroundings. Considerations of layout and design should be informed by the wider context having regard not just to any immediate neighbouring buildings but the townscape and landscape of the wider locality. Given the sites history, location and the wider context of the surrounding locality it is considered that the site is suitable for such a redevelopment.

Design and Character

The design of the unit has not changed significantly in comparison to the most recent refusal reference BH2010/00097. This section of Overhill Drive contains a variety of dwelling types/designs and the proposed dwelling will be barely visible within the existing street scene. The proposed dwelling would be brick built.

It is therefore considered that the design of the proposed property reflects the design of properties within this immediate area of Patcham and would not appear as an incongruous addition to this part of Overhill Drive, in accordance with Policies QD1, QD2, QD3 and QD5.

Amenity for residential occupiers

The proposed internal layout of the new dwelling would be acceptable. Given the internal layout and window arrangement there would be no harm to future occupiers by way of overshadowing, loss of light or overlooking.

Policy HO13 requires all new dwellings to fully meet lifetime home standards. From the plans submitted it would appear that the proposed dwelling would be capable of complying with lifetime home standards.

Policy HO5 requires all new residential units to have private usable amenity

space appropriate to the scale and character of the development. Whilst it is recognised that the garden would be marginally smaller than those serving the dwellings in Overhill Drive, it would however be of sufficient size to serve the future occupiers. It is therefore considered that the development is acceptable.

Policy TR14 requires all new residential developments to have secure, covered cycle storage. Insufficient information has been provided regarding the full details of cycling provision, however it is considered that the property is capable of providing a suitable level of provision and as such a condition is recommended for additional details.

Policy SU2 requires all new residential development to provide refuse and recycling storage facilities. Insufficient information has been provided regarding the full details of the provision of refuse and recycling facilities, however it is considered that the property is capable of providing a suitable level of provision and as such a condition is recommended for additional details.

Neighbouring amenity

As part of the previously appealed application (BH2008/02490) the Inspector considered the impact of the development upon no 17 Audrey Close. The Inspector concluded that plot 4 of the proposed development would not result in the outlook from no 17 Audrey Close or its garden being materially harmed because there is a difference in ground level between the two sites of approximately 2 metres. The applicants have submitted the exact same layout for unit 4 as was submitted as part of the appealed application. This unit was also included in application BH2010/00097, which was refused by the Planning Committee but not for reasons relating to any impact upon No.17 Audrey Close. It is considered that a suitable boundary treatment along the western boundary of the site would not result in the demonstrable harm of the amenity of the occupiers of No.17 Audrey Close.

Traffic Matters

Reason for refusal 3 of the previous application (BH2010/00097) related to the access road and the subsequent impact on highways safety within the local area. The existing access into the site serves the Mill House dwelling and attached studio on the site. An adopted walkway currently extends alongside the site access down the eastern boundary of the site.

The proposal would provide a shared access with the public footpath, demarcated by metal studs. The Inspector recognised there is some element of risk in cars and vulnerable pedestrians using the same space, but he considered that the length of the shared surface would be relatively short and that there would be sufficient room for cars and pedestrians to pass.

The Council's Sustainable Transport Officers had no concern over the previously submitted application and the Inspector has agreed with this view.

The Manual for Street indicates that shared surfaces work well where they are in short lengths, where motor traffic is below 100 vehicles per hour, where parking is controlled and subject to making adequate provision for people with disabilities. The Inspector felt that these criteria were met with the added benefits of providing a lit, well surface and defined footpath through the site outweighed any residual concerns over pedestrian safety.

The Inspector concluded that “whilst I attach a high priority to highways safety, especially where vulnerable school children are likely to be present, I see no reason to disagree with the views of the highways authority as to the acceptability of the proposal on highways safety grounds, and conclude that the proposal would not harm highways safety or conflict with Local Plan policy TR7”. It is therefore considered that refusal of the scheme on highways safety grounds could not be sustained, particularly since this application is for one dwelling only, not four as considered by the Inspector.

Trees on Site

A total of 17 trees on the site are covered by a Tree Protection Order (TPO). Given the extent of existing tree cover of the site, it is almost inevitable that intensification of development to provide an additional dwelling on the site would result in detriment to some of the trees on the site. The applicant has confirmed that only the trees which are located on the application site are to be removed. Given the submitted arboricultural report the Council could accept the loss of some of the trees on the site on the basis that they are either poor specimens or in declining health.

The Inspector agreed with this approach stating “*that the scope for additional planting would adequately mitigate the losses. I therefore find that the proposal would not harm the character and appearance of the surrounding area or conflict with Local Plan Policies QD2 or QD12*” It is therefore considered that a reason for refusal which relates to the current scheme given its similarities with the previous scheme would not be supported at appeal.

Drainage

The Inspector considered the previous appeal decisions on the site whereby flooding and drainage was not of issue and he considered that there had been no material change in circumstance since these decisions. It is therefore considered that the application adheres with policy SU4 of the Local Plan and refusal on these grounds could not be sustained.

Sustainability

The application must be assessed with regard to policy SU2. Supplementary Planning Document on Sustainable Building Design (SPD08) assists with the assessment of schemes. The recommended standards for Greenfield development are higher than the standards for previously developed land. The standard sought is Level 5 of the Code for Sustainable Homes.

The reason why a higher level is sought for Greenfield development is that

some of the potential negative effects of Greenfield site development involve a loss of amenity space and may involve the destruction of natural habitats. For these reasons the adopted SPD states that should the loss of Greenfield sites take place, then the highest level of resource efficiency must be sought to minimise the impact of development.

The application is accompanied by a sustainability statement and a checklist which suggests that the development could achieve level 3 of the Code for Sustainable Homes.

As the site is a Greenfield site it is expected that the development should aim to meet as high a level of sustainability as possible. In line with SPD08 it is considered that Code Level 5 should be the target level.

The applicant has provided further information relating to the scheme which suggests that, due to the existing site constraints including the TPO trees on the site and design restrictions, alterations may result in additional concerns given the previous Inspector's comments. In light of this information it is considered that in this case the minimum of Code Level 4 should be conditioned.

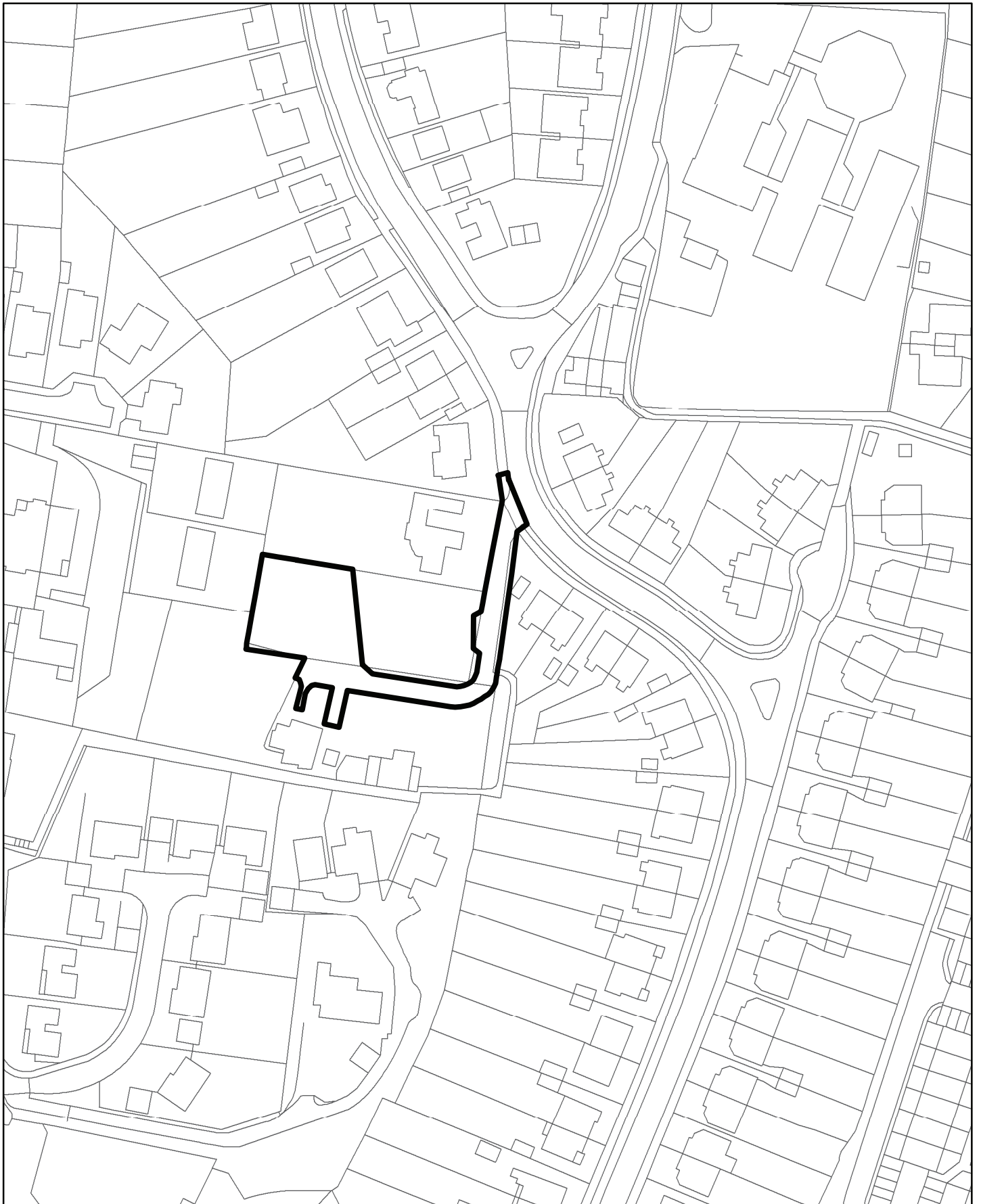
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposal is an effective and efficient re- use of residential land which will result in an additional dwelling, whilst maintaining the character and appearance of the area. Furthermore the development would not adversely affect the amenities of neighbouring properties, or the surrounding highways network. The loss of protected trees on the site would be mitigated by additional planting.

9 EQUALITIES IMPLICATIONS

The proposed dwellings would need to comply with Lifetime Home Standards and Part M of the Building Regulations.

BH2010/03233 Mill House, Overhill Drive





**Brighton & Hove
City Council**

PLANS LIST – 14 JANUARY 2011

COUNCILLOR REPRESENTATION

Mrs Jeanette Walsh
Head of Development Control
City Planning
Environment Directorate
Room 302
Hove Town Hall

Date: 10 November 2010

Our Ref: BP/AN

Your Ref:

Dear Mrs Walsh

Application No: BH201C03233

Property: Mill House, Overhill Drive, Patcham, Brighton, BN1 8WG

We have again been contacted by local residents who are very concerned about the latest of a number of planning applications, all previously refused, in the garden of Mill House, Overhill Drive.

This planning application deals with 17 Audrey Close and the unacceptable impact on the amenities of Audrey Close, whose garden is situated at a lower level to the proposed dwelling. This means that a high hedge to be planted on the common boundary will be about 3 metres in height when it is viewed from 17 Audrey Close.

We believe that the Inspector who supported the scheme was fundamentally flawed in that he thought the proposed house was to the north of 17 Audrey Close. This is wrong the house is to the east and therefore will have a great impact on the amount of morning light that is received, especially given the height of the boundary treatments relative to the ground level of Audrey Close.

The site designation has changed to that of a Greenfield land; this means that other issues (for example impact on neighbours) can be given greater weight than was previously the case.

It should be noted that the application is now for a single dwelling only, there is no reason why the proposed house should be located so close to 17 Audrey Close.

The proposed access raises significant highway concerns. Such concerns were supported by the Council's Planning Committee in refusing the previous application.

cont'd/...



**Brighton & Hove
City Council**

PLANS LIST – 14 JANUARY 2011

COUNCILLOR REPRESENTATION

As the application is for a single house only, we see no reason why there should be a shared surface driveway. It is surely better to retain the access for a vehicular route with the pedestrian walkway kept entirely separate.

The shared surface raises significant concerns. For example, a car leaving the site but then having to reverse back to the lay-by (located on the access road) in order to allow another vehicle to enter the site will have to reverse back a distance of 25 metres. This is a very long distance for a car to reverse on a surface that is to be shared with pedestrians, especially as many of them will be school children.

We trust, therefore, that the Planning Committee will take into account the potential overlooking of 17 Audrey Close, the fact that the Inspector's decision was fundamentally flawed and the access will be very dangerous if it becomes a shared space.

We ask that the Planning Committee refuse planning consent.

We also confirm that one of us would wish to speak against the application when it is considered by the Planning Committee. We ask that the Planning Committee have a site visit.

We would also ask that you confirm that you have received this letter.

Yours sincerely

Councillor Brian Pidgeon

Councillor Geoffrey Theobald, OBE

<u>No:</u>	BH2010/03295	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Pavilion House, 14-15 Dorset Street, Brighton		
<u>Proposal:</u>	Replacement of existing windows with timber units to front elevation. Installation of rooflights to rear elevation.		
<u>Officer:</u>	Sonia Kanwar, tel: 292359	<u>Valid Date:</u>	17/11/2010
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	12 January 2011
<u>Agent:</u>	ADC Ltd, 72a Beaconsfield Road, Brighton		
<u>Applicant:</u>	Crianza Design, Mr Grant Easterbrook, PO Box 230, Redhill, Surrey		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 8 of this report and resolves to **GRANT** planning permission subject to the following Conditions and Informatives.

Regulatory Conditions:

1. BH01.01 Full Planning.
2. BH12.03 Sash windows – Cons Area.
3. BH12.05A Rooflights – Cons Area.
4. The development hereby permitted shall be carried out in accordance with the approved drawings nos. ADC384/01 and 02 received 20th October 2010, ADC384/03revA received on the 5th November 2010, ADC384/07A received on the 17th November 2010, ADC384/05ArevC and ADC384/06revB received on the 20th December 2010, and the site location plan and block plan received on the 20th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:

1. This decision to grant Planning Permission has been taken:
 - (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance:

Brighton & Hove Local Plan:

QD14 Extensions and alterations
 QD27 Protection of Amenity
 HE6 Development within or affecting the setting of conservation areas;
 and
 - (ii) for the following reasons:-
 The proposed development would cause no significant harm to the amenity of surrounding properties and would preserve the character and appearance of the building and the wider conservation area.

2 THE SITE

The application relates to a part two and part three storey office block with basement located on the eastern side of Dorset Street. There are residential properties located to the rear in George Street and a supermarket car park to the south.

3 RELEVANT HISTORY

None.

4 THE APPLICATION

Planning permission is sought for the replacement of the existing windows with timber units to the front elevation, and the installation of rooflights to the rear elevation. Condenser units proposed to a rear flat roof and on the southern elevation of the property have been deleted from the application.

5 CONSULTATIONS

External

Neighbours: Letters/ emails from nos. **24 (x2), 28 (x2), 29, 30 (x3) George Street** who object to the proposals on the grounds of:

- Appearance
- Detrimental impact upon conservation area
- Overlooking
- Loss of privacy
- Light pollution
- Noise and disturbance
- Emission of fumes and waste

Internal

Environmental Health: Recommend approval of the condenser units subject to conditions. **The units have been subsequently deleted from the application.**

Design and Conservation: Verbal comments received advising that the alterations are appropriate to the building.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

QD14 Extensions and alterations

QD27 Protection of Amenity

HE6 Development within or affecting the setting of conservation areas

7 CONSIDERATIONS

The main issues for consideration are the effect upon the amenities of neighbouring properties and the visual impact of the proposal upon the character and appearance of the property, the street scene and the wider East Cliff Conservation Area.

Planning permission is sought for the replacement of the existing windows with timber units to the front elevation, and the installation of rooflights to the rear elevation.

The proposed timber sliding sash windows, timber front door and timber garage door will be a welcome improvement on the existing casement windows and metal/ uPVC doors and the alterations are considered to enhance the character and appearance of this part of the East Cliff Conservation Area. The replacement windows will provide the same views as the existing fenestration and there are no issues in terms of loss of amenity or loss of privacy.

The proposed rooflights are positioned to the rear of the building and will be seen from the neighbouring properties in George Street, however they will not be visible from any public place. It is recommended that they are of conservation style to preserve the character and appearance of the property. It is noted that there have been several objections from nearby residents concerning loss of privacy from the proposed rooflights. It is considered that as the rooflights will be at approximately 4 metres above the floor level, there will not be any significant overlooking or loss of privacy. The concerns from neighbours regarding noise disturbance and light pollution from the rooflights are noted, however it is considered that any impact would not be at a level that would cause significant harm.

The objectors did express concerns about noise and disturbance from the air conditioning units, however the units have now been deleted from the application.

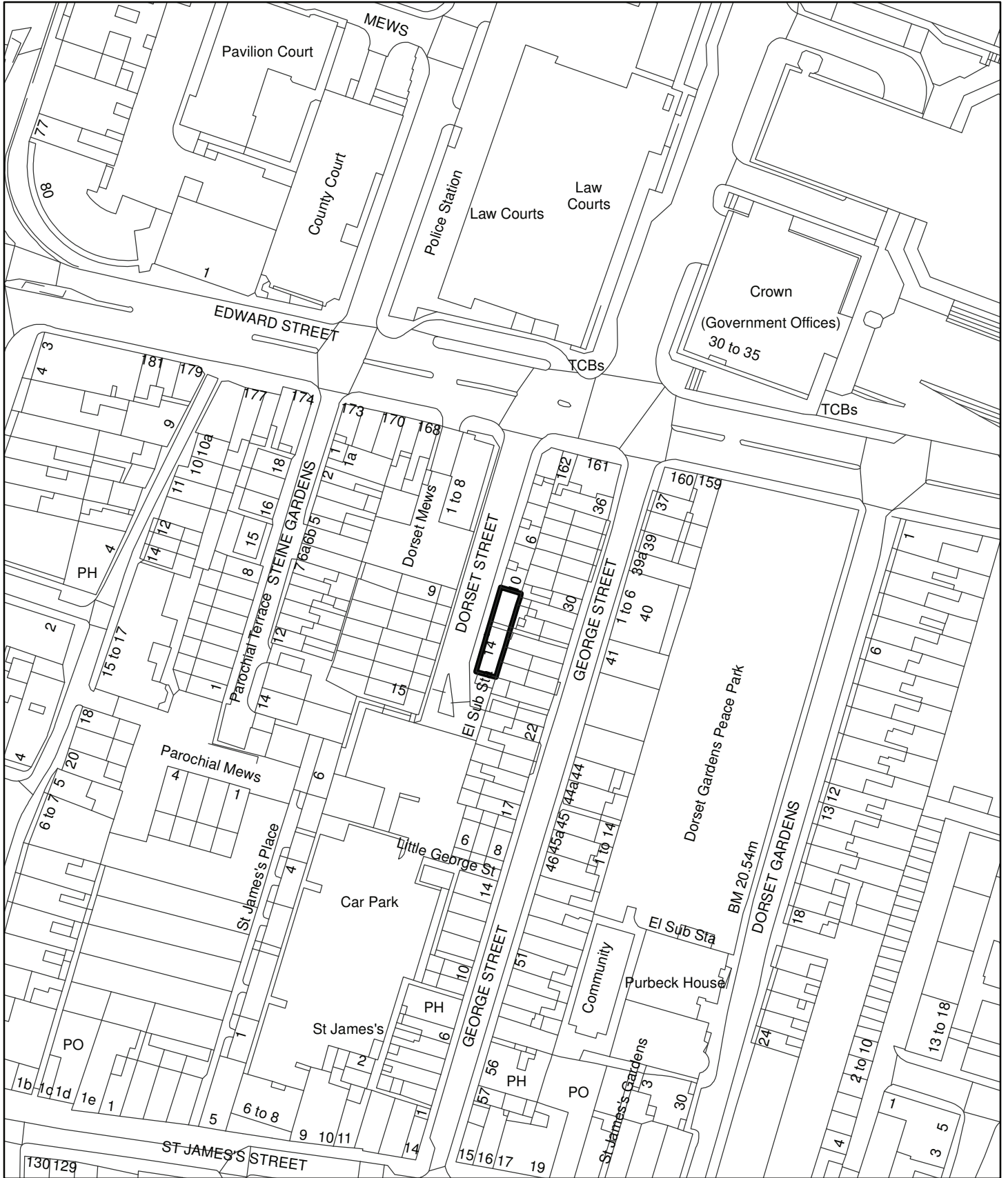
8 REASONS FOR RECOMMENDATION TO GRANT PERMISSION

The proposed development would cause no significant harm to the amenity of surrounding properties and would preserve the character and appearance of the building and the wider conservation area.

9 EQUALITIES IMPLICATIONS

None identified.

BH2010/03295 Pavilion House, 14/15, Dorset Street



**Brighton & Hove
City Council**

N



Scale: 1:1,250

<u>No:</u>	BH2010/02926	<u>Ward:</u>	Rottingdean Coastal
<u>App Type:</u>	Full Planning		
<u>Address:</u>	25 Oaklands Avenue, Brighton		
<u>Proposal:</u>	Demolition of existing garage and erection of 1no 2 bedroom bungalow (Part Retrospective).		
<u>Officer:</u>	Aidan Thatcher, tel: 292265	<u>Valid Date:</u>	27/09/2010
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	22 November 2010
<u>Agent:</u>	Bloomfields Ltd, 66 College Road, Maidstone, Kent		
<u>Applicant:</u>	Mrs Jan Trafford, C/O Bloomfields Ltd		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in this report and resolves to **REFUSE** planning permission for the following reasons:

1. The proposed development, by virtue of the subdivision of the plot would result in a cramped form of development to the original property (no. 25 Oaklands Avenue) over and above that previously allowed on appeal (BH2009/00651) and an awkward, contrived plot shape which would be out of character with the surrounding area and as such would be contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.
2. The proposed development results in inadequate levels of private, usable amenity space for the original property (no. 25 Oaklands Avenue), and that which is private would be of inadequate quality for the occupiers of the host dwelling and as such would be contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.
3. The proposed development results in an unacceptable degree of overlooking and loss of light and have an overbearing impact to no. 25 Oaklands Avenue and as such would be contrary to policy QD27 of the Brighton & Hove Local Plan.
4. A lack of information has been submitted in relation to sustainability, particularly the application fails to demonstrate that the required level of the Code for Sustainable Homes could be achieved and as such would be contrary to policy SU2 of the Brighton and Hove Local Plan and Supplementary Planning Document 08: Sustainable Building Design.

Informative:

1. This decision is based on drawing nos. 2010/25OA/001, 002, 003A, 004, 005, 006 and 007 received on 27.09.10.

2 THE SITE

The site previously formed part of the rear garden to 25 Oaklands Avenue. 25 Oaklands Avenue is a 1930's (approximately) single storey dwelling which occupies a corner plot on the junction with Linchmere Avenue. The property

previously included a rear garage with associated vehicular access from Linchmere Avenue.

The plot has now been subdivided and the scheme proposed in application BH2009/01574 (although refused) has been commenced.

The wider area is predominantly residential in character and includes a mixture of single and two storey properties.

3 RELEVANT HISTORY

BH2010/01574: Demolition of existing garage and erection of 1no 2 bedroom bungalow (part retrospective) – refused 18/08/2010.

BH2009/00651: Outline Application for construction of new two bedroom bungalow with pitched roof – refused 27/05/2009. Appeal allowed 17/12/2009.

BN74/818: Outline application to demolish garage and erect a detached bungalow – refused 16.07.74.

50/531: Conversion of veranda to sun room – approved 20.06.50.

6451/43/115: Erection of porch – approved 20.04.48.

5341.X1920: Erection of detached bungalow and garage – approved 19.11.46.

4 THE APPLICATION

This application relates to the erection of a single storey bungalow – part retrospective.

The application involves the subdivision of the existing plot to form two individual plots, one being approximately 19.5m wide x 17.5m deep (extending to 20m deep) for the original dwelling and a new plot size of 21.5m deep x 14m (narrowing to 11.5m) wide.

The proposed dwelling on the new plot (as built) would be 11.9m wide x 8.5m and 9.2m deep (being staggered) and 2.3m to eaves level and 5.0m to its ridge height, with a fully hipped roofline. The property would be set a minimum 2.8m from the front boundary (6m max) 1m off the side boundaries and 7.4m min and 9.5m max to the rear boundary.

The allowed appeal (BH2009/00651) included a plot size for no. 25 Oaklands Avenue of approximately 19m wide x 20m deep and a new plot size of 21.5m deep x 11.5m wide.

The dwelling allowed on appeal measured 9.8m wide x 7.7m and 8.6m deep (being staggered) and 2.7m to eaves level and 4.6m to its ridge height, with a fully hipped roofline. That property would have been set a minimum 4m from the front boundary (6m max), 1m off the side boundaries and 7.5m min and 9.5m max to the rear boundary.

5 CONSULTATIONS

External

Neighbours: Two letters of objection have been received from the occupiers

of **23 and 25 Oaklands Avenue** on the following grounds:

- Loss of privacy;
- Overlooking;
- The developers have a lack of respect for the planning system;
- The developers are purely financially motivated;
- The developers repeatedly flout planning rules;
- The developers have mislead local residents in obtaining their support by not advising them of the full facts, stating that if permission is not received it will remain unfinished and will be an eyesore.

One (1) letter of comment has been received from the occupiers of **22 Bevendean Avenue** on the following grounds:

- My rear wall has been knocked down as part of this development and I am concerned about the outcome of this application and who will be responsible to complete the work.

Seven (7) letters of support have been received from the occupiers of nos. **18, 20, 22, 27 and 29 Linchmere Avenue** and **10 and 22 Bevendean Avenue** on the following grounds:

- Support for the development;
- In keeping with the surrounding properties;
- Will make the street look complete;
- Will compliment other properties in Linchmere Avenue.

Internal

Sustainable Transport: The Local Highway Authority has no objections.

Arboriculturist: The property was already in the process of being built at the time of the inspecting officer's visit.

On the north west corner of the site a large privet shrub appeared to have had its roots severed. The applicant may like to prune this shrub to prevent it falling in an uncontrolled manner. This shrub has little arboricultural value and the Arboricultural Section would not object to this.

Overall, the Arboricultural Section has no objection to the proposal outlined in this application.

For information purposes, Japanese Knotweed is starting to appear down the south side of the outside of the garage. This is a particularly pernicious weed that should be dealt with as soon as possibly in the interests of the future owners of the property.

6 PLANNING POLICIES

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
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 - full and effective use of sites
QD5	Design - street frontages
QD16	Trees and hedgerows
QD27	Protection of amenity
QD28	Planning obligations
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 Notes

SPGBH 4: Parking Standards

Supplementary Planning Documents

SPD03 Construction and Demolition waste

SPD08 Sustainable Building Design

Planning Advice Notes

PAN03 Accessible Housing and Lifetime Homes

PAN05 Design and Guidance for Storage and Collection of Recyclable Materials and Waste

7 **CONSIDERATIONS**

The main considerations in the determination of this application are the impact of the development on amenity, highway and sustainability issues, the planning history and the principle of the development,

Planning History

Outline planning permission was granted at appeal (BH2009/00651) on 17.12.09 subject to a number of pre-commencement conditions, including the requirement to submit a reserved matters application.

The outline application had been refused on the following grounds:

1. The proposed development would result in a cramped form of development which would be out of character with the surrounding area and as such would be contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.
2. The proposed development would result in inadequate levels of private amenity space for the occupiers of the host and proposed dwellings and as such would be contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

3. The proposed development would result in an unacceptable degree of overlooking to neighbouring properties and as such would be contrary to policy QD27 of the Brighton & Hove Local Plan.
4. The proposal fails to meet the travel demands that it creates or help to maximise the use of sustainable transport. The Local Planning Authority would expect the scheme to make an appropriate contribution towards local sustainable transport infrastructure. In the absence of an agreement in this respect, the scheme is contrary to policies TR1, TR19, HO7 of the Brighton & Hove Local Plan and Supplementary Planning Guidance on Parking Standards (SPGBH4).

The Inspector dealing considered all of the above issues and came to the following conclusions on each issue:

1. Linchmere Avenue has a variety of plot sizes which is viewed as separate from the more regularly and spacious appearance of Oaklands Avenue. In this context, in principle, a small bungalow would, sited as proposed, not appear cramped within the street scene or at odds with the character and appearance of the area.
2. The amenity space for the proposed property is adequate having regard to its size. In relation to no. 25 itself there would be a relatively narrow area of private space to the rear of the bungalow and a modest area to the side and front. Although these areas are currently rather open and exposed to public view, the principle is little different to the nearby properties 22 and 27 Linchmere Avenue. In practice people tend to use planting to increase privacy and security.
3. In terms of overlooking it is considered that the boundary treatment would adequately control this issue.
4. In relation to the sustainable transport infrastructure contribution, a draft legal agreement has not been submitted and there is no clear evidence of a conflict with policy TR1 and thus a reason for refusal on this basis could not be sustained.

Development commenced on site without a reserved matters application in breach of planning.

BH2010/01574 was then submitted in an attempt to regularise the situation.

This application was refused on 18/08/2010 for the following reasons:

1. The proposed development, by virtue of the subdivision of the plot would result in a cramped form of development which would be out of character with the surrounding area and as such would be contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.
2. The proposed development would result in inadequate levels of private amenity space for the occupiers of the host and proposed dwellings and as such would be contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.
3. The proposed development would result in an unacceptable degree of overlooking and loss of light to neighbouring properties and create an

overbearing impact to the host property and as such would be contrary to policy QD27 of the Brighton & Hove Local Plan.

The owner of the site has been advised that all works on this site were carried out at their own risk.

Principle of Development

The application site is situated within the built up area boundary as defined on the Local Plan proposals map.

PPS3 on Housing states that urban land can often be significantly underused and advocates the better use of previously-developed land for housing. PPS3 has recently been amended and now identifies residential gardens as Greenfield land. Whilst this does not preclude development of such sites, careful consideration will need to be given to the impact on the character of the surrounding area as well as other development control considerations.

It is considered that the proposed bungalow would not comply with other development control considerations, for the reasons set out below.

Impact on street scene and wider area

Visual amenity

Policy QD2 confirms that new development should be designed to emphasise and enhance the positive qualities of the local neighbourhood by taking into account, amongst other things, the local characteristics including height, scale, bulk and design of existing buildings.

The plot which has been sub-divided sits on the corner of Oaklands Avenue and Linchmere Avenue. The original property fronts onto Oaklands Avenue. The side boundary runs along Linchmere Avenue and previously included an opening towards the rear boundary providing vehicular access to a rear garage (which has now been demolished).

The application property (now partially constructed) is to the rear of the existing dwelling, fronting onto Linchmere Avenue, utilising the existing vehicular access to provide off-street parking. Therefore, the proposed property would be read from a different street scene to that of the front of the original dwelling.

Linchmere Avenue is varied in character, with some plots fronting onto the road and others not, instead having side boundaries along this street frontage. The wider area includes both single and two storey dwellings.

It is noted that both the original property, and no. 27 Linchmere Avenue to the north (adjoining to the side) are both single storey. Therefore, the placing of an additional bungalow within this location is not considered to be unduly harmful to the character and appearance of the street scene. This view was taken by the Inspector on the allowed appeal.

However, it is considered that due to the increased size of the application proposal from the allowed appeal property (2.1m increased width) would close the gap between properties which is particularly important to retain the spacious character and appearance of the street scene and wider area. However, this was not included as a reason for refusal in the previous scheme (BH2010/01574) and thus it would be unreasonable to introduce this now, despite the concern.

The subdivision of the plot would result in a reduced plot size of no. 25, and a relatively small plot size for the proposed property. It is noted that plot sizes within the vicinity of the site are somewhat varied, however the proposed plot size (for the original dwelling) would be out of character with the immediate surroundings, most notably the plots fronting onto Oaklands Avenue. This is due to its significantly reduced size, particularly to the rear of the building itself.

It is noted that the plot sizes differ on this application, compared to the previous (BH2010/01574), in that the size of the new plot is reduced by approximately 2.5m and the depth of part of the plot for the original dwelling is increased by 2.5m. However, when viewed from the Linchmere Avenue street scene, this would not be visible, due to the positioning of the application building, and the fact that the change in boundary line is to the rear of the site, where it kinks backwards to provide more space to the host property.

The plot size was also considered by the Inspector in the allowed appeal. The Inspector found that the principle of “a small bungalow, sited as proposed ... would not appear at odds with the character and appearance of the area”.

It is clear from these very precise comments that only the scheme proposed at that time was acceptable. It is a matter of fact that the as built scheme which this application seeks to regularise, is a significantly larger bungalow (2.1m in width), and the siting has clearly altered, thus the proposed is significantly different from that previously allowed by the Inspector.

The inspector also makes reference to two plots which are already uncharacteristic of the area, namely nos. 22 and 27 Linchmere Avenue. Whilst it is accepted that these plot sizes are smaller than the general character of the area, their shape is characteristic being longer than they are wider, and rectangular in shape.

The proposed and resultant plot sizes are closer to being square in shape and have an awkward arrangement, with the dog-leg kink in the party boundary which appears evidently contrived seeking – unsuccessfully - to resolve the impact of the harmful building.

Therefore, it is considered that the proposed situation is significantly different to that previously considered by the Inspector, in that the new plot sizes are an awkward shape, appear contrived and are uncharacteristic of the wider

area, for the reasons mentioned above.

The application would also result in the loss of a high level of trees/bushes from the site. However, having regard to the comments from the Arboriculturist, it is not considered that an objection could be sustained on this basis.

Amenity issues continued

Policy QD27 relates to amenity issues and confirms that permission will not be granted for proposals which cause material nuisance and loss of amenity to adjacent, existing or proposed occupiers.

The drawings show a single storey two bedroom bungalow although this could be occupied as a 3 bedroom dwelling due to the large dining room and spacious living area. The plans show that the eaves height would be 2.3m with a ridge height of 5.0m, being fully hipped. Due to the close proximity of the proposed property to no. 25 (just 2.6m compared to 4.7m in the allowed appeal scheme) it is considered that the development would create a loss of light, overshadowing and overbearing impact on the occupiers of the host dwelling and thus would be unacceptable.

In terms of loss of light, it is noted that the unauthorised building is situated to the northeast of the original property, whose rear bedroom window includes a square bay formation. It is considered that there would be a loss of sunlight to the rear bedroom of no. 25 due to the presence of the building just 2.6m, and the fence just 1.3m from this window (compared to 4.7m and 3.0m respectively on the allowed appeal scheme). In addition, the enclosed resultant space around this window from the fence itself would restrict the level of daylight received within the room.

Therefore both the sunlight and daylight would be restricted resulting in a loss of light to a habitable room to an unacceptable degree.

The extremely limited separation distance between the existing and unauthorised house creates a significant overbearing impact on the existing, particularly in terms of outlook from the kitchen and rear bedroom of no. 25. The lay of the land increasing in height to the northeast compounds this issue as it is set significantly higher than the existing, and therefore the bulk and massing is increased compared to if it were a level site. The fully hipped roofline assists in minimising the impact as far as possible, but the situation as built is still harmful.

The close proximity of the proposed dwelling to its neighbours, most notably the host property itself, would result in overlooking from the proposed dwelling and associated amenity space, which could be of detriment to the amenities of the occupiers. Indeed the previous scheme (BH2010/01574) included a reason for refusal in this regard. However, the current application has been amended seeking to address this issue, by reducing the garden levels in the

application property by 0.5m to ensure that no overlooking would be possible. It is considered that this does address the overlooking issue from the rear garden area.

However, the plans show a boundary fence height of 1.8m between the two properties, which is below the height of the application property's kitchen window, which would result in direct overlooking into the rear bedroom of no. 25 itself, which includes a projecting bay window.

In addition, as a result of the lowering of the rear garden, there is a decked platform and stepped access down to the garden from the kitchen of the unauthorised property. This is within 4.8m of the rear bedroom window of no. 25 and its limited rear garden, and is situated at a height of 0.7m above ground level. When standing on this platform, again, direct views would be possible into the rear bedroom and garden of no. 25, to an unacceptable degree causing a significant loss of privacy.

During a site visit undertaken as part of this application, the applicants confirmed that the height of this fence could be increased to address the issue of overlooking and loss of privacy, however amended plans to this effect were not submitted, and in any event, such amendments would have compounded the loss of light and overbearing impact issues, as mentioned above.

The Inspector considered the issue of overlooking in the previous appeal and confirmed that "the maintenance of privacy from overlooking between closely adjacent bungalows is routinely achieved by the use of fencing, as is proposed in this instance, and the existing boundaries with properties to the north west are adequate for that purpose".

However, the Inspector failed to consider the issue of the change in levels and increased height. This compounds the impact when considering the unauthorised building in the current scheme due to the closer proximity to the boundary (and the existing dwelling) and the presence of a raised platform.

It is considered that the issue was not sufficiently addressed by the Inspector in the allowed appeal and that the proposed resolution – of using fencing – would not resolve the issue due to the difference in height between the plots and the closer proximity to No.25.

Therefore, boundary fencing is not adequate to address this significant issue of loss of privacy and overlooking in this instance.

It is noted that the changes to the plot sizes (as mentioned above) result in an increase of private amenity space to the original property of approximately 18sqm. However due to the long and narrow shape of this, combined with the oppressive nature of the space (as a result of the extremely close proximity of the application dwelling and its boundary treatment) it is not considered

acceptable to provide sufficient good quality amenity space for the existing occupiers of this property. Therefore there is direct conflict with policy HO5, in that the resultant amenity space would not be private or usable.

The subsequent loss of amenity space to the original property, resulting from the subdivision of the plot, would be unacceptable as the majority of the resultant amenity space is at the side facing onto Linchmere Avenue, and thus would not be private space.

Again, the Inspector considered this issue in the previous appeal, despite the amenity space for the host property being significantly larger (27sqm) in that proposal, and a large proportion of this being to the rear of the property.

He confirmed in that appeal decision that “there would be a relatively narrow area of private space remaining at the rear of the existing bungalow and a modest rear of garden to the front and side...Although the front and side gardens are currently rather open and exposed to public view, this configuration is little different in principle than at the nearby properties 22 and 27 Linchmere Avenue. In practice, people tend to adapt such gardens with planting according to individual preference.... to increase privacy and security”.

As stated, this situation is significantly worse than that previously considered by the Inspector, due to the large reduction of garden space, particularly to the rear of the property which combined with the closeness of the unauthorised property and the overlooking, loss of privacy and overbearing impact that this creates (which is significantly worse than the situation in the allowed appeal) means that the amenity space is of lower quality, and size than previously considered by the Inspector.

The Inspector’s comments in relation to increasing planting to increase privacy to the side garden are noted, however this is outside of planning control. Any fixed boundary treatment (other than vegetation) higher than 1.0m would require planning consent and would be unlikely to be given due to the significant resultant harm to the open character and appearance of the wider area.

The examples at 22 and 27 Linchmere Avenue are noted, however these are considered to be substantially different, as these plots have been divided lengthways, and thus higher boundaries towards the rear of the plots would be characteristic with the wider area, to secure and create private areas to the rear of the original building lines.

The amenity space for the unauthorised property is increased compared to the allowed appeal, and as such whilst extremely limited, particularly given the increased size of the dwelling (and the likelihood that the dining room would be a bedroom), it is not considered that a reason for refusal on this matter could be sustained.

Transport Issues

Policy TR1 confirms that development proposals should provide for the demand for travel they create and maximise the use of public transport, walking and cycling.

Policy TR2 relates to public transport accessibility and parking and confirms that permission will only be granted where the development proposal has been assessed to determine the level of accessibility to public transport.

Policy TR14 confirms that all proposals for new development and change of use should provide facilities for cyclists in accordance with the parking guidance.

The site is not situated within a controlled parking zone (CPZ) and the proposal provides one off street parking space to the front of the proposed property.

The comments from Sustainable Transport are noted, in that there is no objection to the scheme.

It is considered that there is sufficient space on site for cycle parking and details could be secured by condition were the application acceptable.

Sustainability Issues

Policy SU2 of the Brighton & Hove Local Plan requires new development to demonstrate efficiency in the use of energy, water and materials.

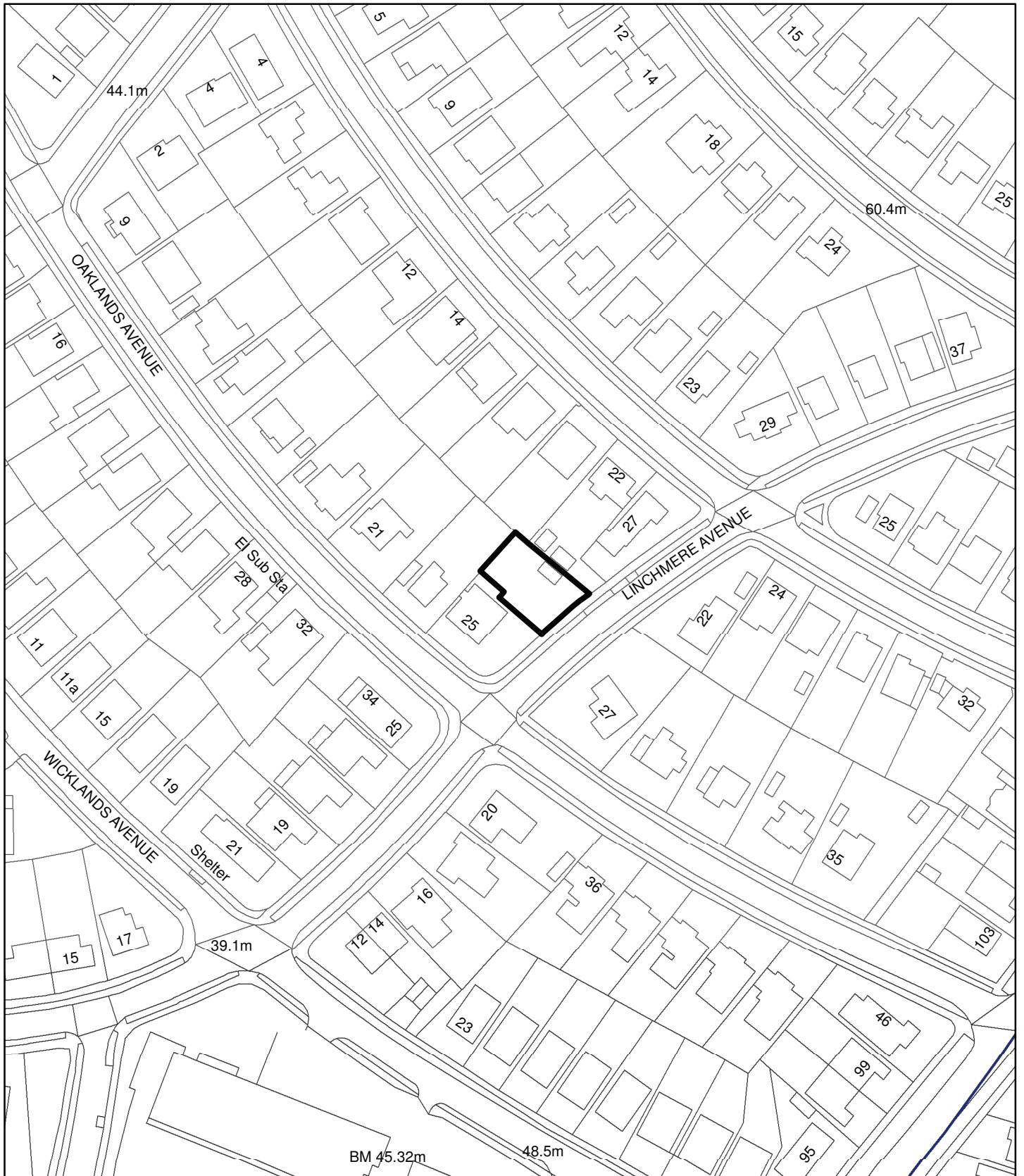
The applicants have submitted the new Brighton & Hove Sustainability Checklist, in accordance with SPD08. No information has been provided detailing how the development would seek to achieve the Code for Sustainable Homes Level 5 and minimise its reliance on energy, water and materials, and as such fails to demonstrate compliance with SU2.

It is considered that in demonstrating compliance with policy SU2, the design of this part retrospective scheme would need to be materially altered. On that basis refusal is recommended.

8 EQUALITIES IMPLICATIONS

The dwelling would be required to meet lifetime homes standards if it were acceptable in other areas.

BH2010/02926 Oaklands Avenue, Saltdean



**Brighton & Hove
City Council**

Scale: 1:1,250

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BRIGHTON & HOVE CITY COUNCIL
LIST OF APPLICATIONS DETERMINED BY THE HEAD OF PLANNING &
PUBLIC PROTECTION UNDER DELEGATED POWERS OR IN
IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION

PATCHAM

BH2010/02371

2A Surrenden Close Brighton

Erection of first floor front extension incorporating roof alterations, additional dormer and increased roof ridge height.

Applicant: Mr Ben Woodhart

Officer: Louise Kent 292198

Approved on 07/12/10 PLANNING COMMITTEE

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 02-04 & 06-08 received on 29 July 2010 and drawing nos. 01& 05A received on 12 August 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02378

7 Carden Close Brighton

Erection of a single storey extension to side and detached out building at rear of garden (Retrospective).

Applicant: Mrs Naomi Odiwe-Siddle

Officer: Kate Brocklebank 292175

Approved on 06/12/10 DELEGATED

1) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, rooflight or door other than those expressly authorised by this permission shall be constructed in the north west elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

2) UNI

The use of the office accommodation hereby approved shall remain ancillary to the use of number 7 Carden Close as a residential dwelling.

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

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 167/01, 167 03, 167 02 received on 2nd August 2010, 167 02 revision A, 167 04 revision A received on 15th September 2010, 167/06 received 7th October 2010, 167 05 revision A received on 11th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

4) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the approved south east rear boundary treatment and planting scheme shall be carried out in the first planting and seeding season; 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.

5) UNI

Unless otherwise agreed in writing by the Local Planning Authority, within 3 months of the date of this permission, a scheme for landscaping shall be submitted to and approved in writing by the Local Planning Authority, which shall include details of the south east rear boundary with number 8 Carden Close and any planting to said boundary including species and planting location.

Reason: To safeguard the amenities of the occupiers of nearby properties and in the interest of visual amenities and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

BH2010/03014

189 Carden Avenue Brighton

Application for Approval of Details Reserved by Conditions 6, 8, 16, 17 and 20 of application BH2010/01757.

Applicant: Mr Stewart Deering

Officer: Aidan Thatcher 292265

Split Decision on 10/12/10 DELEGATED

1) UNI

GRANT approval of the details reserved by conditions 6a, 8, 17 & 20 subject to full compliance with the submitted details.

1) UNI

REFUSE approval of the discharge of conditions 6b for the following reasons: Condition 6b cannot be discharged as no design stage certificate has been submitted.

BH2010/03139

66 Woodbourne Avenue Brighton

Change of Use of ground floor from (A1) Retail Unit to 1no. Two bedroom self contained flat.

Applicant: Modern Antique Diamond Jewellery

Officer: Aidan Thatcher 292265

Refused on 29/11/10 DELEGATED

1) UNI

There is insufficient evidence to demonstrate that the application site is no longer economically viable as a unit within use classes A1-A5 and as such would be contrary to policy SR7 of the Brighton & Hove Local Plan.

2) UNI2

The proposed residential use of the ground floor would not attract pedestrian activity or contribute to the activity of the local parade. The proposal would therefore adversely affect the vitality and viability of the shopping parade contrary to policy SR7 of the Brighton & Hove Local Plan, which specifically precludes residential use.

BH2010/03158

189 Carden Avenue Brighton

Application for Approval of Details Reserved by Condition 15 of application BH2010/01757.

Applicant: Reef Estates Limited

Officer: Aidan Thatcher 292265

Approved on 26/11/10 DELEGATED

BH2010/03188

17 Cuckmere Way Brighton

Certificate of Lawfulness for a proposed loft conversion with rear dormer and rooflights to front and side, single storey side extension, front porch and front bay extension.

Applicant: Mr Tony Fenton

Officer: Helen Hobbs 293335

Refused on 07/12/10 DELEGATED

BH2010/03211

10 Plainfields Avenue Brighton

Erection of a single storey pitched roof rear extension.

Applicant: Mr Douglas Thompson

Officer: Sonia Kanwar 292359

Approved on 06/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. DRT01, 02 and 03 received on 11th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03248

8 & 10 The Deneway Brighton

Erection of a lightweight construction link between No.10 & New Priory Veterinary Practice. Erection of a single storey extension to South elevation of the New Priory Veterinary Practice and erection of a single storey extension to the North elevation of No.10.

Applicant: .New Priory Veterinary Practice

Officer: Liz Arnold 291709

Approved on 15/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) BH05.10

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.

4) BH07.02

No development shall commence until a scheme for the soundproofing of the building has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

5) UNI

Any clearance of shrubs and trees on the site shall not take place during the bird nesting season (1st March - 31st July).

Reason: In the interest of nature conservation and to comply with policy QD17 of the Brighton & Hove Local Plan.

6) UNI

The development shall not be occupied until the parking areas have been provided in accordance with the approved plans or other details submitted to and approved in writing by the Local Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with policy TR7 of the Brighton & Hove Local Plan.

7) UNI

Notwithstanding details submitted details of secure and sheltered cycle parking facilities for the staff 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.

8) UNI

No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme for the planting of replacement trees in compensation for the trees to be felled as a result of the development hereby approved. The replacement tree planting shall be carried out in strict accordance with the approved scheme in the first planting and seeding seasons following the completion of the development, whichever is the sooner; and any trees 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.

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.

9) UNI

All planting, seeding or turfing as shown on drawing no. 8411a/35A received on the 6th December 2010, shall be carried out in the first planting and seeding seasons following 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.

10) UNI

During the implementation of the permission hereby approved, the Sycamore Tree, identified as T10 on drawing nos. NP/01/01 and NP/01/02, received on the 27th October 2010, shall be protected to BS 5837 (1991).

Reason: To ensure that the development and associated works do not jeopardise the structural stability of the tree and to comply with policy QD16 of the Brighton & Hove Local Plan.

11) UNI

Access to the flat roof over the extensions 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.

12) UNI

Prior to occupation of the development hereby approved a 'Site Travel Plan' (a document setting out a package of measures tailored to the needs of the site and aimed at promoting sustainable travel choices and reduce reliance on the car including residents, visitors, staff, deliveries, servicing, parking management and other uses of the site) for the development shall be submitted to the Local Planning Authority. The site travel plan shall be approved in writing prior to the first occupation of the development and shall be implemented as approved thereafter and shall be subject to annual review in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To seek to reduce traffic generation by encouraging alternative means of transport to private motor vehicles in accordance with policy TR4 in the Brighton & Hove Local Plan.

13) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.8411a/30, 8411a/32, 5208-1, 07-067/S/1, 07-067/EL/2 received on the 14th October 2010, drawing nos. NP/01/02 and NP/01/01 and a Tree Survey, Protection Statement and Tree Constraints Plan received on the 27th October 2010, a Design and Access Statement and an e-mail from Andrew Goodwin received on the 19th November 2010, drawing nos. 8411a/31A, 8411a/33A, 8411a/34A and 8411a/35A received on the 6th December 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

14) UNI

Unless otherwise agreed in writing with the Local Planning Authority the measures set out in the Site Waste Management Plan section with the Design and Access Statement received on the 19th November 2010, shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced, to comply with policy WLP11 of the East Sussex and Brighton & Hove Waste Local Plan, policy SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

BH2010/03265

199 Surrenden Road Brighton

Erection of two storey rear extension.

Applicant: Mr Rob Struthers

Officer: Sue Dubberley 293817

Approved on 01/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.10322P01, P03, P04, E01, E02, E03, E04, E05 received on 15/10/10 and drawings no.10322P02A, P05A received on 19/11/10.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03306

150 Mackie Avenue Brighton

Certificate of lawfulness for proposed erection of a single storey rear extension.

Applicant: Mr G Golab & Mrs J Wells

Officer: Chris Swain 292178

Approved on 14/12/10 DELEGATED

BH2010/03638

195 Surrenden Road Brighton

Non Material Amendment to BH2010/01763 for additional obscure glazed non opening window on west elevation at first floor level.

Applicant: Mrs Rachel Lock

Officer: Sue Dubberley 293817

Approved on 10/12/10 DELEGATED

1) UNI

The proposed revisions; namely the additional obscure glazed non opening window on west elevation at first floor level is not considered so significant that it warrants the submission of a further application for planning permission.

PRESTON PARK

BH2010/02938

123 Preston Drove Brighton

Installation of rooflight to front roofslope.

Applicant: Mr John Hay

Officer: Louise Kent 292198

Approved on 01/12/10 DELEGATED

1) BH01.01

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) BH12.05A

The rooflight[*s*] hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 10105/2 submitted on 29 November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03010

5 Florence Road Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2009/01486 Appeal Decision.

Applicant: Andy Briggs

Officer: Sonia Kanwar 292359

Approved on 25/11/10 DELEGATED

BH2010/03182

38 - 39 Preston Park Avenue Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2010/00223.

Applicant: Grace & Compassion Benedictines

Officer: Anthony Foster 294495

Approved on 09/12/10 DELEGATED

BH2010/03283

14 Highcroft Villas Brighton

Erection of a single storey rear extension.

Applicant: Ms Victoria Jenkins

Officer: Sonia Kanwar 292359

Approved on 10/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 0037.PL.001 and 0037.EXG.001 received on the 19th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

REGENCY

BH2010/02924

6 & 7 Powis Villas Brighton

Application for Approval of Details Reserved by Conditions 3 and 4 of application BH2007/00700.

Applicant: Cutler Holdings Ltd

Officer: Jason Hawkes 292153

Approved on 14/12/10 DELEGATED

BH2010/02989

6 & 7 Powis Villas Brighton

Application for Approval of Details Reserved by Conditions 4 and 9 of application BH2007/00701.

Applicant: Cutler Holdings Ltd

Officer: Jason Hawkes 292153

Approved on 14/12/10 DELEGATED

BH2010/03119

45 - 46 North Street Brighton

Conversion of existing residential unit into 4no self contained flats and 1no bedsit unit. (Part Retrospective).

Applicant: Mr E Sharanizadeh

Officer: Guy Everest 293334

Approved on 26/11/10 DELEGATED

1) BH05.04B

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until an Ecohomes Design Stage Certificate (or certificate from equivalent or successor assessment tool) and a Building Research Establishment issued Post Construction Review Certificate confirming that each residential unit built has achieved an Ecohomes Refurbishment rating 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.

2) BH12.03

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. A863 02, A863 03, A836 4, A863 07, A863 08B, A863

22A & A863 40 received on 1st October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

4) UNI

The development hereby approved shall not be occupied until a scheme for the storage of refuse and recycling and cycle parking has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage 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.

5) UNI

The rear room, annotated on approved drawing no. A863 40 as a 'store', to 45 North Street shall not be used as self-contained residential unit and shall only be used for ancillary storage purposes.

Reason: For the avoidance of doubt as use of the room for residential purposes would provide a unsatisfactory standard of accommodation and to comply with policy QD27 of the Brighton & Hove Local Plan.

BH2010/03147

6 & 8 Norfolk Buildings Brighton

Conversion of two dwelling houses to form a single dwelling house with associated works to include erection of rear extension to first floor level, raised roof and expansion of rear roof terrace.

Applicant: Mr Cliff Tellet

Officer: Paul Earp 292193

Approved on 26/11/10 DELEGATED

1) BH01.01

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) BH02.06

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The opaque screen to the balustrade hereby approved shall be erected to the balcony shall be erected to the satisfaction of the local planning authority before the terrace is brought into use and maintained as such thereafter.

Reason: To protect residential amenity and to comply with policy QD27 of the Brighton & Hove Local Plan.

4) UNI

All new and replacement rainwater goods, soil and other waste pipes on the front elevation shall be in traditional cast iron or aluminium replicas of traditional cast iron and shall be painted to match the colour of the background walls.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

5) UNI

The new doors, windows and railings hereby approved shall be constructed in strict accordance to the details show on drawing CH372/015 received on 16.11.10, and thereafter maintained.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

6) UNI

The new doors and windows shall be of painted timber and not varnished or stained, the new brickwork and flintwork shall be painted white to match the existing brickwork and flintwork and the new railings shall be galvanised and painted black and all shall be maintained as such thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

7) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. CH372/1a, 2a, 3a received on 5 October 2010, CH372/015 received 16 November 2010, and CH372/6b & 7d received 24 November 2010

8) UNI

All roof ventilation and extract outlets shall use flush, concealed slate or tile vents, to match the roof covering, and concealed ridge and eaves ventilators.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2010/03164

82 North Street Brighton

Change of Use from retail (A1) to mixed use retail and café (A1/A3) incorporating new bi-folding doors to shop front, ice cream servery, 2no wall mounted lanterns, retractable awnings, fire escape doors, ventilation and extract system and associated works.

Applicant: Havana

Officer: Paul Earp 292193

Approved on 10/12/10 DELEGATED

1) BH01.01

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) BH03.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) 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. 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.

3) BH07.01

The use hereby permitted shall not be open to customers except between the hours of 07.30 to 23.30 Monday to Friday, and 08.00 to 22.30 Sunday and Bank Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

4) BH07.05

No open storage shall take place within the curtilage of the site without the prior written approval of the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

5) BH07.12

The premises shall only be used for A1/A3 and for no other purpose (including any other purpose in Class A1/A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) as shown in drawing no. P/10/009/005D received on 6 October 2010.

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

The extract flue hereby approved shall be painted to match the adjacent wall before the A1/A3 use opens for business. The flue shall thereafter be maintained to the satisfaction of the Local Planning Authority at all times.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD3 & QD14 of the Brighton & Hove Local Plan.

7) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. P/10/009 - 1A, 2, 3, 4D, 5D, 6 & 7A received on 6 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

8) UNI

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenities of nearby residents and to comply with policy QD27 of the Brighton & Hove Local Plan.

BH2010/03168

5 Powis Villas Brighton

Construction of underground swimming pool within rear garden. (Part retrospective).

Applicant: Mr Ray Charmak

Officer: Jason Hawkes 292153

Approved on 26/11/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.1046-P01, 02, 03, 04, 05, 06 & 07 received on 6th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

2) UNI

Within 3 months of the date of this permission details of the proposed landscaping scheme for the rear garden, including hard and soft landscaping, level changes, reinstated paths, new paths and hard paving areas, new and reinstated fences, walls and gates, including fully annotated 1:50 scale plans, sections and elevations have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory appearance of this listed building and in accordance with policies HE1 and HE6

of the Brighton & Hove Local Plan.

3) UNI

Within 3 months of the date of this permission a scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration has been submitted to and approved by the Local Planning Authority. The details shall be implemented strictly in accordance with the approved scheme.

Reason: To safeguard the amenity of the occupiers of the adjoining properties and to comply with policy QD27 of the Brighton & Hove Local Plan.

4) UNI

Within 3 months of the date of this permission large scale details of the folding glass doors including a 1:20 scale plan and 1:1 scale sections shall be submitted to and approved by the local planning authority in writing. The works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: To ensure the satisfactory appearance of this listed building and in accordance with policies HE1 and HE6 of the Brighton & Hove Local Plan.

5) UNI

Within 3 months of the date of this permission details of an irrigation system for the ground above the swimming pool have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: To ensure the satisfactory appearance of this listed building and in accordance with policies HE1 and HE6 of the Brighton & Hove Local Plan.

BH2010/03169

5 Powis Villas Brighton

Construction of underground swimming pool within rear garden. (Part Retrospective)

Applicant: Mr Ray Charmak

Officer: Jason Hawkes 292153

Approved on 26/11/10 DELEGATED

1) UNI

Within 3 months of the date of this permission details of the proposed landscaping scheme for the rear garden, including hard and soft landscaping, level changes, reinstated paths, new paths and hard paving areas, new and reinstated fences, walls and gates, including fully annotated 1:50 scale plans, sections and elevations have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory appearance of this listed building and in accordance with policy HE1 of the Brighton & Hove Local Plan.

2) UNI

Within 3 months of the date of this permission large scale details of the folding glass doors, including a 1:20 scale plan and 1:1 scale sections, shall be submitted to and approved by the local planning authority in writing. The works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: To ensure the satisfactory appearance of this listed building and in accordance with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

Within 3 months of the date of this permission details of an irrigation system for the ground above the swimming pool have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out and completed in strict accordance with the approved details and maintained as such thereafter.

Reason: To ensure the satisfactory appearance of this listed building and in accordance with policy HE1 of the Brighton & Hove Local Plan.

BH2010/03314

34 Duke Street Brighton

Installation of new shop front.

Applicant: Nandos Chickenland Ltd

Officer: Steven Lewis 290480

Approved on 14/12/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved Harrison Design Co drawings no. 2043/14 F received on 29/10/2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03315

34 Duke Street Brighton

Display of 1no externally illuminated fascia sign, 1no internally illuminated menu box and 1no non-illuminated hanging sign. (Retrospective).

Applicant: Nandos Chickenland Ltd

Officer: Steven Lewis 290480

Approved on 14/12/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2010/03365

14 Cranbourne Street Brighton

Application for Approval of Details Reserved by Conditions 2, 3 and 4 of application BH2009/01873.

Applicant: Mr Miachail Ramzi

Officer: Jason Hawkes 292153

Approved on 13/12/10 DELEGATED

ST. PETER'S & NORTH LAINE

BH2010/02537

42 Kensington Place Brighton

Internal and external alterations to residential dwelling, incorporating replacement of existing chimney stack and rear windows and doors. (Part retrospective)

Applicant: Dr David Hobson

Officer: Helen Hobbs 293335

Approved on 10/12/10 DELEGATED

1) UNI

The external faces of the French doors and new external kitchen door should have flush panels with beaded edges and new French doors' frame shall be recessed within the reveals to the same depth as building's sash window boxes and it shall have a masonry external step.

Reason: To ensure the satisfactory appearance to the development and to comply with policy HE 6 of the Brighton & Hove Local Plan.

2) UNI

No development shall take place until the following details shall be submitted to and approved in writing by the Local Planning:-

- i) 1:1 scale sectional details of the new French doors and their door frame and architraving and the step and reveals,
- ii) details of the proposed new fireplace,
- iii) details of the finish of the new pine board flooring,

The works shall be carried out and completed in full accordance with the approved details.

Reason: As insufficient information has been provided and to ensure the satisfactory appearance to the development and to comply with policy HE 6 of the

Brighton & Hove Local Plan.

3) UNI

The dimensions and mouldings of the joinery sections of the new sash windows shall match exactly those of the original windows and they shall be painted in gloss white paint and shall not have trickle vents.

Reason: To ensure the satisfactory appearance to the development and to comply with policy HE 6 of the Brighton & Hove Local Plan.

BH2010/02627

75 Vere Road Brighton

Conversion of a single dwelling house into 2no flats and 1no maisonette.

Applicant: Mr Ellis & Mrs Grimsdell

Officer: Jonathan Puplett 292525

Approved on 06/12/10 DELEGATED

1) BH01.01

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) BH02.07

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.

3) BH05.09

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. The development shall be carried out in strict accordance with the approved details.

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

4) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

5) UNI

Access to the flat roof over the first floor bathroom 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.

BH2010/02752

27 New England Street Brighton

Application for variation of condition 15 of decision BH2001/01811/OA to allow for deliveries on Sundays and Bank Holidays and for condition 15 to read: Vehicular movements for the purpose of loading or unloading and any loading or unloading of vehicles for commercial units, except the Supermarket, shall only take place between the hours of 07.00 to 19.00 hours on Monday to Friday, 08.00 to 19.00 hours on Saturdays and not at any time on Sundays or Bank Holidays. Vehicular movements for the purpose of loading or unloading and any loading or unloading of vehicles in association with the supermarket, shall only take place between the hours of 07.00 to 19.00 hours on Monday to Friday, 08.00 to 19.00 hours on Saturdays and 09.00 to 19.00 hours on Sundays and Bank Holidays.

Applicant: Sainsburys Supermarkets Ltd

Officer: Katherine Rawlins 292232

Refused on 07/12/10 DELEGATED

1) UNI

The Local Planning Authority is not satisfied that the proposed extension to delivery hours could be adequately controlled to protect the residential amenity of neighbouring dwellings and occupiers from noise associated with waiting and manoeuvring vehicles, contrary to policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/02802

22 Wakefield Road Brighton

Installation of replacement timber sash window to front elevation and new rooflight to front roof slope.

Applicant: Emma Sutherland

Officer: Helen Hobbs 293335

Approved on 14/12/10 DELEGATED

1) BH01.01

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) BH12.05

The rooflights in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.P10/025/01 and P10/025/01 received on 31st August 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03066

68 Princes Road Brighton

Installation of rooflight to front.

Applicant: Ms Bridget Gaskell

Officer: Helen Hobbs 293335

Approved on 26/11/10 DELEGATED

1) BH01.01

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) BH12.05

The rooflights in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved un-numbered drawings received on 28th September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03067

68 Princes Road Brighton

Installation of sliding sash window to first floor front elevation.

Applicant: Ms Bridget Gaskell

Officer: Helen Hobbs 293335

Approved on 26/11/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved un-numbered drawings received on 28th September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03068

68 Princes Road Brighton

Replacement of existing front windows with UPVC sliding sash windows.

Applicant: Ms Bridget Gaskell

Officer: Helen Hobbs 293335

Approved on 26/11/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved un-numbered drawings received on 28th September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03098

37 West Hill Street Brighton

Replacement timber windows to front elevation.

Applicant: Ms Louise Gasparelli

Officer: Sonia Kanwar 292359

Approved on 10/12/10 DELEGATED

1) BH01.01

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) BH12.03

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered drawings received 29th September 2010, 7th October 2010 and 18th October 2010, and the site location plan received on the 29th September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03137

Basement Flat 2A Wykeham Terrace Brighton

Application for Approval of Details Reserved by Condition 1 of application BH2009/00979 Appeal Decision.

Applicant: Miss Pamela Webb

Officer: Louise Kent 292198

Approved on 07/12/10 DELEGATED

BH2010/03162

24 Albert Road Brighton

Application for Approval of Details Reserved by Conditions 2, 3, 4, 8 and 9 of application BH2010/00041.

Applicant: Mr Z Solomon

Officer: Aidan Thatcher 292265

Split Decision on 10/12/10 DELEGATED

1) UNI

GRANT approval of the details reserved by condition 3 subject to full compliance with the submitted details.

1) UNI

REFUSE approval of the discharge of conditions 2, 4, 8 and 9 for the following reasons:

Insufficient samples of materials have been submitted, and those that have are not acceptable to discharge condition 2.

2) UNI2

The information submitted in relation to condition 4 is inadequate and is of insufficient detail to approve.

3) UNI3

No sample has been submitted and the indicative information of the material to be used is not acceptable. Thus it is not possible to approve the detail pursuant to condition 8.

4) UNI4

No information relating to condition 9 has been submitted and thus it is not possible to approve the detail pursuant to this condition.

BH2010/03196

33 Roundhill Crescent Brighton

Loft conversion incorporating installation of rear rooflights & creation of Juliet balcony at first floor rear incorporating French doors to replace existing window.

Applicant: Mr & Mrs Farsides

Officer: Chris Swain 292178

Approved on 03/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 731/01 received on 8 October 2010 and drawing nos. 731/02B and 731/03A received on 2 December 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

3) UNI

All roof ventilation and extract outlets shall use flush, concealed slate or tile vents, to match the roof covering, and concealed ridge and eaves ventilators.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove.

4) UNI

The Juliet balcony railings shall be galvanised, primed with an etching primer and painted black and maintained as such thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove.

5) UNI

No development shall take place until details of the rooflight, 1:1 scale external joinery sections, and details of the Juliet balcony railings, including 1:1 scale sections through the rails have been submitted to and approved by the Local Planning Authority in writing. The works shall be carried out in strict accordance with the approved details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove.

BH2010/03214

67 Upper Lewes Road Brighton

Erection of single storey conservatory extension to rear to replace existing.

Applicant: Mr Yasir Rana

Officer: Sonia Kanwar 292359

Approved on 10/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 3310.DD.01A and 3310.EXG.01A received on 18th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03234

2A Wykeham Terrace Brighton

Application for Approval of Details Reserved by Condition 1 of application BH2009/00980.

Applicant: Miss Pamela Webb

Officer: Louise Kent 292198

Approved on 07/12/10 DELEGATED

BH2010/03238

19 Tidy Street Brighton

Loft conversion incorporating dormer and 2no rooflights to rear.

Applicant: Mr Hugo Butterworth

Officer: Sonia Kanwar 292359

Approved on 08/12/10 DELEGATED

1) BH01.01

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) BH12.05A

The rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. HB-01, 02, 03, 04, 05, 06, 07 received on 13th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

4) UNI

The dormer window shall be painted softwood, double hung vertical sliding sash with concealed trickle vents and shall be retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2010/03614

Unit 6 Block 4 Jubilee Street Brighton

Non Material Amendment to BH2009/01867 to transom line height on Jubilee Street and North Road elevations to 77cm from the top of the building. Amendments to the Regent Street elevation to include 2 full height mullions and to install a transom line at 77cm from the top of the shop front.

Applicant: Starbucks Coffee Co. (UK) Ltd

Officer: Liz Arnold 291709

Approved on 10/12/10 DELEGATED

WITHDEAN

BH2010/02200

49A Surrenden Road Brighton

Certificate of Lawfulness for existing use of the building as a dwelling house.

Applicant: Mrs Andrea Kennedy

Officer: Guy Everest 293334

Refused on 06/12/10 DELEGATED

1) UNI

It has not been demonstrated that the building has been used as a self-contained dwellinghouse for a period of at least 4 continuous years. The existing use is not therefore lawful under Section 191 (2) of the Town and Country Planning Act (1990), as amended.

BH2010/02859

40 Loder Road Brighton

Erection of single storey side extension with raised timber decking/terrace.

Applicant: Mr Leigh Bond

Officer: Christopher Wright 292097

Approved on 07/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The raised outdoor terrace/decking hereby permitted shall not be brought into use the screen fence shown on the approved drawings has been erected. The screen fence shall be retained thereafter.

Reason: In order to safeguard the amenity and privacy of the neighbouring occupiers of 38 Loder Road, and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The 1.8m high screen fence as shown on the approved drawings shall be retained at all times between the edge of the outdoor terrace/decking and the boundary of the site with 42 Loder Road.

Reason: In order to safeguard the amenity and privacy of the neighbouring occupiers of 42 Loder Road, and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. E01, E02 and P01 received on 8 September 2010; and drawing nos. P02A, P03A and P04A received on 8 November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02907

4 Varndean Holt Brighton

Erection of a two storey side and rear extension.

Applicant: Mr Freeman

Officer: Wayne Nee 292132

Approved on 26/11/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. ADC376, 376/01, 376/02, 376/sk05A, 376/sk06A received on 13 September 2010, and drawing nos. ADC376/A, 376/03 and 367/sk07 received on 01 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02972

Paddington Nursery 208 Preston Road Brighton

Change of Use on first floor from residential flat (C3) to nursery facilities (D1) in conjunction with ground floor use.

Applicant: Growing Up Green Ltd

Officer: Charlotte Hughes 292321

Approved on 29/11/10 DELEGATED

1) BH01.01

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) UNI

The nursery use hereby permitted shall not be operational except between the hours of 08.00hrs and 18.00hrs and Mondays to Fridays and not at anytime on Saturday, Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The nursery use hereby permitted shall be carried out in accordance with the submitted Travel Plan, and it shall seek to promote sustainable alternatives to the use of the private car.

Reason: To promote a range of transport alternatives, to maximise the use of public and sustainable transport initiatives and to comply with policies TR1 and TR2 of the Brighton & Hove Local Plan.

4) UNI

A written Management/Action Plan for the outdoor play area as prescribed by City Early Years Childcare (CEYC) must be maintained for the use of the rear garden at 208 Preston Road. The plan must show how the outside area is managed, including details of staff supervision and layout of area showing types of play areas (e.g. quiet, wet, sand areas, planting, etc). The Plan must be annually reviewed by the nursery, and submitted in writing for approval by the CEYC and the Local Planning Authority. Any amendments to the original plan as a result of this review need to be approved and made as necessary.

Reason: To ensure that an acceptable standard of care is provided and to protect the amenity of adjoining residential properties and to comply with policies HO26 and QD27 of the Brighton & Hove Local Plan.

5) UNI

The total number of children attending the nursery shall not exceed 50 at any time.

Reason: To safeguard the amenities of the locality and to comply with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

Within one month of the date of this permission, details of secure cycle parking facilities for the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior within two months of the details being approved 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.

7) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 185/01 received on 28th September 2010 and the supporting information received on 17th September.

Reason: For the avoidance of doubt and in the interests of proper planning.

8) UNI

No amplified music or musical equipment shall be played at any time in the rear garden during outdoor play sessions.

Reason: To safeguard the amenities of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/02990

Tudor Cottage 263 London Road Preston Brighton

Application for Approval of Details Reserved by Conditions 2 and 4 of application BH2009/03118.

Applicant: Mr Steven Trigwell

Officer: Jason Hawkes 292153

Approved on 07/12/10 DELEGATED

BH2010/03111

36 Withdean Road Brighton

Certificate of Lawfulness for a proposed loft conversion including rear dormer and rooflights to side and front. Conversion of integral garage to form habitable room and external alterations to windows and doors.

Applicant: Mr Reinhardt Slabbert

Officer: Wayne Nee 292132

Approved on 13/12/10 DELEGATED

BH2010/03151

70 Compton Road Brighton

Application for Approval of Details Reserved by Conditions 2, 3 and 5 of application BH2009/01978.

Applicant: The Freshwater Group

Officer: Christopher Wright 292097

Approved on 15/12/10 DELEGATED

BH2010/03179

Norbury South Road Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2010/01271.

Applicant: Miss Joanne Howell

Officer: Charlotte Hughes 292321

Approved on 02/12/10 DELEGATED

BH2010/03186

5 Loyal Parade Brighton

Change of Use from (A1) Retail Unit to (A2) Financial Services.

Applicant: Austin Chambers & Co

Officer: Steven Lewis 290480

Refused on 07/12/10 DELEGATED

1) UNI

The application fails to adequately demonstrate that a retail use (A1) is no longer economically viable within the unit or the wider local parade. This is contrary to policy SR7 of the Brighton & Hove Local Plan.

BH2010/03216

Windsor Court Tongdean Lane Brighton

Replacement of all existing windows and doors with doubled glazed UPVC with black film finish on frames.

Applicant: Hanover Housing Association

Officer: Wayne Nee 292132

Approved on 13/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 758/52, 758/55 and 758/56 received on 21 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03249

16 Scarborough Road Brighton

Creation of pitched roof with rear dormers at second floor level.

Applicant: Mr & Mrs Jones

Officer: Mark Thomas 292336

Refused on 13/12/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. Further advice is contained within supplementary planning guidance on roof alterations and extensions (SPGBHI). The proposed dormer window is inappropriately sized and represents an overly bulky addition to the proposed rear roofslope. Further, the dormer features inappropriately large areas of tile hung cladding contrary to guidance contained within SPGBH1. The proposal is therefore contrary to the above policy and guidance.

BH2010/03341

20 Surrenden Crescent Brighton

Formation of roof terrace incorporating part glazed and part opaque balustrading at first floor level to rear.

Applicant: Mr & Mrs Duncan

Officer: Charlotte Hughes 292321

Approved on 15/12/10 DELEGATED

1) BH01.01

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) UNI

Notwithstanding the details already submitted, the opaque glazed screen hereby permitted shall be constructed at a height of 1.7 from the floor level of the terrace, details of which shall be submitted to the Local Planning Authority for approval prior to the development commencing on site. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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.

BH2010/03413

48A Inwood Crescent Brighton

Non Material Amendment to BH2009/03143 for internal alterations to ground floor wetroom to reposition and become an en-suite wetroom to bedroom one. External alterations to ground floor entrance door and change lower ground floor kitchen patio doors to windows.

Applicant: Reefsouth Ltd

Officer: Jason Hawkes 292153

Approved on 26/11/10 DELEGATED

BH2010/03417

99 Loder Road Brighton

Certificate of Lawfulness for proposed single storey rear extension and installation of dormer to rear elevation.

Applicant: Mrs Fiona Walsh

Officer: Mark Thomas 292336

Approved on 08/12/10 DELEGATED

BH2010/03441

82 Green Ridge Brighton

Erection of single storey rear extension and associated works.

Applicant: Mr David Nunan

Officer: Mark Thomas 292336

Approved on 08/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. NUNAN 07 received on 4th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03480

Flat C 83 Preston Drove Brighton

Loft conversion incorporating rooflights.

Applicant: Mr Alan Cox

Officer: Mark Thomas 292336

Approved on 13/12/10 DELEGATED

1) BH01.01

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) BH12.05

The rooflights in the approved development shall be of 'conservation style' fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 017/2010p REV A and 'Design and Access Statement' received on 25th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03590

80 Peacock Lane Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2009/02484.

Applicant: Mr & Mrs Richardson

Officer: Steven Lewis 290480

Approved on 30/11/10 DELEGATED

BH2010/03637

56 Bates Road Brighton

Certificate of Lawfulness for a proposed single storey flat roof rear extension.

Applicant: Mr & Mrs Thomas

Officer: Mark Thomas 292336

Approved on 14/12/10 DELEGATED

EAST BRIGHTON

BH2010/02492

14 Chichester Place Brighton

Installation of one solar collector rooflight to the front elevation.

Applicant: Mr R Anderson

Officer: Chris Swain 292178

Approved on 13/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved amended drawing no.A794/12 received on 1 December 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

3) UNI

The solar collector hereby approved shall not project more than 100mm above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2010/02915

17 Eaton Place Brighton

Internal alterations to layout of flat.

Applicant: Mrs Charlotte Lynch

Officer: Liz Arnold 291709

Approved on 30/11/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

All existing original fabric and architectural features including floors, lathe and plasterwork, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, cornices, decorative ceilings and other decorative features shall be retained, and repaired and made good exactly like for like, and shall not be covered over, except where otherwise agreed in writing with the Local Planning Authority before work commences. The walls and ceilings shall not be skimmed over and only defective lathe and plaster shall be removed and shall be replaced exactly like for like using timber lathes and lime plaster.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.

3) UNI

The new walls shall be scribed around existing features such as skirting boards, dado rails, picture rails and cornices, which shall not be cut into or damaged, and new skirting boards, picture rails, dado rails and cornices shall be run around the new walls and the blocked up doors to match exactly the originals in each respective part of the building.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until 1:20 sample elevations and sections and 1:1 scale sectional profiles of the new doors have been submitted to and approved in writing by the Local Planning Authority in writing.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan.

BH2010/03094

Flat 4 10 Belgrave Place Brighton

Removal of non-original tile fireplace and replacement with Victorian design timber mantel with Victorian design cast iron insert.

Applicant: Mrs Susan Davies

Officer: Chris Swain 292178

Approved on 07/12/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The timber mantel will be painted white and retained as such thereafter. To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/03097

10 Belgrave Place Brighton

Replacement of existing front door.

Applicant: Mrs Susan Davies

Officer: Chris Swain 292178

Approved on 02/12/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The front door should be painted a solid colour in accordance with the approved Supplementary Planning Guidance on External Paint Finishes and Colours (SPGBH2) and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE4 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance on External Paint Finishes and Colours (SPGBH2).

3) UNI

The proposed door shall match exactly the door at No.11 Belgrave Place in regards to design, proportions and joinery details.

Reason As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 and HE4 of the Brighton & Hove

BH2010/03348

30 Upper Abbey Road Brighton

Loft conversion incorporating part mansard roof extension, Juliet balcony and windows to rear.

Applicant: Mr M Elsworth & Mr P Beguin

Officer: Liz Arnold 291709

Refused on 01/12/10 DELEGATED

1) UNI

The proposed rear dormer window, by virtue of its excessive size and design, which includes large areas of cladding, is considered to be overly bulky, oversized, poorly designed and poorly related to the existing building and therefore of detriment to the character and appearance of the existing property and the wider area. The proposal is contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Guidance on Roof Alterations and Extensions (SPGBH1).

BH2010/03373

Ground Floor Flat 6 Portland Place Brighton

Replacement of existing timber windows to kitchen, bathroom and front elevation with new timber units and replacement of existing PVCu bedroom window with timber unit (Part retrospective)

Applicant: Mr A Pinder

Officer: Liz Arnold 291709

Approved on 14/12/10 DELEGATED

1) UNI

Notwithstanding the window details shown on Sheet 1 submitted on the 9th November 2010, the timber glazing bars, frame and meeting rail sections of the replacement bedroom window shall match exactly those of the installed front windows. Horns shall not be included in the window. The window shall comprise single glazing and be retained as such.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

BH2010/03385

Ground Floor Flat 6 Portland Place Brighton

Replacement of existing timber windows to kitchen, bathroom and front elevation with new timber units and replacement of existing PVCu bedroom window with timber unit (Part retrospective)

Applicant: Mr A Pinder

Officer: Liz Arnold 291709

Approved on 14/12/10 DELEGATED

1) UNI

Notwithstanding the window details shown on Sheet 1 submitted on the 9th November 2010, the timber glazing bars, frame and meeting rail sections of the replacement bedroom window shall match exactly those of the installed front windows. Horns shall not be included in the window. The window shall comprise single glazing and be retained as such.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

HANOVER & ELM GROVE

BH2010/02942

1 Hanover Crescent Brighton

Internal alterations incorporating replacement of section of banister. Replacement of existing window to rear kitchen wall with timber French doors and basement window with sliding box sash window.

Applicant: Mr Ben Woollard

Officer: Sonia Kanwar 292359

Approved on 14/12/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 10.10.01-os, 10.10.01/2, 10.10.01/1, 10.10.01/4 received on 19th October 2010, 10.10.01/3A received on 10th December 2010 and first floor banister details received 15th September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02958

119 Lewes Road Brighton

Certificate of Lawfulness for existing use of premises as car hire and car and bus parking.

Applicant: The Go-Ahead PLC

Officer: Anthony Foster 294495

Refused on 06/12/10 DELEGATED

BH2010/02960

119 Lewes Road Brighton

Installation of 2.4m palisade fencing. (Part retrospective)

Applicant: The Go-Ahead PLC

Officer: Anthony Foster 294495

Refused on 06/12/10 DELEGATED

1) UNI

The palisade fencing, by virtue of its siting, oppressive height and design forms an incongruous alteration to the site, detracting from the appearance and character of the street scene, harmful to the visual amenity of the surrounding area contrary to policies QD1, QD2, QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/03101

35 Newmarket Road Brighton

Conversion of lower ground floor to form 1no 1 bedroom flat. Erection of single storey rear extension at ground floor level over existing lower ground floor rear projection.

Applicant: Mr H James

Officer: Sue Dubberley 293817

Refused on 09/12/10 DELEGATED

1) UNI

The proposal represents an overdevelopment of a dwelling which is not suitable for conversion, by virtue of an original floor area below 115m² and comprising only three bedrooms. The proposal is therefore contrary to policy HO9 of the Brighton & Hove Local Plan.

2) UNI2

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. It is considered that the proposed side window on the rear extension would give rise to overlooking and loss of privacy to the adjacent property and therefore this is contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

Policy HO13 of the Brighton & Hove Local Plan requires residential conversions incorporate Lifetime Home standards, whereby the accommodation can be adapted to meet the needs of people with disabilities without major structural alterations, into the design wherever practicable. Insufficient information has been submitted with the application to demonstrate how these standards have been incorporated into the design of the development, particularly with regards the accessibility of bathrooms at first and second floor levels and therefore this is contrary to policy HO13 of the Brighton & Hove Local Plan.

4) UNI4

Policy SU2 of the Brighton & Hove Local Plan requires development proposals demonstrate a high standard of efficiency in the use of energy, water and materials and make provision for refuse and recycling facilities. Insufficient

information has been submitted to demonstrate how this requirement has been met and no provision has been made for refuse and waste recycling facilities, and therefore this is contrary to policy SU2 of the Brighton & Hove Local Plan.

5) UNI5

Policy TR14 requires the provision of under cover, secure and readily accessible cycle parking at street level. The application makes no provision for such facilities, and it is unclear if adequate cycle storage can be provided either within the building or the front curtilage, and therefore this is contrary to policy TR14 of the Brighton & Hove Local Plan.

BH2010/03223

Woodvale Crematorium Lewes Road Brighton

Change of Use from Garden Workers Office to Coroners Court.

Applicant: Brighton & Hove City Council

Officer: Kate Brocklebank 292175

Approved on 10/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings unnumbered location plan received 12th October 2010, drawing no. 2476.1/10 revision B received on 19th October 2010, 2476.1/11 received on 8th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03300

17 Seville Street Brighton

Certificate of lawfulness for a proposed rear gable roof extension incorporating rooflights and a Juliet balcony.

Applicant: Mr Kevin Parker & Mrs Jacquie Ballard

Officer: Jonathan Puplett 292525

Approved on 26/11/10 DELEGATED

HOLLINGDEAN & STANMER

BH2010/00235

Varley Halls of Residence Coldean Lane Coldean

Demolition of existing student halls of residence to provide replacement facilities between 3 and 5 storeys including 564 bed spaces, seminar rooms, a café/bar, laundry facilities, car parking, cycle parking and associated landscaping.

Applicant: University of Brighton

Officer: Kate Brocklebank 292175

Approved after Section 106 signed on 26/11/10 PLANNING COMMITTEE

1) BH01.01

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) UNI

Unless otherwise agreed in writing by the Local Planning Authority, all three Phases of the development hereby approved shall be carried out in accordance with the 'Planning Report - Lighting revision A dated 27.01.10' received 28th

January 2010.

Reason: In the interests of residential amenity and the visual amenity of the Sussex Downs Area of Outstanding Natural Beauty and South Downs National Park and in accordance with policies SU9, QD18, QD26, QD27, NC7 and NC8 of the Brighton & Hove Local Plan.

3) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway in all three Phases of development hereby approved.

Reason: To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

4) UNI

No development shall commence on Phase 1 of the development hereby approved as shown on drawing number (SK)LP011 revision A received 22nd July 2010, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work for all three Phases of development hereby approved in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.

Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within PPS 5 'Planning for the Historic Environment' and Policy HE12 of the Brighton & Hove Local Plan.

5) UNI

Prior to first occupation of Phase 1 of the development, a Drainage Infrastructure Maintenance Plan (DIMP) shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

Reason: In the interests of the protection of controlled waters and to ensure compliance with policies SU3 and SU5 of the Brighton & Hove Local Plan.

6) UNI

Throughout all three Phases of development, no vehicles, plant or materials shall be driven or placed within the adjacent pLNR at any time.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

7) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence on Phase 1 of the development hereby approved as shown on drawing number (SK)LP011 revision A received 22nd July 2010, until fences for the protection of trees to be retained have been erected in accordance with the recommendations set out in the arboricultural statement from 'Arbtech Environmental Services' received 16th June 2010 and supporting Tree Protection Plan drawing number TPP - 01 revision B. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences. All trees to be retained shall be protected to BS 5837 (2005) and NJUG10 (Guidelines in the planning, installation and maintenance of utility services in the proximity to trees).

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

8) UNI

The terraced area on the north east side of the Hub Building shall be used for access only and shall not be used as a terrace.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policy and QD27 of the Brighton & Hove Local Plan.

9) UNI

Prior to the completion of the ground floor slabs of the Phase 1 buildings as shown on drawing number (SK)LP011 revision A received 22nd July 2010, drawings illustrating the constructional details of both the key building elements, including brick and tile junctions and edge detail of external cladding, balustrading, canopies; and the landscape features, including fencing, the steps, walls and seating areas, in Phase 1 at a scale of 1:20 or greater, have been submitted to and approved in writing by the Local Planning Authority. Phase 1 shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

10) UNI

Phase 1 of the development hereby approved as shown on drawing number (SK)LP011 revision A received 22nd July 2010, 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.

11) UNI

Prior to the completion of the ground floor slabs of the Phase 1 buildings as shown on drawing number (SK)LP011 revision A received 22nd July 2010, samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of Phase 1 of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Phase 1 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.

12) UNI

Prior to the completion of the ground floor slabs of the Phase 1 buildings as shown on drawing number (SK)LP011 revision A received 22nd July 2010, details of any flues to be installed on the Energy Centre shall be submitted to and approved in writing by the Local Planning Authority. Phase 1 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.

13) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in strict accordance with the 'Kitchen Ventilation and Extract Details: Hub Building REP (00) M001 Rev - February 2010' received on 26th February 2010.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

14) UNI

Prior to first occupation of Phase 1 of development as shown on drawing number (SK)LP011 revision A received 22nd July 2010, details of the contents and

method of distribution of the casual/informal recreation information pack shall be submitted to and agreed in writing by the Local Planning Authority; the information packs shall then be made available and distributed in accordance with the approved details.

Reason: To ensure appropriate information on local casual/informal recreational facilities is adequately distributed and to accord with policy HO6 of the Brighton & Hove Local Plan and SPG9 'A guide for residential developers on the provision of recreational space'.

15) UNI

Prior to first occupation of Phase 1 of development as shown on drawing number (SK)LP011 revision A received 22nd July 2010, details of the types, management and maintenance of the sporting equipment provision shall be submitted to and agreed in writing by the Local Planning Authority; the equipment shall then be made available for use in accordance with the approved details.

Reason: To ensure appropriate provision of casual/informal recreational facilities and to accord with policy HO6 of the Brighton & Hove Local Plan and SPG9 'A guide for residential developers on the provision of recreational space'.

16) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence on Phase 1 as shown on drawing number (SK)LP011 revision A received 22nd July 2010, until ecological mitigation and enhancement measures set out from paragraphs 4.2 - 4.4.5 in the 'Final Ecological Mitigation and Enhancement Strategy' dated May 2010 and associated 'Indicative Phase 1 Enabling Works Programme including Ecological Works' received on 23rd July 2010 have been carried out in full.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

17) UNI

Prior to the completion of the ground floor slabs of the Phase 1 buildings as shown on drawing number (SK)LP011 revision A received 22nd July 2010, details of a scheme for the provision of a detailed ecological enhancement strategy for the site, including details of the type and location of the 5 proposed bat boxes/roosting sites, together with maintenance plan and timetable for implementation shall be submitted to and approved by the Local Planning Authority. Phase 1 shall then be implemented in accordance with the approved details.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

18) UNI

No construction shall commence on Phase 1 as shown on drawing number (SK)LP011 revision A received 22nd July 2010, until a scheme for the sewerage system has been submitted to and approved in writing by the Local Planning Authority. The sewage system shall then be implemented in full and in strict accordance with the approved details prior to first occupation of Phase 1 and retained as such thereafter.

Reason: In the interests of the protection of controlled waters and to ensure compliance with policies SU3 and SU5 of the Brighton & Hove Local Plan.

19) UNI

No construction shall commence on Phase 1 as shown on drawing number (SK)LP011 revision A received 22nd July 2010, until a scheme for the provision of surface water drainage works has been submitted to and approved in writing

by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies SU3 and SU5 of the Brighton & Hove Local Plan.

20) UNI

Prior to the completion of the ground floor slabs of the Phase 1 buildings as shown on drawing number (SK)LP011 revision A received 22nd July 2010, details of the real-time bus information boards to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The real-time bus information boards shall then be installed prior to occupation of Phase 1.

Reason: In order to encourage the use of sustainable modes of transport and to comply with policies TR1 and TR2 of the Brighton & Hove Local Plan.

21) UNI

Prior to the occupation of Phase 1 as shown on drawing number (SK)LP011 revision A received 22nd July 2010, details of the car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the approved details.

Reason: In order to discourage the use of private motor vehicle and to comply with policies TR1 and TR2 of the Brighton & Hove Local Plan.

22) UNI

Unless otherwise agreed in writing by the Local Planning Authority, within 6 months of the date of this permission, the applicant shall submit:

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve a Multi Residential BREEAM rating of 52.17% in energy and 87.5% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development within Phase 1 as shown on drawing number (SK)LP011 revision A received 22nd July 2010 have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a Multi Residential BREEAM rating of 52.17% in energy and 87.5% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development within Phase 1 as shown on drawing number (SK)LP011 revision A received 22nd July 2010 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.

23) UNI

Unless otherwise agreed in writing by the Local Planning Authority, within 5 months of the first occupation of Phase 1 of the development as shown on drawing number (SK)LP011 revision A received 22nd July 2010, a Multi Residential BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved a Multi Residential BREEAM rating of 52.17% in energy and 87.5% in water sections of relevant Multi Residential BREEAM assessment within overall 'Excellent' 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.

24) UNI

Prior to the completion of the ground floor slabs of the Phase 1 buildings as shown on drawing number (SK)LP011 revision A received 22nd July 2010, elevational details of secure, covered cycle parking facilities shown on the approved plans, for the occupants of, and visitors to, the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the occupation of Phase 1 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.

25) UNI

All planting, seeding or turfing comprised in Phase 1 as shown on drawing number drawing number (SK)LP011 revision A received on 22nd July 2010 and the approved corresponding soft landscape Planting Plan(s) ((94)LP 101, 201, 103 revision D and 104 revision A received on 16th June 2010), 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.

26) UNI

Phase 1 of the development as shown on drawing number (SK)LP011 revision A received 22nd July 2010, shall not be occupied until details of a car park management scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in strict accordance with the approved details.

Reason: In order to manage the use of the car park and encourage the use of sustainable modes of transport and to comply with policies TR1 and TR2 of the Brighton & Hove Local Plan.

27) UNI

No development shall commence on Phase 2 as shown on drawing number (SK)LP012 revision A received on 22nd July 2010, until drawings illustrating the constructional details of both the key building elements, including brick and tile junctions and edge detail of external cladding, balustrading, canopies; and the landscape features, including fencing, the steps, walls and seating areas, in Phase 1 at a scale of 1:20 or greater, have been submitted to and approved in writing by the Local Planning Authority. Phase 1 shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

28) UNI

Phase 2 of the development hereby approved as shown on drawing number (SK)LP012 revision A received 22nd July 2010, 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.

29) UNI

No development shall commence on Phase 2 as shown on drawing number (SK)LP012 revision A received 22nd July 2010, until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of Phase 2 of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Phase 2 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.

30) UNI

No development shall commence on Phase 2 as shown on drawing number (SK)LP012 revision A received on 22nd July 2010, until elevational details of secure, covered cycle parking facilities shown on the approved plans for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the occupation of Phase 2 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.

31) UNI

No development shall commence on Phase 2 as shown on drawing number (SK)LP012 revision A received on 22nd July 2010, until a scheme for the sewerage system has been submitted to and approved in writing by the Local Planning Authority. The sewerage system shall then be implemented in full and in strict accordance with the approved details prior to first occupation of Phase 2, and thereafter retained as such.

Reason: In the interests of the protection of controlled waters and to ensure compliance with policies SU3 and SU5 of the Brighton & Hove Local Plan.

32) UNI

No development shall commence on Phase 2 as shown on drawing number (SK)LP012 revision A received on 22nd July 2010, until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies SU3 and SU5 of the Brighton & Hove Local Plan.

33) UNI

All planting, seeding or turfing comprised in Phase 2 as shown on drawing number drawing number (SK)LP012 revision A received on 22nd July 2010 and the approved corresponding Soft Landscape Planting Plan (s) ((94)LP 101, 201, 103 revision D and 104 revision A received on 16th June 2010), 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 appropriately maintained thereafter 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.

34) UNI

No development shall commence on Phase 2 as shown on drawing number drawing number (SK)LP012 revision A received on 22nd July 2010, until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

35) UNI

No development shall commence on Phase 2 as shown on drawing number drawing number (SK)LP012 revision A received on 22nd July 2010, until details of a scheme for the provision of a detailed ecological mitigation and enhancement strategy for the site including details of proposed green walling, together with a maintenance plan and timetable for implementation shall be submitted to and approved by the Local Planning Authority. Phase 2 shall then be implemented in accordance with the approved details.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

36) UNI

No development shall commence on Phase 2 as shown on drawing number drawing number (SK)LP012 revision A received on 22nd July 2010, until details of the kick wall, basket ball hoop and 20 bicycles including a timetable for implementation and maintenance program, have been submitted to and agreed in writing by the Local Planning Authority, the facilities shall then be implemented in accordance with the approved details and retained as such thereafter.

Reason: To ensure appropriate provision of casual/informal recreational facilities and to accord with policy HO6 of the Brighton & Hove Local Plan and SPG9 'A guide for residential developers on the provision of recreational space'.

37) UNI

No development shall commence on Phase 2 as shown on drawing number drawing number (SK)LP012 revision A received on 22nd July 2010, until details of the 'Trim Trail' including a timetable for implementation and maintenance, have been submitted to and agreed in writing by the Local Planning Authority, the facilities shall then be implemented in accordance with the approved details and retained as such thereafter.

Reason: To ensure appropriate provision of recreational sporting facilities and to accord with policy HO6 of the Brighton & Hove Local Plan and SPG9 'A guide for residential developers on the provision of recreational space'.

38) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence on Phase 2 as shown on drawing number drawing number (SK)LP012 revision A received on 22nd July 2010 until:

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing

that the development will achieve a Multi Residential BREEAM rating of 65.22% in energy and 87.5% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development within Phase 2 have been submitted to the Local Planning Authority; and

- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a Multi Residential BREEAM rating of 65.22% in energy and 87.5% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development within Phase 2 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.

39) UNI

Unless otherwise agreed in writing by the Local Planning Authority, prior to first occupation of Phase 2 of the development as shown on drawing number (SK)LP012 revision A received on 22nd July 2010, a Multi Residential BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved a Multi Residential BREEAM rating of 65.22% in energy and 87.5% in water sections of relevant Multi Residential BREEAM assessment within overall 'Excellent' 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.

40) UNI

No development shall commence on Phase 3 as shown on drawing number drawing number (SK)LP013 revision A received on 22nd July 2010, until drawings illustrating the constructional details of both the key building elements, including brick and tile junctions and edge detail of external cladding, balustrading, canopies; and the landscape features, including fencing, the steps, walls and seating areas, in Phase 1 at a scale of 1:20 or greater, have been submitted to and approved in writing by the Local Planning Authority. Phase 1 shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

41) UNI

Phase 3 of the development hereby approved as shown on drawing number (SK)LP013 revision A received 22nd July 2010, 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.

42) UNI

No development shall commence on Phase 3 as shown on drawing number (SK)LP013 revision A received 22nd July 2010, until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of Phase 3 of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Phase 3 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.

43) UNI

All planting, seeding or turfing comprised in Phase 3 as shown on drawing number (SK)LP013 revision A received on 22nd July 2010 and the approved corresponding Soft Landscape Planting Plan (s) ((94)LP 101, 201, 103 revision D and 104 revision A received on 16th June 2010), 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 appropriately maintained thereafter 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.

44) UNI

No development shall commence on Phase 3 as shown on drawing number (SK)LP013 revision A received on 22nd July 2010 and the approved corresponding landscaping scheme, until details of the construction the green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement. The scheme shall then be carried out in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

45) UNI

No development shall commence on Phase 3 as shown on drawing number (SK)LP013 revision A received on 22nd July 2010 and the approved corresponding landscaping scheme, until details of a scheme for the provision of a detailed ecological mitigation and enhancement strategy for the site including details of proposed green walling and the types and location of bird boxes, together with maintenance plan shall be submitted to and approved by the Local Planning Authority. Phase 3 shall then be implemented in accordance with the approved details.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

46) UNI

No development shall commence on Phase 3 as shown on drawing number (SK)LP013 revision A received on 22nd July 2010 and the approved corresponding landscaping scheme, until elevational details of secure covered cycle parking facilities shown on the approved plans for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the occupation of Phase 3 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.

47) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence on Phase 3 as shown on drawing number (SK)LP013 revision A received on 22nd July 2010 and the approved corresponding landscaping scheme until:

- a) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a 'BREEAM Buildings' scheme or a 'bespoke BREEAM') and a Design Stage Assessment Report showing that the development will achieve a Multi Residential BREEAM rating of 65.22% in energy and 87.5% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development within Phase 3 have been submitted to the Local Planning Authority; and
- b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a Multi Residential BREEAM rating of 65.22% in energy and 87.5% in water sections of relevant BREEAM assessment within overall 'Excellent' for the development within Phase 3 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.

48) UNI

Unless otherwise agreed in writing by the Local Planning Authority, prior to first occupation of Phase 3 as shown on drawing number (SK)LP013 revision A received on 22nd July 2010 a Multi Residential BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the development built has achieved a Multi Residential BREEAM rating of 65.22% in energy and 87.5% in water sections of relevant Multi Residential BREEAM assessment within overall 'Excellent' 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.

49) UNI

No development shall commence on Phase 3 drawing number (SK)LP013 revision A received on 22nd July 2010, until a scheme for the sewerage system has been submitted to and approved in writing by the Local Planning Authority. The sewerage system shall then be implemented in full and in strict accordance with the approved details prior to first occupation of Phase 3, and thereafter retained as such.

Reason: In the interests of the protection of controlled waters and to ensure compliance with policies SU3 and SU5 of the Brighton & Hove Local Plan.

50) UNI

No development shall commence on Phase 3 as shown on drawing number (SK)LP013 revision A received on 22nd July 2010 and the approved corresponding landscaping scheme, until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies SU3 and SU5 of the Brighton & Hove Local Plan.

51) UNI

No development shall commence on Phase 3 as shown on drawing number (SK)LP013 revision A received on 22nd July 2010, until details of the vegetable growing area has been submitted to and approved in writing by the Local Planning Authority. Phase 3 shall then be carried out in accordance with the approved details.

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

52) UNI

The windows servicing bathrooms in each block in all three Phases of development hereby approved, as well as the first floor windows in the north east elevation of the 'Hub Building' shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policy and QD27 of the Brighton & Hove Local Plan.

BH2010/02399

60 Burstead Close Brighton

Application for Approval of Details Reserved by Conditions 2, 3, 4, 5, 7, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 20 of application BH2009/02911.

Applicant: Downland Affinity Housing Association

Officer: Anthony Foster 294495

Split Decision on 06/12/10 DELEGATED

1) UNI

GRANT approval of the details reserved by conditions 7, 9, 10, 12, 13, 14, 15, 16, 19, and 20 subject to full compliance with the submitted details.

1) UNI

REFUSE approval of the discharge of conditions 3, 5 and 18 for the following reasons:

1. The information provided in relation to condition 3 is noted and is sufficient to discharge part of the condition, however insufficient information has been provided in relation to the coloured panels to enable the full discharge of the condition.
2. The information provided in relation to condition 5 is noted and is sufficient to discharge part of the condition, however insufficient information has been provided to enable the full discharge of the condition.
3. The information provided in relation to condition 18 is insufficient to discharge the condition as amendments to the proposed highways works have been formally requested by the Highways Department to satisfy the condition.

BH2010/02858

Falmer House University of Sussex Lewes Road Brighton

External alterations including replacement of crittal window with new door and internal alterations to layout.

Applicant: Mr Ross Pocock

Officer: Louise Kent 292198

Approved on 26/11/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

The new external door to the west elevation hereby permitted shall match the existing external doors to the south and east elevations in material, finish and appearance and shall be retained as such thereafter. No external signage shall be placed on the door.

Reason: To ensure the satisfactory preservation of this listed building, and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02881

72 Hollingdean Terrace Brighton

Conversion of single dwelling into 2no maisonettes.

Applicant: Mr Nick Malyon

Officer: Sue Dubberley 293817

Approved on 06/12/10 DELEGATED

1) BH01.01

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) BH02.08

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

3) BH06.02

The development hereby permitted shall not be commenced until 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.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings, site plan and drawing nos.230909/1001, 1102 received on 09/09/10.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03054

36 Hollingdean Terrace Brighton

Replacement and enlargement of timber platform incorporating steps and glazed screens (Part retrospective)

Applicant: Mr Paul Cullen

Officer: Sonia Kanwar 292359

Refused on 26/11/10 DELEGATED

1) UNI

Policies QD14 and QD27 state that planning permission will not be granted for alterations which would cause material nuisance and loss of amenity to existing / future residents. Use of the raised terrace area would result in overlooking of neighbouring gardens and the rear elevations of neighbouring dwellings, causing

significant harm to the privacy of neighbouring residents. The scheme is therefore contrary to the above policies.

2) UNI2

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The raised decked structure is an inappropriate addition to the rear garden area which has an overly dominant and overbearing affect on residents of neighbouring properties. The scheme is therefore contrary to the above policy.

BH2010/03143

Northfield University of Sussex Falmer

Application for Approval of Details Reserved by Condition 7 of application BH2009/02205.

Applicant: University of Sussex

Officer: Anthony Foster 294495

Approved on 26/11/10 DELEGATED

BH2010/03190

4 Major Close Brighton

Erection of single storey side extension.

Applicant: Mr D Bamfield

Officer: Helen Hobbs 293335

Approved on 09/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. mm/01/manor4, mm/02manor4, site plan and block plan received on 7th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03206

71 Rushlake Road Brighton

Erection of two storey extension to front and side incorporating garage and roof alterations.

Applicant: Mr G Beckman

Officer: Anthony Foster 294495

Approved on 03/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no 01/038 received on 8 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

4) UNI

Notwithstanding the approved drawings, no development shall be commenced until full details of the proposed windows are submitted to and approved in writing by the Local Planning Authority, these details are to include size, material, method of opening and manufacturers brochure. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: In the interests of the character and appearance of the building and the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

BH2010/03212

17 Nanson Road Brighton

Demolition of existing single storey side projection and rear conservatory and erection of two storey side and rear extension and single storey rear extension.

Applicant: Mr John Ashton

Officer: Aidan Thatcher 292265

Approved on 06/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies D1 and QD14 of the Brighton & Hove Local Plan.

3) BH14.01

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

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

4) BH14.02

No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of

investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. CH385/002 and /003 received on 11.10.10 and drawing nos. CH385/001A, 004A and 005A received on 30.11.10.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03521

276 Ditchling Road Brighton

Erection of rear dormer and associated works.

Applicant: Mr Robert Skinner

Officer: Sonia Kanwar 292359

Approved on 06/12/10 DELEGATED

QUEEN'S PARK

BH2010/02198

St James's House High Street Brighton

Removal of existing boiler on ground floor level and installation of new boiler heating plant at lower ground floor level including the installation of two stainless steel flues, clad with a rain screen system. Alterations to car parking arrangements.

Applicant: Mr Jim Lord

Officer: Aidan Thatcher 292265

Approved on 25/11/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

Noise associated with the plant and machinery shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB(A) below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 & QD27 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 001, 002, 003, 004, 005, 006, 007, 008 and 009 received on 16.07.10 and proposed boiler room drawings (unreferenced) x4 received on 30.09.10.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02287

73 High Street Brighton

Replacement of existing single glazed timber windows with double glazed timber windows (Retrospective).

Applicant: Mick Perrin Productions Ltd

Officer: Helen Hobbs 293335

Approved on 29/11/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved un-numbered drawings received on 4th October 2010 and un-numbered drawing received on 24th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02706

162 Queens Park Road Brighton

Application for Approval of Details Reserved by Condition 1 of application BH2010/00950.

Applicant: Mr Peppy Conrad

Officer: Aidan Thatcher 292265

Approved on 26/11/10 DELEGATED

BH2010/02707

164 Queens Park Road Brighton

Application for Approval of Details Reserved by Condition 1 of application BH2010/00951.

Applicant: Mr Peppy Conrad

Officer: Aidan Thatcher 292265

Approved on 26/11/10 DELEGATED

BH2010/03049

1 East Drive Brighton

Installation of timber double glazed windows to replace existing windows to South and East elevations.

Applicant: Mr Mel Wilder

Officer: Sonia Kanwar 292359

Approved on 10/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the window schedule, Photographs G, H and I received on the 18th October 2010, the site location plan received on the 27th September 2010, and the window schedule and joinery details received on the 3rd December 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

3) UNI

All new windows shall be white painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2010/03194

Ground Floor Flat 32 Devonshire Place Brighton

Erection of rear ground floor conservatory. (Retrospective).

Applicant: Mr Harbhanjan Dhillon

Officer: Aidan Thatcher 292265

Approved on 07/12/10 DELEGATED

1) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 28717/3 received on 07.10.10 and drawing nos. 28717/1, /2 and /3A received on 12/10/10.

Reason: For the avoidance of doubt and in the interests of proper planning.

3) UNI

The development hereby permitted shall be completed within 3 months of the date of this permission.

Reason: To remove the existing harm to the character and appearance of the host building and the East Cliff Conservation Area and to comply with policies QD2, QD14 and HE6 of the Brighton & Hove Local Plan.

4) UNI

The timber frame to the conservatory hereby approved shall be painted white and retained as such.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2010/03219

12 West Drive Brighton

Demolition of existing single storey store room to rear side elevation and erection of new single storey utility room.

Applicant: Mr & Mrs S Keane

Officer: Sonia Kanwar 292359

Approved on 06/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. W137PC/HP/01 and W137PC/HP/02 received on 11th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03228

3 Upper Rock Gardens Brighton

Application for Approval of Details Reserved by Conditions 1, 2, 3, and 4 of application BH2010/01741.

Applicant: 4 Seasons

Officer: Liz Arnold 291709

Approved on 14/12/10 DELEGATED

BH2010/03232

Dolphin House 2-5 Manchester Street Brighton

Application for Approval of Details Reserved by Conditions 3, 7, 9 and 10 of application BH2010/00559.

Applicant: EC Brighton

Officer: Anthony Foster 294495

Approved on 08/12/10 DELEGATED

BH2010/03653

Turner Playground Sussex Street Brighton

Non Material Amendment to BH2010/01346 for the relocation of the 'playpod' building from approval position.

Applicant: Brighton & Hove City Council

Officer: Jonathan Puplett 292525

Approved on 06/12/10 DELEGATED

ROTTINGDEAN COASTAL

BH2010/02496

45 Falmer Road Rottingdean Brighton

Application for Approval of Details Reserved by Condition 3, 5, and 10 of application BH2010/00319.

Applicant: Mr Michael Harrod

Officer: Jonathan Puplett 292525

Approved on 25/11/10 DELEGATED

BH2010/02722

1 Cranleigh Avenue Rottingdean Brighton

The erection of a two storey rear extension, the insertion of 3 rooflights to the south facing roofslope, alteration to the existing north facing dormer window, the erection of a south facing porch, the removal of the existing bay windows and other alterations.

Applicant: Mr Vincent Gallagher

Officer: Liz Arnold 291709

Approved on 25/11/10 DELEGATED

1) BH01.01

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) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

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

3) BH02.09

Access to the flat roof over the extension 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.

4) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 2010-1CL-001 received on the 25th August 2010 and drawing nos. 2010-1CL-002RevB, 2010-1CL-003RevB, 2010-1CL-004RevA, 2010-1CL-005RevB and 2010-1CL-006RevA.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02756

Haus Allistone Vicarage Lane Rottingdean Brighton

Replacement front gate.

Applicant: Mr & Mrs Michael Bennett

Officer: Helen Hobbs 293335

Approved on 30/11/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 10-03/102C received on 28th October 2010 and drawing no. 10-03/101B and existing North Elevation shown on drawing no. 10-03/103B received on 3rd September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02935

31 Ainsworth Avenue Brighton

Replacement of existing balcony at first floor front elevation with part glazed/part opaque panels.

Applicant: Mr Russell Smith

Officer: Louise Kent 292198

Approved on 30/11/10 DELEGATED

1) BH01.01

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) BH03.02

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) 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. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 1004/E01, E02, PO2, PO3 received on 23 September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02993

26 The Cliff Brighton

Alterations to garden including lowering part of ground level, extending of patio and construction of pigeon loft beneath patio.

Applicant: Mr B Rogers

Officer: Sonia Kanwar 292359

Approved on 30/11/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 01/043, 02/043 and the site location plan and block plan received on the 21st September 2010 and the unnumbered drawing received on 4th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03009

28 Tudor Close Dean Court Road Rottingdean Brighton

Installation of cat flap. (Retrospective)

Applicant: Mrs Josephine Poughter-Hemsley

Officer: Jonathan Puplett 292525

Approved on 26/11/10 DELEGATED

1) UNI

Within three months of the date of this consent, the clear cat flap installed shall be replaced with an opaque white flap, or painted to match the colour of the door.

Reason: To ensure an acceptable appearance to the alteration to protect the historic character of the building, and to comply with Policy HE1 of the Brighton & Hove Local Plan.

BH2010/03055

112 Dean Court Road Rottingdean Brighton

Certificate of Lawfulness for existing single storey rear extension.

Applicant: Mr Graham Ranger

Officer: Helen Hobbs 293335

Approved on 02/12/10 DELEGATED

BH2010/03064

15 Withyham Avenue Brighton

Erection of single storey extensions to rear and external alterations including new terraces with steps to garden.

Applicant: Mrs Eleanor Barber

Officer: Sonia Kanwar 292359

Approved on 29/11/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be constructed to the northern elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. CH376/001A received on the 5th October 2010, and CH376/002, 003, 008 and 009 received on the 28th September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

5) UNI

The kitchen window to the northern elevation shall not be glazed otherwise than with obscured glass 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.

BH2010/03100

45 Falmer Road Rottingdean Brighton

Application for removal of condition 8 of application BH2010/00319 (Demolition of existing bungalow and construction of a two storey residential dwelling) which states that 'The Sycamore tree identified as 'T6' in drawing no. 3909/01 submitted on the 8th of February 2010 and the 'Arboricultural Report' submitted on the 8th of February 2010, shall be protected in accordance with the measures laid out in the Arboricultural Report and BS 5837 (2005). The required measures shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such measures.'

Applicant: Mr Michael Harrod

Officer: Jonathan Puplett 292525

Approved on 25/11/10 DELEGATED

1) BH02.03

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission

shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) BH06.01

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.

3) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the dwelling hereby approved shall not 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 3 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.

4) UNI

All planting, seeding or turfing comprised in the scheme of landscaping approved under application ref. BH2010/02496 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.

5) UNI

The side breakfast area window in the north elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window 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.

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling hereby permitted shall be constructed to Lifetime Homes standards prior to 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) UNI

The development hereby permitted shall be commenced before the expiration of five years from the date of permission BH2010/00319, the 19th of April 2010.

Reason: In accordance with the condition applied to permission BH2010/00319, and to comply with Section 91 of the Town and Country Planning Act 1990.

8) UNI

The exterior brick and tile hung walls, and the tiled roof shall be constructed in accordance with the samples and details approved under application ref. BH2010/02496.

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

BH2010/03112

49 Roedean Crescent Brighton

Certificate of Lawfulness for proposed single storey side extension to form garage.

Applicant: Dr M Gholami

Officer: Sonia Kanwar 292359

Approved on 25/11/10 DELEGATED

BH2010/03123

10 Rodmell Avenue Saltdean Brighton

Erection of timber decking and rear boundary screening to the rear of the property (Part-retrospective).

Applicant: Mr & Mrs Riley

Officer: Chris Swain 292178

Approved on 29/11/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no.741/01A received on 26 November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

2) UNI

The hereby approved proposed screening on the shared boundary with No.7 Bevendean Avenue shall be implemented in full within 2 months of the date of this decision and shall be maintained as such thereafter in perpetuity.

Reason: In order to protect the adjoining property to the west, No.7 Bevendean Avenue from overlooking and loss of privacy and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/03125

54 Ainsworth Avenue Brighton

Part demolition and replacement of two storey rear extension incorporating balcony and external staircase.

Applicant: Mr & Mrs B Kendall

Officer: Helen Hobbs 293335

Approved on 29/11/10 DELEGATED

1) BH01.01

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) BH02.04

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority.

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

3) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no A34710A received on 14th October and drawing no. A34709, site plan and block plan received on 4th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

5) UNI

The extension hereby approved shall be used for purposes ancillary to the use of the existing dwellinghouse and shall not be used as a separate dwelling or for any other use unless approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity enjoyed by existing and future occupiers and by neighbouring properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

The side window on the south east elevation of the extension shall not be glazed otherwise than with obscured glass 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.

BH2010/03149

49 Meadow Close Rottingdean Brighton

Certificate Of Lawfulness for a proposed loft conversion incorporating a hip to gable roof extension, rear dormer and rooflights.

Applicant: Mr Inderjit Jassal

Officer: Helen Hobbs 293335

Withdrawn on 03/12/10 DELEGATED

BH2010/03157

6 Wivelsfield Road Brighton

Installation of balcony and French doors to rear and replacement UPVC rear windows (part retrospective).

Applicant: Mr Paul Sheehan

Officer: Jonathan Puplett 292525

Refused on 08/12/10 DELEGATED

1) UNI

Policies QD14 and QD27 state that planning permission will not be granted for alterations which would cause material nuisance and loss of amenity to existing / future residents. Use of the proposed balcony would result in overlooking of neighbouring gardens, causing significant harm to the privacy of neighbouring residents. The scheme is therefore contrary to the above policies.

BH2010/03166

22 Rodmell Avenue Saltdean Brighton

Demolition of existing extensions and conservatory and erection of new single storey rear extension and porch to front entrance.

Applicant: Mr & Mrs Jon & Karen Tilley

Officer: Helen Hobbs 293335

Approved on 08/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. P1, P2, P3, P4, P5, P6, P7, P8, P9, P10, S1, S2, S3, S4, S5, S6, S7, S8, S9, S10, S0 & P0 received on 6th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03217

4 Roedean Crescent Brighton

Erection of detached garage to front of property with new access gate.

Applicant: Mr & Mrs Pell

Officer: Louise Kent 292198

Approved on 15/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The Prunus spp on the verge shall be protected to BS 5837 (2005) prior to and during the development.

Reason: To protect the trees which are to be retained on the site in the interest of the visual amenities of the area and to comply with policies QD1 and QD16 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the local planning authority and the works shall be undertaken in accordance with the approved details.

Reason: To enable the recording of any items of historical or archaeological interest, as the development is likely to disturb remains of archaeological interest, in accordance with requirements within PPS 5 "Planning for the Historic Environment", and Policy HE12 of the Brighton & Hove Local Plan.

5) UNI

The mature laburnum shall be replaced on site with either the same or similar species.

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 29106/04A received on 11 October 2010 and 29106/01A received on 20 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03222

49 Meadow Close Brighton

Erection of dormer to front roofslope.

Applicant: Inderjit Jassal

Officer: Helen Hobbs 293335

Approved on 08/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 200A received on 3rd December 2010 and drawing nos. 101 and 100 received on 12th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03246

44 Arundel Drive East Brighton

Loft conversion incorporating 2no dormers at rear elevation and additional rooflight to front elevation.

Applicant: Mrs Jenny Campbell

Officer: Helen Hobbs 293335

Approved on 09/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 100 and site plan received on 14th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03270

34 Arundel Drive East Brighton

Erection of conservatory to front elevation.

Applicant: Mr N Cash

Officer: Sonia Kanwar 292359

Refused on 08/12/10 DELEGATED

1) UNI

The development would form an incongruous and unsympathetic feature which would be detrimental to the character and appearance of the existing building and the visual amenities enjoyed by neighbouring properties. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

BH2010/03582

Land adjacent to 2 Longhill Road Brighton

Certificate of lawfulness for proposed development consisting of the erection of a single two storey dwelling house with new access off Longhill Road in accordance with planning permission reference BH2006/02525 as granted by Inspector's decision letter dated 21 March 2007.

Applicant: Mr Boon Yeng

Officer: Chris Swain 292178

Approved on 14/12/10 DELEGATED

1) UNI

With regard to planning permission BH2006/02525 which was granted by Inspector's decision letter dated 21 March 2007, development is considered to have commenced. In accordance with the requirements of Section 56 of the Town and Country Planning Act 1990, the erection of the proposed two storey dwelling is therefore lawful, provided it is constructed entirely in accordance with the details approved under planning permission BH2006/02525.

WOODINGDEAN

BH2010/00672

14 Downs Valley Road Brighton

Application for approval of details reserved by condition 3, 4, 5, 6, 7 and 8 of application APP/Q1445/A/06/2033153.

Applicant: Mr Alan Mills

Officer: Anthony Foster 294495

Approved on 01/12/10 DELEGATED

BH2010/01421

2 Mcwilliam Road Brighton

Erection of new front boundary fence (Retrospective).

Applicant: Mrs Marianne Bentovati

Officer: Jonathan Puplett 292525

Approved on 26/11/10 DELEGATED

BH2010/03271

40 Rosebery Avenue Brighton

Application for Approval of Details Reserved by Conditions 3, 5, 9, 10, 12 and 13 of application BH2009/03171.

Applicant: Mr G Card

Officer: Aidan Thatcher 292265

Approved on 14/12/10 DELEGATED

BRUNSWICK AND ADELAIDE

BH2010/01688

61 Holland Road Hove

Change of use from retail (A1) to dental surgery (D1) incorporating creation of rear access, new window and door to north elevation and louvres and a plant enclosure to north elevation (amended description).

Applicant: The Implant Centre

Officer: Jason Hawkes 292153

Approved on 10/12/10 DELEGATED

1) BH01.01

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) BH06.02

The development hereby permitted shall not be commenced until 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.

3) BH13.09

The railings shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) BH13.11

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation fronting a highway.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

The new section of opening onto Lansdowne Street shall exactly match the rustication and curved profile of the original stucco jambs.

Reason: To ensure the satisfactory appearance of the listed building and conservation area and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

6) UNI

No works shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in strict accordance with the approved details.

(a) Details of the material proposed for the surface of the bridge to new Lansdowne Street elevation.

(b) Large scale joinery sections for new doors and windows proposed to all external elevations.

(c) Large scale details of the proposed new railing pattern including means of fixing to the wall and detail of junction with existing railings/gate.

Reason: To ensure the satisfactory appearance of the listed building and conservation area and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

7) UNI

The proposed louvres and plant enclosure shall be finished in a cream colour to match the external rear walls of the building and thereafter retained as such.

Reason: To ensure the satisfactory appearance of the listed building and conservation area and to comply with policies HE1 and HE6 of the Brighton & Hove Local Plan.

8) UNI

Noise associated with plant and machinery incorporated within the development shall be controlled such the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenity of the adjacent residents and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

9) UNI

The premises shall only be used for a dentist and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (use Classes) Order 1987 (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of the premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

10) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.928/00B, 01, 02, 03A, 04, 05, 16B, 17D, 18C, 19D, 20B and SK4A, M001 and Gff013.001 received on the 24th August, 20th October, 30th November and 8th December 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

11) UNI

The use permitted shall not be open to customers except between the hours of 0800 and 2000 on Monday to Saturdays and not at anytime on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenity of the locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/01689

61 Holland Road Hove

Internal alterations to layout to allow conversion to dental surgery, creation of rear access, new windows and doors to north elevation and louvres and a plant enclosure to north elevation. New non-illuminated signage to front elevation.
(amended description)

Applicant: The Implant Centre

Officer: Jason Hawkes 292153

Approved on 10/12/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.09

The railings shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) BH13.11

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation fronting a highway.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

No works shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

- (a) Details of the material proposed for the surface of the bridge to new Lansdowne Street elevation.
- (b) Large scale joinery sections for new doors and windows proposed to all external elevations.
- (c) Large scale details of the proposed new railing pattern including means of fixing to the wall and detail of junction with existing railings/gate.

Reason: To ensure the satisfactory appearance of the listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

The proposed louvres and plant enclosure shall be finished in a cream colour to match the external rear walls of the building and thereafter retained as such.

Reason: To ensure the satisfactory appearance of the listed building and conservation area and to comply with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

The new section of opening onto Lansdowne Street shall exactly match the rustication and curved profile of the original stucco jambs.

Reason: To ensure the satisfactory appearance of the listed building and conservation area and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/02498

39 Salisbury Road Hove

Application for Approval of Details Reserved by Conditions 3, 4, 5, 7, 13, 14, 15, 17 & 18 of application BH2010/01782.

Applicant: Kitmarr Ltd

Officer: Guy Everest 293334

Approved on 29/11/10 DELEGATED

BH2010/02830

14 Holland Mews Hove

Loft conversion incorporating roof extension, window to front and side rooflights. External alterations to South elevation.

Applicant: Miss Jess Williams

Officer: Charlotte Hughes 292321

Approved on 26/11/10 DELEGATED

1) BH01.01

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) BH12.05A

The rooflight[*s*] hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The soil vent pipe and rainwater pipe hereby approved shall be painted in a colour to match the existing background walls, unless otherwise agreed in writing by the Local Planning Authority, and they shall maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

4) UNI

No works shall take place until 1:20 scale sample elevations and 1:1 scale joinery details of the new windows, doors and roof lights have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 01, 05 received on 22nd September 2010, 02/B received on 22nd November 2010 and 03 received on 24th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02846

Flat 3 30 Brunswick Terrace Hove

Installation of gas central heating incorporating internal pipe work.

Applicant: Ms Helen Armes

Officer: Robin Hodgetts 292366

Approved on 07/12/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

No works shall take place until details of the proposed boiler and flue's location, including scale internal and external elevations, have been submitted to and approved in writing by the Local Planning Authority. The boiler and flue should be positioned so that they do not adversely affect the existing window frame (or its immediate surrounds) on the rear elevation of the building. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

No works shall take place until details of the flue (including colour, material and design) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/03045

2A Brunswick Road Hove

Internal alterations to layout of flat.

Applicant: Mr Thomas Moss

Officer: Charlotte Hughes 292321

Approved on 29/11/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.06

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The existing kitchen and bathroom doors are to be re-used in the positions shown on the 'One Bedroom Provisional Layout' received on 25th November 2010, unless otherwise agreed in writing by the Local Planning Authority. Where the existing original doors are required to be upgraded to meet fire regulations, details of upgrading works shall be submitted to and approved in writing by the Local Planning Authority. Self closing mechanisms, if required, shall be of the concealed mortice type. The works shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/03058

Flat 2 24 Palmeira Square Hove

Replacement of crittall window with wooden sash window and installation of additional wooden sash window to rear.

Applicant: Mr Robert Mayne

Officer: Wayne Nee 292132

Approved on 02/12/10 DELEGATED

1) BH01.01

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) UNI

Notwithstanding the submitted drawings, before works to the windows commence, new 1:1 joinery details of the windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The joinery details shall exactly match the south elevation window of the flat immediately below unless otherwise agreed in writing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As unsatisfactory information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings nos. 1, 2, 3, 4, 5, 6, 7, 8 and 11 received on 07 October 2010
Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03059

Flat 2 24 Palmeira Square Hove

Internal alterations to layout of flat. Replacement of crittall window with wooden sash window and installation of additional wooden sash window to rear.

Applicant: Mr Robert Mayne

Officer: Wayne Nee 292132

Approved on 02/12/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) BH13.02

The external finishes of the works hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) BH13.06

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

Before works to the kitchen door commence, details of the proposed kitchen door hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The door shall be a traditionally constructed panelled door with only the upper panels glazed unless otherwise agreed in writing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

Notwithstanding the submitted drawings, before works to the windows commence, new 1:1 joinery details of the windows hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The joinery details shall exactly match the south elevation window of the flat immediately below unless otherwise agreed in writing. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As unsatisfactory information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/03065

Flat 96 Embassy Court Kings Road Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2010/01000.

Applicant: Mr Stephen Vango

Officer: Christopher Wright 292097

Approved on 09/12/10 DELEGATED

BH2010/03201

Flat 5, 2 - 3 Palmeira Square Hove

Internal alterations to layout of flat.

Applicant: Mr F Anabtawi

Officer: Paul Earp 292193

Approved on 03/12/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

No works shall take place until full details of the proposed four panelled doors, including 1:1 scale profiles, have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

CENTRAL HOVE

BH2010/01982

First Floor 128 Church Road Hove

Conversion of first floor from offices (B1) to flat (C305) incorporating UPVC windows to replace existing (Retrospective)

Applicant: Mr Foad Abdockhau

Officer: Adrian Smith 01273 290478

Refused on 08/12/10 DELEGATED

1) UNI

Policy EM6 of the Brighton & Hove Local Plan seeks to retain small industrial, business and warehouse premises for employment purposes unless a) specially built or converted starter business units are available elsewhere in the neighbourhood at a comparable rental; b) the premises have been assessed and are genuinely redundant i.e. they are vacant and have been marketed locally at a price that reflects their condition and commercial value and for a period of time that reflects the likely demand for the size of premises; c) continued use of the premises for business purposes would cause undue disturbance to residential neighbours; or access to the premises does not meet an acceptable safety standard and cannot reasonably be improved. No information has been submitted with the application to demonstrate that any of the above exceptions apply. Therefore, the retrospective conversion of the first floor office use is contrary to the requirements of policy EM6 of the Brighton & Hove Local Plan.

2) UNI2

Policy HE6 of the Brighton & Hove Local Plan requires developments within Conservation Areas to preserve or enhance the character and appearance of the area. The replacement windows, by reason of their UPVC finish, represent an incongruous alteration that fails to preserve or enhance the character and appearance of the building or the wider Cliftonville Conservation Area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2010/02305

Kings House Grand Avenue Hove

Erection of 2no flag poles to the South elevation.

Applicant: Brighton & Hove City Council

Officer: Clare Simpson 292454

Approved on 24/11/10 GOVERNMENT OFFICE FOR THE WEST MIDLANDS

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

BH2010/02847

43 Osborne Villas Hove

Replacement of existing timber casement window with smaller timber sash window to front elevation.

Applicant: Mr Neil Bloomfield

Officer: Wayne Nee 292132

Approved on 26/11/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 005b and 006 received on 21 November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03057

20 - 21 Connaught Road Hove

Change of use of ground floor from offices (B1) to 2no two bedroom residential flats (C3) incorporating associated internal alterations.

Applicant: Mr Patrick Goubel

Officer: Guy Everest 293334

Refused on 02/12/10 DELEGATED

1) UNI

It has not been demonstrated that the premises have been actively marketed for a period of at least 12 months or that the marketing strategy adopted was appropriate to the condition and commercial value of the building. It has therefore not been demonstrated that the site is genuinely redundant or that the premises cannot be converted to provide alternative types of employment generating uses. The application is therefore contrary to policies EM5 and EM6 of the Brighton & Hove Local Plan.

BH2010/03113

17 Albany Villas Hove

Conversion of roof space to form 1no studio flat incorporating rooflights to flat roof and rear.

Applicant: Swanage Ltd

Officer: Steven Lewis 290480

Approved on 30/11/10 DELEGATED

1) BH01.01

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) BH02.07

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.

3) BH04.01

The new dwelling[s] shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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.

4) BH06.03

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and made available for use. The cycle parking facilities shall thereafter be retained for use by the occupants of, and visitors to, the development at all times.

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

5) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

6) UNI

The development hereby permitted shall be carried out in accordance with the approved Stuart Radley Associates drawings no. A51PC/FP3/01, A51PC/FP3/02 & A51PC/FP3/03 received on 01/10/2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

7) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until the sustainability measures detailed within the submitted Sustainability Checklist have been fully implemented, and such measures shall thereafter be retained as such.

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

BH2010/03136

22 Belfast Street Hove

Erection of single storey side extension with bio-folding doors to rear. Replacement of existing windows with wooden sash windows and installation of wooden sash window at first floor level to front.

Applicant: Mr John Shortland Gambier

Officer: Christopher Wright 292097

Approved on 03/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed on the extension hereby permitted, without planning permission obtained from the Local Planning Authority.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. BB/001 Revision D received on 5 November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03152

Flat 11a 10-11 Kings Gardens Hove

Internal alterations to layout of flat.

Applicant: Mr B Wilkins

Officer: Charlotte Hughes 292321

Approved on 26/11/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

Details of any external ventilation grilles for the bathrooms and their proposed positions shall be submitted to and approved by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/03177

174 Church Road Hove

Display of 1no. externally illuminated fascia sign.

Applicant: Maslen Estate Agents

Officer: Wayne Nee 292132

Approved on 07/12/10 DELEGATED

1) BH10.01

This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.

2) BH10.02

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.

3) BH10.03

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.

4) BH10.04

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

5) BH10.05

No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

BH2010/03189

2 Kings Gardens Hove

Internal alterations to layout of flat 4, third floor incorporating reinstatement of original bricked up window at north west external wall and relocation of boiler and flue.

Applicant: Mr John Papanichola

Officer: Robin Hodgetts 292366

Approved on 10/12/10 DELEGATED

1) BH01.05

The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) UNI

No works shall take place until details of the flue and ventilation grille proposed (including colour, material and design) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

All existing doors are to be retained, except where indicated on the drawings hereby approved. Any new doors shall be of timber construction with recessed panels and be of a specified size and design as agreed in writing by the Local Planning Authority prior to commencement of work. Any fireproofing to doors should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

4) UNI

No works shall take place until full joinery details of the proposed new window including 1:20 scale sample elevations and 1:1 scale joinery profiles have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2010/03296

Unit 3 Planet House 1 The Drive Hove

Certificate of lawfulness for an existing use as a bureau de change (A2).

Applicant: Mr Steven Hughes

Officer: Christopher Wright 292097

Approved on 08/12/10 DELEGATED

BH2010/03420

144 Church Road Hove

Change of use of ground floor shop and ancillary lower ground floor storage from Retail (A1) to Financial and Professional Services (A2).

Applicant: Mrs E Alajmi

Officer: Steven Lewis 290480

Approved on 09/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. RFA 10/185/OS & RFA 10/185/10 received on 01/11/2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

GOLDSMID

BH2010/02264

99 Sackville Road Hove

Change of Use from (A1) Retail Unit to (A1) Retail and 1 No. Dwelling Unit.

Applicant: Mr G Barnard

Officer: Charlotte Hughes 292321

Approved on 10/12/10 DELEGATED

1) BH01.01

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) BH02.08

No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained for use at all times.

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

3) BH06.02

The development hereby permitted shall not be commenced until 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.

4) UNI

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials. It shall include an Energy Saving Trust Home Energy Report and indicate which measures

recommended in the report will be incorporated into the development. The development shall be carried out in strict accordance with the approved details.

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.

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 435/10 and 435/12 received on 20th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling hereby permitted shall be constructed to Lifetime Home standards prior to its 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.

BH2010/02622

30 Cromwell Road Hove

Change of Use from Dental Surgery (D1) to 1no one bedroom flat (C3).

Applicant: Mr R Harrison

Officer: Clare Simpson 292454

Approved on 07/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.06a received on the 25th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02975

Ground Floor Flat 20 Hartington Villas Hove

Installation of replacement UPVC windows and new French doors replacing existing rear window. (Part retrospective).

Applicant: Mr P Merinko

Officer: Wayne Nee 292132

Approved on 09/12/10 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with drawing no. 501/012/01C received on 14 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03034

28 Richmond Court Osmond Road Hove

Replacement of existing windows with UPVC double glazed windows.

Applicant: Mrs Leonie Braddick

Officer: Wayne Nee 292132

Approved on 07/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the supporting documents received on 23 September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03053

Flat 4 29 York Avenue Hove

Replacement of existing timber framed window with new UPVC style unit.

Applicant: Mr Giogio Verardi

Officer: Wayne Nee 292132

Approved on 08/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the supporting documents received on 27 September 2010 and 18 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03087

65 Palmeira Avenue Hove

Excavation of lower ground floor and erection of single storey and two storey rear extensions at lower ground and ground floor levels, additional windows to South and associated alterations.

Applicant: Ben Cheal

Officer: Adrian Smith 01273 290478

Approved on 30/11/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no.01 received on the 30th September 2010 and drawing no.02 received on the 11th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03150

14 Hove Park Villas Hove

Erection of two storey extension to rear and installation of a front elevation balcony at 2nd floor incorporating French doors to replace existing window (part retrospective).

Applicant: Mr Tony Milonas

Officer: Wayne Nee 292132

Approved on 29/11/10 DELEGATED

1) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

2) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 293/P1, P2, P3, P4, P6 received on 04 October 2010, and drawing nos. 293/P5A and 293/P7A received on 22 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03167

89 Holland Road Hove

Application for variation of conditions 6 and 8 of application BH2009/02058, (Conversion of single dwelling house to form child day care nursery at ground floor level and self-contained flat at first floor level - Retrospective), to allow for an increased limit of children at the nursery at any time from 12 to 33 and to allow use of part of the first floor in connection with the nursery.

Applicant: Young Friends Nursery Ltd

Officer: Paul Earp 292193

Approved on 15/12/10 DELEGATED

1) BH07.12

The premises shall only be used for D1 and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area and to comply with policy QD27 of the Brighton & Hove Local Plan.

2) UNI

The outdoor play sessions shall be restricted to within the hours of 09.30 to 17.00 Mondays to Fridays only with no use permitted on Saturdays, Sundays or Bank Holidays.

Reasons: To safeguard the residential amenities of the occupiers of neighbouring properties and to comply with policies QD27 & HO26 of the Brighton & Hove Local Plan.

3) UNI

No amplified music or musical equipment shall be used in the outdoor play area at any time.

Reasons: To safeguard the residential amenities of the occupiers of neighbouring properties and to comply with policies QD27 & HO26 of the Brighton & Hove Local Plan.

4) UNI

The use of the nursery is restricted to the ground floor and areas of the first floor shown on drawing no. YFN/089/002 received on 5 October 2010. The first floor nursery accommodation shall not be occupied until the residential unit is available for occupied.

Reasons: To safeguard the residential accommodation and to comply with policies HO8 & HO26 of the Brighton & Hove Local Plan.

5) UNI

The secure and covered storage and buggy/pushchair storage area situated to the side of the former garage shall be made available for such use at all times.

Reasons: To ensure the adequate provision of facilities to comply with policy HO26 of the Brighton & Hove Local Plan.

6) UNI

The number of children at the nursery at any time shall not exceed 33 without the prior approval of the Local Planning Authority.

Reason: To prevent over intensive use of the premises and consequent adverse effect on the character of the area and to comply with policies QD27 & HO26 of the Brighton & Hove Local Plan.

7) UNI

The use hereby permitted shall not be open except between the hours of 08.00 to 18.00 Mondays to Fridays only, and not at anytime on Saturdays, Sundays or Bank Holidays.

Reasons: To safeguard the residential amenities of the occupiers of neighbouring properties and to comply with policies QD27 & HO26 of the Brighton & Hove Local Plan.

8) UNI

The outdoor area shall be used in accordance with details shown on the Garden Plan (drawing no.YFN/089/003), the Garden Action Plan and Nursery Routine details (all received on 5 October 2010) which together form a Management Plan. This scheme shall be retained for the duration of the approval with any required amendments made when necessary.

Reasons: To safeguard the residential amenities of the occupiers of neighbouring properties and to comply with policies QD27 & HO26 of the Brighton & Hove Local Plan.

BH2010/03236

Hove Station Station Approach Hove

Application for Approval of Details Reserved by Condition 2, 3, 4 and 5 of application BH2010/01030.

Applicant: Southern Railway

Officer: Charlotte Hughes 292321

Refused on 08/12/10 DELEGATED

1) UNI

The proposed routing of the cable trunking runs along the middle of the skirting board, which would add to the clutter of cabling along the wall and cause harm to the interior of the building. The details submitted in respect of condition 2 would therefore be contrary to policy HE1 of the Brighton & Hove Local Plan.

2) UNI2

Condition 3 places an ongoing restriction on the painting of the cabling and trunking approved under BH2010/01030. As such, there are no details pursuant to this condition which require the approval of the Local Planning Authority.

3) UNI3

Condition 4 places a requirement for any redundant cabling to be removed and the affected area to be made good. There are no details pursuant to this condition which require the approval of the Local Planning Authority.

4) UNI4

The numbers and locations of the poster boards would add visual clutter to the external and internal elevations of the building and detract from its appearance. The details submitted in respect of condition 4 would therefore not ensure the satisfactory preservation of the listed building in accordance with policy HE1 of the Brighton & Hove Local Plan.

BH2010/03267

4 - 8 Somerhill Avenue Hove

Application for Approval of Details Reserved by Conditions 5 and 12 of application BH2004/02722/FP.

Applicant: Barratt Southern Counties

Officer: Paul Earp 292193

Approved on 09/12/10 DELEGATED

BH2010/03298

22 Lorna Road Hove

Certificate of Lawfulness for proposed loft conversion incorporating gable end roof extension and rear dormer.

Applicant: Mr Nicholas Brain

Officer: Charlotte Hughes 292321

Approved on 30/11/10 DELEGATED

BH2010/03349

62A Livingstone Road Hove

Erection of single storey rear extension at lower ground floor level replacing existing conservatory.

Applicant: Ms Helen Lannaghan

Officer: Mark Thomas 292336

Approved on 08/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. 403(PL)1 received on 22nd October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

HANGLETON & KNOLL

BH2010/03165

200 Poplar Avenue Hove

Application for Approval of Details Reserved by Conditions 4 and 5 of application BH2009/02315.

Applicant: Mr Charlie Hickey

Officer: Christopher Wright 292097

Approved on 02/12/10 DELEGATED

BH2010/03293

60 Meadway Crescent Hove

Erection of a single storey rear extension.

Applicant: Mr Simon Beany

Officer: Mark Thomas 292336

Refused on 10/12/10 DELEGATED

1) UNI

Policy QD27 of the Brighton & Hove Local Plan states that development will only be granted planning permission if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed rear extension by virtue of its bulk, height, positioning, projection and proximity to the neighbouring boundary represents an overbearing development for the occupiers of no. 62 Meadway Crescent, which would result in significant overshadowing, increased sense of enclosure and loss of outlook. As such the proposed development is considered to be contrary to the aforementioned planning policy.

BH2010/03400

8 Fallowfield Crescent Hove

Erection of single storey rear extension.

Applicant: Mr David Wade

Officer: Mark Thomas 292336

Refused on 13/12/10 DELEGATED

1) UNI

Policy QD27 of the Brighton & Hove Local Plan states that development will only be granted planning permission if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed rear extension by virtue of its bulk, height, positioning, projection and proximity to the neighbouring boundary represents an overbearing development for the occupiers of no. 10 Fallowfield Crescent, which would result in significant overshadowing, increased sense of enclosure and loss of outlook. As such the proposed development is considered to be contrary to the aforementioned planning policy.

2) UNI2

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The proposed extension by virtue of its excessive height represents an incongruous and bulky addition to the rear elevation of the recipient property and would result in unacceptable harm to the character and appearance of the recipient building, contrary to the above policy and guidance.

BH2010/03475

12 Lynchets Crescent Hove

Erection of single storey rear extension incorporating installation of new window to North and replacement of existing window to South.

Applicant: Mr Adam Saunders

Officer: Mark Thomas 292336

Approved on 08/12/10 DELEGATED

1) BH01.01

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) UNI

With the exception of the use of grey powder coated aluminium as the frame material for the bi-folding doors and window to the rear, west facing, elevation and the 'Apex' rooflight, the external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. H1669.01 B, H1669.02 C received on 5th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03681

39 Elm Drive Hove

Certificate of lawfulness for proposed roof conversion incorporating removal of existing side dormer and construction of 2no new side dormers. Erection of single storey garden room to rear.

Applicant: Mr Terry Moore

Officer: Steven Lewis 290480

Approved on 14/12/10 DELEGATED

NORTH PORTSLADE

BH2010/03244

Hillside School Foredown Road Portslade Brighton

Demolition of temporary existing classroom & library building and erection of new single storey extension to accommodation of classrooms, library and food technology teaching area.

Applicant: Brighton & Hove City Council

Officer: Clare Simpson 292454

Approved on 13/12/10 DELEGATED

1) BH01.01

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) UNI

The development shall be carried out in accordance with the measures outlined in the Arboriculture Method Statement received on the 28th October 2010.

Reason: To ensure adequate protection for the trees adjacent to the site in accordance with policy QD16 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted will be carried out in accordance with the following samples submitted 10th December 2010, main facing block in Lignacite Cream, weathered finish; feature band block in Lignacite Terracotta, weathered finish; single ply roof membrane - Renofol with Standing Seam feature and retained in place thereafter.

Reason: To ensure a satisfactory appearance to the development in accordance with policy QD1 and QD14 of the Brighton & Hove Local Plan.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 001, 002, 003, 010, 011, 012, 013, 025, received on the

13th October 2010, 020A, 021A, 023A, 024A, 026A, 027A, 031, and 032 received on 3rd December 2010, drawing no.022A received on the 9th December 2010 .

Reason: For the avoidance of doubt and in the interests of proper planning.

5) UNI

The development shall be carried out in accordance with the approved details outlined in the Sustainability Statement submitted on the 9th December 2010 and the provisions retained in place thereafter.

Reason: To ensure that the development reduces energy and water demands and in accordance with policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document on Sustainable Building Design.

SOUTH PORTSLADE

BH2010/01690

Aldi Stores Ltd 2 Carlton Terrace Portslade Brighton

Application for approval of details reserved by conditions 2,3,6,7,8,9,10,11,12,13,14,17,18,19,20,21,22,23,24 and 25 of application BH2006//00834.

Applicant: Aldi Stores Ltd

Officer: Paul Earp 292193

Split Decision on 26/11/10 DELEGATED

1) UNI

Approve details reserved by conditions 6, 7, 10, 12, 13, 18, 19, 20, 24 & 25 of approval BH2006/00834.

1) UNI

Refuse to discharge conditions 8, 11, 21 which are to be subject to a further application seeking their removal.

BH2010/03004

28 Station Road Portslade

Application for variation of condition for 3/93/0349(F) (Retrospective Change of Use of ground floor from A1 to A3 use) to extend trading hours to 08.00 to 22.00 on Monday to Saturday and 17.00 to 22.00 on Sunday.

Applicant: Roberto Figueria

Officer: Adrian Smith 01273 290478

Approved on 10/12/10 DELEGATED

1) UNI

The use hereby permitted shall only be open and in use between 07.00 hours and 22.00 hours Mondays to Saturdays (including Bank Holidays) and 17.00 hours and 22.00 hours on Sundays.

Reason: In order to protect the amenity of residential occupiers and to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

BH2010/03077

1 Trafalgar Road Portslade

Erection of front and side extensions at ground floor level and extension of pitched roof to incorporate creation of additional first floor level to create Dental Surgery.

Applicant: Portslade Dental Cente

Officer: Adrian Smith 01273 290478

Approved on 10/12/10 DELEGATED

1) BH01.01

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) UNI

No development shall take place until full details of the external disabled lift indicated on the approved plans has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the disabled lift shall thereafter be retained for use at all times.

Reason: To ensure the provision of a satisfactory means of access to the site for disabled persons and to comply with policy HO19 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

4) UNI

No development shall take place until full details of the retaining walls and storage areas for the cycle and refuse and recycling facilities hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse, recycling and cycle storage facilities shall thereafter be retained for use at all times.

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

5) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no.286/P1 received on the 29th September 2010; and amended drawing nos.286/P4A, 286/P5A & 286/P6A received on the 6th December 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

6) UNI

All noise associated with plant and machinery incorporated within the development, including any dental equipment, shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5dB below the existing LA90 background noise level. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

BH2010/03642

76 Abinger Road Portslade

Certificate of Lawfulness for a proposed single storey rear extension.

Applicant: Mr & Mrs Wilmot

Officer: Steven Lewis 290480

Approved on 08/12/10 DELEGATED

HOVE PARK

BH2010/02634

50 Hill Brow Hove

External alterations including increase in height to existing boundary wall, piers and railings. Installation of 2 sets of automatic gates and replacement of existing driveway with resin bonded gravel (Part Retrospective).

Applicant: Mr R Chatterton-Sim

Officer: Charlotte Hughes 292321

Approved on 25/11/10 DELEGATED

BH2010/02733

106 Woodland Drive Hove

Erection of summerhouse and timber decking to rear garden (Retrospective).

Applicant: Mr Phil Moore

Officer: Charlotte Hughes 292321

Refused on 29/11/10 DELEGATED

1) UNI

Policies QD14 and QD27 of the Brighton & Hove Local Plan seek to ensure that alterations and additions to properties do not have a harmful impact upon the residential amenity of neighbouring occupiers. The decking forms a large raised platform which stretches across the full width of the rear garden and lies in close proximity to the neighbouring boundaries and rear windows of 104 and 108 Woodland Drive. Whilst it is acknowledged that mutual overlooking between these properties is already in existence, it is considered that the decking, by reason of its elevated position and siting, results in an intrusive and un-neighbourly addition to the property which has an adverse impact on the residential amenity currently enjoyed by 104 and 108 Woodland Drive. The proposal is therefore considered to be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2010/02883

32 Hove Park Way Hove

Erection of two storey extensions to front and rear and alterations to garage to form habitable room. Erection of new front porch, enlarged parking area and gated entrance. External alterations to windows and doors and insertion of rooflights to North, South and East elevations.

Applicant: Mr & Mrs Steven Kell

Officer: Adrian Smith 01273 290478

Approved on 07/12/10 PLANNING COMMITTEE

1) BH01.01

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) UNI

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the host building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows shall be constructed in the north

side elevation of the rear extension or the south side elevation of the front extension hereby permitted without planning permission obtained from the Local Planning Authority.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the site plan and approved drawing no. SKH4c received on the 9th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03102

9 Hill Drive Hove

Erection of two storey extension to side and rear and first floor extension to front with associated roof alterations. Conversion of garage to form habitable room and external alterations to front elevation.

Applicant: Mr Matthew Prince

Officer: Clare Simpson 292454

Approved on 25/11/10 DELEGATED

1) BH01.01

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) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s), (including no window, dormer window, rooflight or door) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no.10640/ 01.A, 03, and 04 received on 30th September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03144

11 Tongdean Road Hove

Application for removal of condition 11 of application BH2010/00009 (Erection of two new 5 bedroom family homes) which states that no development shall take place until details of a scheme to provide sustainable transport infrastructure to support the demand for travel generated by the development has been submitted to and approved in writing by the Local Planning Authority.

Applicant: Liam Russell Architects Ltd

Officer: Guy Everest 293334

Approved on 06/12/10 DELEGATED

1) BH01.01

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) BH04.01A

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling[*s*] 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.

3) BH05.01B

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:

- (a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and
- (b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 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.

4) BH05.02B

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 3 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.

5) BH05.10

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.

6) BH12.01

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) 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. 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 HE6 of the Brighton & Hove Local Plan.

7) BH12.07

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the character of the area and to the amenities of the occupiers of nearby properties and for this reason would wish to control any future development proposals to comply with policies QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

8) UNI

No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site to OS Datum by means of spot heights and cross-sections; proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason: To ensure a satisfactory appearance to the development and to protect the amenity of surrounding neighbours in accordance with policies QD1, QD2, and QD27 of the Brighton & Hove Local Plan.

9) UNI

The first floor windows indicated on the hereby approved plans as being obscurely glazed shall not be glazed otherwise than with obscured glass and shall thereafter be permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policy QD27 of the Brighton & Hove Local Plan.

10) UNI

The landscaping scheme, as approved under condition 3, shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner. 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 with others of similar size and species, unless the Local Planning Authority give written consent to any variation.

Reason: To enhance the appearance of the development and protect neighbouring residential amenity and to comply with policies QD15, QD16 and QD27 of the Brighton & Hove Local Plan.

11) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings no. 0294-BR-001, 0294-BR-002, 0294-BR-003 & 0294-BR-004 submitted 5th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

12) UNI

No development shall take place until a scheme for the landscaping hard surfacing, means of enclosure and planting of the development has been submitted to and approved in writing by the Local Planning Authority. The details shall make particular provision for additional boundary fencing and landscaping along the northern boundary of the site and include details of 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.

Reason: To enhance the appearance of the development and protect neighbouring residential amenity and to comply with policies QD15, QD16 and

QD27 of the Brighton & Hove Local Plan.

13) UNI

Prior to occupation of the hereby approved dwellings details of entrance gates to the site from Tongdean Road shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the agreed details.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.

BH2010/03266

42 Tongdean Avenue Hove

Application for Approval of Details Reserved by Condition 2 of application BH2010/02269.

Applicant: Mr & Mrs Hepburn

Officer: Clare Simpson 292454

Approved on 06/12/10 DELEGATED

BH2010/03297

21 Woodland Avenue Hove

Erection of two storey rear extension.

Applicant: Mr R Patel

Officer: Steven Lewis 290480

Approved on 26/11/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door, other than those expressly authorised by this permission, shall be constructed in the walls or roof of the extension hereby permitted without first obtaining planning permission from the local planning authority.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered drawings received on 14/10/2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03435

33 The Droveaway Hove

Erection of single storey rear extension.

Applicant: Mr Chris Smith

Officer: Mark Thomas 292336

Approved on 09/12/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved unnumbered drawing received on 2nd November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03482

16 Chartfield Hove

Non Material Amendments to BH2010/01714 for the increased width of dormer by 130mm and bring dormer window forward by 365mm to allow original window to be re-used. Increase width of ground floor windows (front facing).

Applicant: Mr Will Stuart

Officer: Wayne Nee 292132

Refused on 07/12/10 DELEGATED

1) UNI

The proposed revisions to the scheme approved under application BH2010/01714 are considered to be material in their nature and warrant the submission of a further application for planning permission to enable the Local Planning Authority to fully assess the revised proposals in respect of the following issues:

i) Impact on the amenities of the occupiers of neighbouring properties.

BH2010/03488

201 Goldstone Crescent Hove

Non Material Amendment to BH2008/02626 to replace section of tiles on front of extension with a triangular window.

Applicant: Prof Paul Taggart

Officer: Wayne Nee 292132

Approved on 09/12/10 DELEGATED

BH2010/03503

12 Hove Park Way Hove

Erection of single storey rear extension.

Applicant: Mr & Mrs D Tanner

Officer: Mark Thomas 292336

Refused on 13/12/10 DELEGATED

1) UNI

Policy QD27 of the Brighton & Hove Local Plan states that development will only be granted planning permission if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed rear extension by virtue of its bulk, height, positioning, projection and proximity to the neighbouring boundary represents an overbearing development for the occupiers of no. 12a Hove Park Way, which would result in significant increased sense of enclosure. As such the proposed development is considered to be contrary to the aforementioned planning policy.

BH2010/03715

40 Woodland Avenue Hove

Non Material Amendment to BH2010/02407 to allow reduction in roof height to two storey side extension.

Applicant: Mr Richard Brown

Officer: Jason Hawkes 292153

Approved on 08/12/10 DELEGATED

WESTBOURNE

BH2010/02062

23A & 23E Coleridge Street Hove

Removal of pre-commencement condition numbers 2 and 3 of application BH2009/00422 which require registration with the Building Research Establishment, a design stage assessment report, design stage certificate and an eco homes certificate.

Applicant: Richlife Ltd

Officer: Guy Everest 293334

Refused on 08/12/10 DELEGATED

1) UNI

The approved residential use would entail a different pattern and quantity of resource consumption to an office development. It has not been demonstrated that through removal of conditions 3 & 4 of application BH2009/00422 the residential development would achieve a high standard of efficiency in the use of energy, water and materials and that significant environmental improvements would be achieved. The removal of the conditions would therefore be contrary to policy SU2 of the Brighton & Hove Local Plan and to the provisions of Supplementary Planning Document 08, Sustainable Building Design.

BH2010/03043

6 Langdale Gardens Hove

Erection of single storey rear extension.

Applicant: Mr & Mrs Mann

Officer: Wayne Nee 292132

Approved on 25/11/10 DELEGATED

1) BH01.01

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) BH03.03

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. 10328-Loc and 10328-04 received on 27 September 2010, and drawing no. 10328-04 received on 30 September 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03104

Flat 16 Blenheim Court 17 New Church Road Hove

Replacement of existing timber windows and doors with double glazed UPVC units.

Applicant: Mr T Darracott

Officer: Wayne Nee 292132

Approved on 02/12/10 DELEGATED

1) BH01.01

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.

BH2010/03117

14 Princes Square Hove

Erection of single storey rear extension.

Applicant: Andy Rose

Officer: Charlotte Hughes 292321

Refused on 13/12/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area. The rear extension does not relate sympathetically to the host property by reason of its excessive scale, bulk and design and it considered that the resultant building would neither preserve nor enhance the character and appearance of the conservation area. The proposal is therefore considered to be contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2010/03154

2 New Church Road Hove

Creation of disabled parking area to rear incorporating demolition of part of East boundary wall and installation of new gates and vehicular crossover.

Applicant: Mr Abraham Askari Yagane

Officer: Steven Lewis 290480

Refused on 09/12/10 DELEGATED

1) UNI

The new access would, by reason of a lack of adequate hardstanding within the site, increase the risk of danger to users of public highway from the additional stopping, turning and reversing traffic that would be created on the highway; failing to demonstrate a safe and proper vehicular access into and out of the site contrary to policy TR7 of the Brighton & Hove Local Plan.

2) UNI2

The proposed works are likely to damage the roots of a fine, mature, street Elm tree which forms part of the National Elm Collection and is likely to result in the damage to the health and potential loss of the tree which would be materially harmful to the character and appearance of the area. The proposal is thereby contrary to policies QD1, QD2 and QD16 of the Brighton & Hove Local Plan.

BH2010/03225

21 Aymer Road Hove

Removal of 1 No. side elevation rooflight and insertion of 2 No. rooflights to each side elevation.

Applicant: Ms Andrea O'Donnell

Officer: Christopher Wright 292097

Approved on 07/12/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. CH368/001 Revision A, CH368/005 Revision A, CH368/006 Revision A and CH368/007 Revision A received on 12 October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03274

18 Westbourne Villas Hove

Replacement of roof to existing lean to extension at side elevation.

Applicant: Mr & Mrs I Milburn

Officer: Adrian Smith 01273 290478

Approved on 30/11/10 DELEGATED

1) BH01.01

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) BH12.02

The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing nos. A.01, A.05 & D.11 received on the 18th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/03318

Garages Between 88 Portland Road & 91 Westbourne Street Hove

Demolition of existing garages and erection of a three storey detached dwelling.

Applicant: Mr Paul Abbott

Officer: Mark Thomas 292336

Refused on 08/12/10 DELEGATED

1) UNI

Policy QD27 of the Brighton & Hove Local Plan states that development will only be granted planning permission if the proposed development would not result in significant loss of amenity to neighbouring properties. The proposed dwelling by virtue of its bulk, height, positioning, and proximity to the neighbouring boundary represents an overbearing development for the occupiers of 88C (basement flat) Portland Road, which would result in significant overshadowing, increased sense of enclosure and loss of outlook. As such the proposed development is considered to be contrary to the aforementioned planning policy.

2) UNI2

Policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan seek to ensure the efficient and effective use of sites with developments that demonstrate a high standard of design taking into account the height, scale, and bulk of existing buildings. The proposed building, by virtue of its scale, positioning and projection, would serve to close the visual gap at this corner location between properties on Westbourne Street and Portland Road. It would be an overdevelopment of the site thereby detracting from the character and appearance of the area, contrary to the aforementioned planning policies.

3) UNI3

Policy HO5 requires the provision of private usable amenity space in new residential development appropriate to the scale and character of the development. The proposed development makes insufficient provision of private amenity space and as such is considered contrary to the aforementioned planning policy.

BH2010/03407

70 New Church Road Hove

Erection of extension at first floor level incorporating roof terrace over ground floor extension.

Applicant: Ms Shadi Danin

Officer: Adrian Smith 01273 290478

Refused on 13/12/10 DELEGATED

1) UNI

Policy QD14 of the Brighton & Hove Local Plan requires that all extensions and alterations are well designed, sited and detailed in relation to the property to be extended and adjoining properties. The proposed first floor extension and roof terrace, by virtue of its appearance relative to the host building and its location at an elevated level, represents an alien and incongruous addition that would harm the appearance of the building and the wider street scene, contrary to the above policy.

2) UNI2

Policy QD27 of the Brighton & Hove Local Plan seeks to protect the residential amenity of neighbouring properties. The proposed extension and roof terrace would, by reason of its depth, elevated position and glazed walls, significantly oppress the outlook and private amenity space to the adjacent property at No.91 Carlisle Road, and would result in a significant degree of direct overlooking and potential noise disturbance to all adjacent properties. The proposal therefore leads to a loss of amenity and is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2010/03489

Flat 4 59 Walsingham Road Hove

Non Material Amendment to BH2009/02881 for the installation of svp set in between the two chimney breast projections on the side elevation.

Applicant: KBI Ltd

Officer: Mark Thomas 292336

Approved on 08/12/10 DELEGATED

BH2010/03673

33 Sackville Road Hove

Non Material Amendment to BH2008/03952 Appeal Decision to provide cycle and bin store in bespoke building to the side of the existing house.

Applicant: Mr & Mrs Colasurdo

Officer: Jason Hawkes 292153

Approved on 08/12/10 DELEGATED

WISH

BH2010/01265

233A New Church Road Hove

Construction vehicle crossover and two hardstandings to front garden.

Applicant: Mr Peter Barber

Officer: Mark Thomas 292336

Approved on 08/12/10 DELEGATED

1) BH01.01

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) BH05.10

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.

3) UNI

The crossover and hardstandings shall be constructed in accordance with the Council approved Manual for Estate Roads and under licence from the Highway Operations Manager.

Reason: In the interest of highway safety.

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing 'proposed removal of garden wall' received on 18th October 2010 and drawing no. 2 received on 5th November 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.

BH2010/02741

86A Boundary Road Hove

Erection of additional storey to create 1no two bedroom flat and 1no one bedroom flat.

Applicant: HR Investments

Officer: Charlotte Hughes 292321

Refused on 07/12/10 PLANNING COMMITTEE

1) UNI

Policies QD1, QD2 & QD14 Brighton & Hove Local Plan require new developments to be of a high standard, to make a positive contribution to the surrounding area and to emphasise and enhance the positive characteristics of the local neighbourhood. Policy QD5 also states that all new development should present an interesting and attractive frontage at street level. The additional storey and alterations to the existing shopfront, would result in visually dominant building, which by reasons of its design and bulk, would fail to make a positive

contribution to the street scene. The proposal is considered to be contrary to policies QD1, QD2, QD5 and QD14 of the Brighton & Hove Local Plan.

2) UNI2

Policy QD27 of the Brighton & Hove Local Plan seeks to protect the residential amenity of neighbouring properties. It is considered that as a result of the development the residents of the first floor flat within 86 Boundary Road, would experience loss of light, loss of privacy, a heightened sense of enclosure and general noise disturbance. The proposal would therefore have a detrimental impact on existing residential amenity and it would be contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2010/03321

West Hove Infant School Portland Road Hove

Installation of new welded mesh sections to vehicular gates and boundary walls.

Applicant: Ms Liz Moore

Officer: Mark Thomas 292336

Approved on 26/11/10 DELEGATED

1) BH01.01

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) UNI

The development hereby permitted shall be carried out in accordance with the approved drawing no. A-003 REV A received on 19th October 2010.

Reason: For the avoidance of doubt and in the interests of proper planning.