





**Brighton & Hove  
City Council**

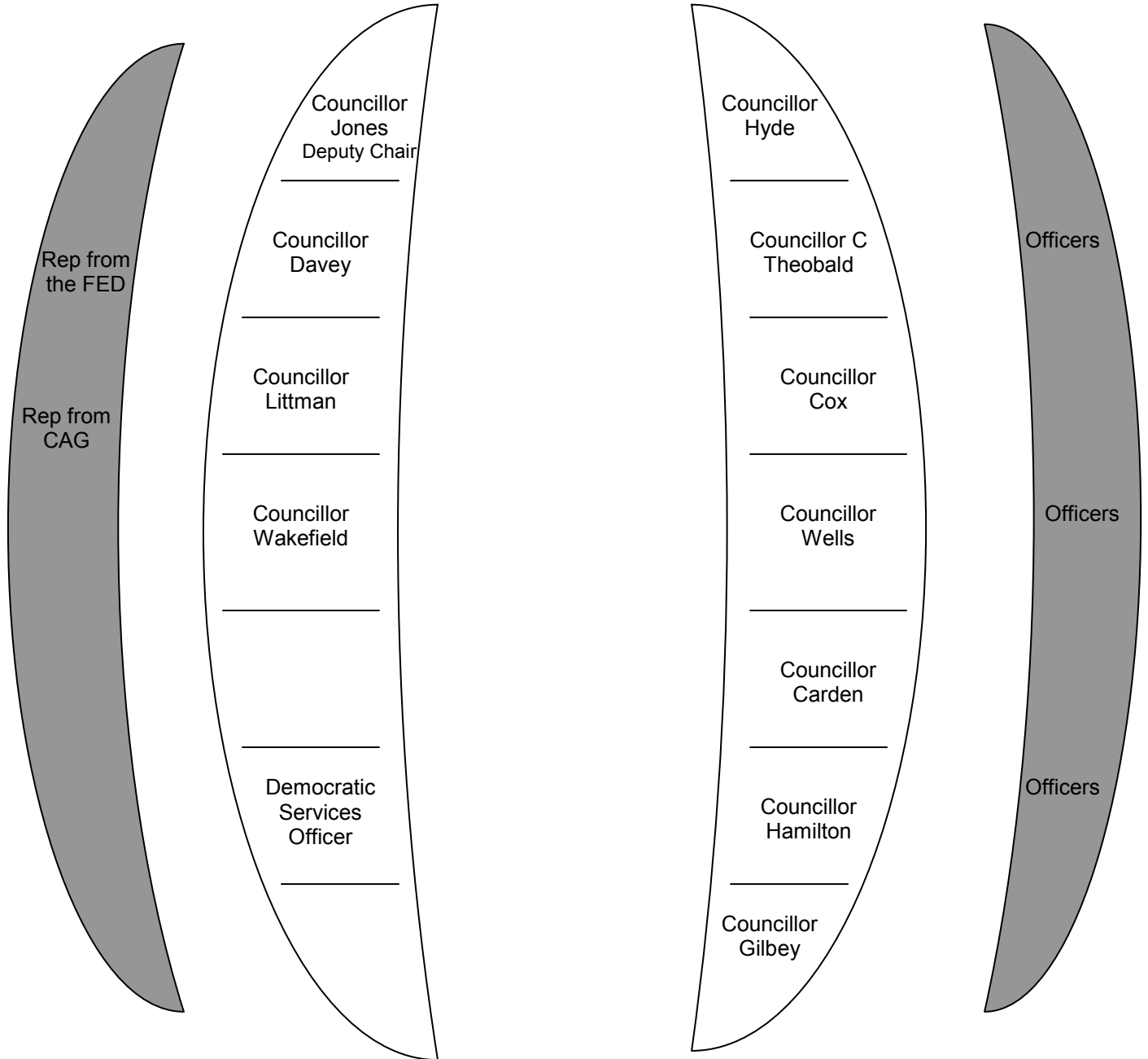
# Planning Committee

Title:	<b>Planning Committee</b>
Date:	<b>26 June 2013</b>
Time:	<b>2.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<p><b>Councillors:</b> Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Gilbey, Hamilton, Littman, C Theobald, Wells and Wakefield</p> <p><b>Co-opted Members:</b> Jim Gowans (Conservation Advisory Group) and Chris Kift (The FED Centre for Independent Living)</p>
Contact:	<p><b>Ross Keatley</b> Democratic Services Officer 01273 291064 ross.keatley@brighton-hove.gov.uk</p>

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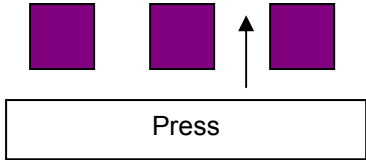
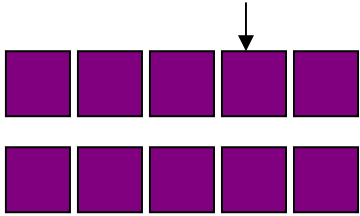
# Democratic Services: Planning Committee

Senior Solicitor	Councillor Mac Cafferty Chair	Head of Development Control	Presenting Officer
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Public Speaker	Public Speaker
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Public Seating



## AGENDA

### 13. PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest or Lobbying

- (a) Disclosable pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(d) All Members present to declare any instances of lobbying they have encountered regarding items on the agenda.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

### 14. MINUTES OF THE PREVIOUS MEETING

1 - 18

Minutes of the meeting held on 5 June 2013 (copy attached).

## PLANNING COMMITTEE

### 15. CHAIR'S COMMUNICATIONS

### 16. PUBLIC QUESTIONS

**Written Questions:** to receive any questions submitted by the due date of 12 noon on 18 June 2012.

### 17. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

### 18. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

#### MAJOR APPLICATIONS

**A. BH2013/00293 - Land West of Redhill Close, Brighton - Removal or Variation of Condition 19 - 38**

Application for variation of conditions 8 and 13 of application BH2010/00692 (Outline application for 31 dwellings (0.62 ha) with public open space (2.11 ha) and approval of reserved matters for layout, access and landscaping) to change the wording within the condition to state that the development will achieve a Sustainable Homes Code Level 4 rather than Level 5.

**RECOMMENDATION – MINDED TO GRANT**

*Ward Affected: Withdean*

#### MINOR APPLICATIONS

**B. BH2013/00848 - The Hyde, 95 Rowman Avenue, Hove- Full Planning Permission 39 - 58**

Construction of 5no. four bedroom houses and access road off Rowan Avenue with associated works including car parking.

**RECOMMENDATION – GRANT**

*Ward Affected: Hangleton & Knoll*

**C. BH2012/04035 - 43 Russell Square, Brighton - Full Planning Permission 59 - 72**

Change of use from single dwelling (C3) to House in Multiple Occupation (Sui Generis) on upper floors and 1 no. one bedroom basement flat. Alterations including increased roof height of rear extension and provision of slate roof. (Part Retrospective).

**RECOMMENDATION – GRANT**

*Ward Affected: Regency*

## PLANNING COMMITTEE

- D. BH2013/01366 - 35 Uplands Road, Brighton - Full Planning Permission 73 - 82**

Change of use from single dwelling (C3) to House in Multiple Occupation (C4).

**RECOMMENDATION – GRANT**

*Ward Affected: Hollingdean & Stanmer*

- E. BH2013/01106 - 40-42 Upper St James's Street, Brighton - Full Planning Permission 83 - 96**

Erection of a two storey extension creating additional second and third floors. Creation of 2no flats at second and third floor levels.

**RECOMMENDATION – GRANT**

*Ward Affected: Queen's Park*

- F. BH2013/01482 - 68 Crescent Drive South, Brighton - Full Planning Permission 97 - 104**

Erection of front and rear extensions, loft conversion incorporating raising of ridge height, hip to gable roof extension, installation of rear balcony and rooflights.

**RECOMMENDATION – REFUSE**

*Ward Affected: Woodingdean*

- 19. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS**

### INFORMATION ITEMS

- 20. APPEAL DECISIONS 105 - 126**  
(copy attached).
- 21. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 127 - 130**  
(copy attached).
- 22. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 131 - 136**  
(copy attached).

## PLANNING COMMITTEE

**23. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS** 137 - 138

(copy attached).

**24. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS)** 139 - 276

(copy attached)

Members are asked to note that plans for any planning application listed on the agenda are now available on the website at:

<http://www.brighton-hove.gov.uk/index.cfm?request=c1199915>

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

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If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

For further details and general enquiries about this meeting contact Ross Keatley, (01273 291064, email [ross.keatley@brighton-hove.gov.uk](mailto:ross.keatley@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk).

**PLANNING COMMITTEE**

Date of Publication - Tuesday, 18 June 2013





### BRIGHTON & HOVE CITY COUNCIL

#### PLANNING COMMITTEE

2.00pm 5 JUNE 2013

COUNCIL CHAMBER, HOVE TOWN HALL

#### MINUTES

**Present:** Councillors Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Gilbey, Hamilton, Randall, C Theobald and Wealls

**Co-opted Members:** Jim Gowans (Conservation Advisory Group)

**Officers in attendance:** Paul Vidler (Deputy Development Control Manager), Zachary Ellwood (Area Planning Manager), Steven Shaw (Principal Transport Officer), Hilary Woodward (Senior Solicitor) and Ross Keatley (Democratic Services Officer)

#### PART ONE

#### 1. PROCEDURAL BUSINESS

##### 1a Declarations of substitutes

- 1.1 Councillor Randall was present in substitution for Councillor Wakefield, and Councillor Wealls was present in substitution for Councillor Wells.
- 1.2 Councillor Littman was not present at the Committee

##### 1b Declarations of interests

- 1.2 Councillor Davey declared an interest in relation to Application F, BH2012/00979, Stockwell Lodge, rear of 121-131 Conway Street, Hove and Application G, BH2013/03987, Unit 2, rear of 121-131 Conway Street, Hove as he knew the applicant personally. He stated he would withdraw from the meeting during the consideration and vote on this application.

##### 1c Exclusion of the press and public

- 1.3 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in

view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

- 1.4 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

## 2. MINUTES OF THE PREVIOUS MEETING

- 2.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 15 May 2013 as a correct record.

## 3. CHAIR'S COMMUNICATIONS

- 3.1 The Chair welcomed the new representative from the Conservation Advisory Group (CAG) Mr Jim Gowans.

- 3.2 It was noted that in relation to applications D and E, BH2013/00256 and BH2013/00511, 1<sup>st</sup> to 3<sup>rd</sup> Floors, 7 Waterloo Street, Hove since the publication of the agenda appeals had been lodged with the Planning Inspectorate on the grounds of non-determination. In these circumstances the recommendations had been amended, and the Committee would be asked to take a view had they been in a position to determine the applications.

## 4. PUBLIC QUESTIONS

- 4.1 There were none.

## 5. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

- 5.1 There were none.

## 6. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

- A. **BH2013/00393 - Land to rear of 60-66 Wickhurst Road, Portslade - Full Planning Permission** - Erection of 1no. 2 storey three bedroom detached dwellinghouse.

- (1) The Area Planning Manager, Zachary Ellwood, introduced the application and gave a presentation by reference to photographs, plans and elevational drawings. The application site related to an unkempt area of land currently containing a garage and shed. The site was surrounded on three sides by other properties, and the sloping nature of the site would require excavation before building works commenced. The proposed building was a detached two storey dwelling of a modern design; the windows had been angled to protect the amenity by looking down the access road. The building would be well set back and screened, and would not be hugely prominent from the street scene, and in terms of the impact of the character of the area it was not considered that the proposed dwelling would be unduly prominent. The sectional drawings showed that the land rose fairly steeply, and this would further help prevent overshadowing. It was also felt that there would be minimal overshadowing due to the distances. It was considered that the proposed dwelling would make efficient use of the

site, and add to the housing stock within the city. The proposal was well designed; would give a good standard of accommodation, and it was also noted cars would be able to turn within the site to allow entrance and exit in forward gear. The application was recommended for approval for the reasons set out in the report.

### Questions for Officers

- (2) Councillor Carden queried the wildlife audits that had taken place at the site, and in response the relevant sections of the report were highlighted; the Deputy Development Control Manager, Paul Vidler, also noted that the ecologist had visited and viewed the site.
- (3) Councillor Gilbey asked for more details in relation to the shared access of the front hard-standing. In response Officers explained that they did not have the specific details of this, but noted that the applicant was the owner of the neighbouring property and they were satisfied the access for both properties would be protected.
- (4) Councillor Hyde asked for more information in relation to overlooking and it was explained that the angled windows would look down the driveway, and the design had carefully tried to protect the amenity of neighbours.
- (5) It was confirmed for Councillor Carol Theobald that the existing garage on the site was disused.

### Debate and Decision Making Process

- (6) Councillor Carol Theobald explained that she considered the application to be back land development, and the dwelling would be visible from those around it; she felt it was too tall and stated that she would be voting against the Officer recommendation.
  - (7) Councillor Wealls stated that the application was in scale with the neighbouring properties; there would be minimal over-looking, and he would be voting in support of the Officer recommendation.
  - (8) Councillor Randall echoed these comments and noted that there would be minimal overlooking; the size of the footprint of the dwelling was also confirmed in response to a further query.
  - (9) Councillor Jones stated he did not usually like back land development, but considered this application was good and well thought through.
  - (10) Councillor Gilbey stated that she would be supporting the Officer recommendation, and added that the application was better than what had previously been applied for.
  - (11) A vote was taken and planning permission was granted on a vote of 9 to 1 with 1 abstention.
- 6.1 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and

guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

**Note:** Councillor Littman was not present at the Committee.

**B. BH2013/01198 - 41A Port Hall Road, Brighton - Householder Planning - Creation of roof terrace on existing flat roof (Part retrospective).**

- (1) The Area Planning Manager introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. Attention was also drawn to information on the late list; a further email of support had also been received from the occupants of number 43 Port Hall Road. The application sought retrospective consent for the retention of a rear terrace on the out-rigger of the building. A previous application had been submitted, and approved by the Committee, for a revised scheme to reduce the size of the terrace, provide metal railings instead of timber and provide screening. At the time of the previous decision Members had been of the view that the design was sufficient to outweigh the concern of Officers, and the applicant now able to implement the consented scheme. The current application sought to retain what was in situ without any screening. It was noted that the existing configuration was unauthorised; a similar scheme with metal railings was shown at number 39 Port Hall Road, and the more 'light-weight' and visually less intrusive appearance of this scheme was highlighted. The consented scheme also involved a 1.45 metre screening to protect neighbouring amenity. Officers were recommending refusal for reasons in relation to the material of the balustrading, the visual harm to the area and the absence of screening. For the reasons set out in the report the application was recommended for refusal.

**Public Speakers**

- (2) Mr Hill spoke in support of the application in his capacity as the applicant. He stated that this was now his second time at Committee, and last year the Committee had approved a scheme for a roof terrace in principle, and he felt the issues were now a matter of design. The current application would allow the existing roof terrace to remain as it was, and there had been no objection from neighbours. Mr Hill stated that the Committee had appeared to like the previous application, and he was of the view the existing design was elegant and unobtrusive; the timber design was also similar to others within the street, and would weather appropriately. The approved scheme was for a much more expensive steel and glass structure that had been designed by an architect. If the Committee were to approve the application it would allow the roof terrace to continue to be used in its current form, without the need to incur additional expenses.

**Questions for Officers**

- (3) It was confirmed for Councillor Carol Theobald that the scheme previously approved by the Committee had been set back at the rear, and involved screening. Councillor Davey asked for further clarification, and it was explained that the scheme had involved metal railings to the rear to better fit in with the street scene, and screening on one outlook to protect neighbouring amenity.

- (4) Councillor Gilbey queried the location of telephone wires that Members had seen on the site visit for the previous application, and in response it was confirmed that the location of the wires would not be a material planning consideration.

### **Debate and Decision Making Process**

- (5) Councillor Hyde stated she was content with the scheme that was already approved by the Committee, and stated that the premises and street scene would benefit more from the previously approved scheme.
- (6) Councillor Wealls stated that he had no issue with the proposed scheme and would be voting against the Officer recommendation; Councillor Randall also echoed these comments, and stated that the proposal did not seem to be obtrusive.
- (7) Councillor Davey stated he would prefer to see the scheme in place that had been previously approved by the Committee, and for this reason he would be supporting the Officer recommendation.
- (8) Councillor Jones stated that he could understand the reasons for the Officer recommendation, but similarly he could also see the case put forward by the application.
- (9) Councillor Carol Theobald stated that the previously approved scheme would look better.
- (10) A vote was taken and planning permission was refused on a vote 6 to 4 with 1 abstention.

- 6.2 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 of the report and resolves to **REFUSE** planning permission for the reasons set out below:

### **Reasons for Refusal:**

- i. The installed timber balustrading by reason of its height, design, materials, and scale results in an inappropriate alteration that relates poorly to the existing building. The incongruous design is out of character with the building form within the immediate vicinity and has a significantly detrimental impact upon the appearance and character of the building and the surrounding area, contrary to policy QD14 of the Brighton and Hove Local Plan.
- ii. The proposal results in an unacceptable level of overlooking towards neighbouring properties, in particular, to both the garden and the adjacent rear and side elevations of the adjoining property, No.43 Port Hall Road and the garden of No.41 Port Hall Road. The loss of privacy adversely impacts upon the residential amenity currently enjoyed by these properties. As such the proposal is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

**Informatives:**

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

**Note:** Councillor Littman was not present at the Committee.

**C. BH2013/00958 - 12 Wilkinson Close, Brighton - Householder Planning - Loft conversion incorporating 2no. dormers to rear.**

- (1) The Area Planning Manager introduced this report and gave a presentation by reference to plans, photographs and elevational drawings; attention was also drawn to information on the Late List. The application related to a detached two-storey property with an access way at the rear to a playing field. The extension sought to create living accommodation in the roof with the addition of two roof dormer windows; it was noted that permitted development rights in this development had been removed. The dormers would line up with the existing windows to create a 'polite design,' and there was already natural screening between the application site and the properties to the rear on the other side of the access way. It was considered that the dormers were well designed, and the application was recommended for approval for the reasons set out in the report.

**Debate and Decision Making Process**

- (2) Councillor Hyde explained that she knew this area very well; she had no issue with the design, but did feel there could be additional over-looking onto the property at the rear with the addition of the dormers given the small size of the gardens in this area.
- (3) A vote was taken and planning permission was granted on a vote of 9 in favour with 1 abstention.

- 6.3 **RESOLVED** - That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

**Note:** Councillor Littman was not present at the Committee, and Councillor Carol Theobald was not present during the debate and vote on this application.

**D. BH2013/00256 - 1st to 3rd Floors, 7 Waterloo Street, Hove - Householder Planning - Removal of valley roof over rear projection, building up of surrounding walls and replacement of UPVC window with timber door, all to facilitate the creation of a roof terrace. Replacement of UPVC window with timber sliding sash. Repair of rear chimney stack and installation of new chimney pots.**

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.

- (2) The Area Planning Manager introduced application BH2013/00256 for housing holder planning permission and application BH2013/00511 for listed building consent, and gave a presentation by reference to plans, photographs and elevational drawings. It was noted that since the publication of the agenda the applicant had appealed both applications to the Planning Inspectorate on the grounds of non-determination. As such the decision had been taken out of the hands of the Local Planning Authority, and Members were being asked to take a view had they been in a position to determine the applications; the recommendations on both applications had therefore been changed to 'would have refused.' The application sought consent for a roof terrace on an existing out-rigger, and this would be achieved through the removal of the pitched 'butterfly' roof. An existing window would be replaced with a door to provide access, and a bathroom window would also be replaced with a more appropriately designed timber window. The terrace would have raised parapets at 1.1 metres high. The proposed window and door replacements were seen as a gain in place of the existing UPVC windows; however, the details of the design were not considered appropriate nor the mechanisms of the proposed sash windows. The 'butterfly' design of the roof was considered to be original, and Officers had concern for the loss of this feature as well as the potential noise disturbance from the terrace to neighbours. For the reasons set out in the reports the applications were recommend for refusal had the Committee been in a position to determine them.

#### **Questions for Officers**

- (3) Councillor Wealls asked for more information in relation to concerns about the noise; in response Officers explained that the proposed terrace had the potential to be used more intensively.
- (4) In response to a query from Councillor Hyde it was explained by Officers that they had no evidence to substantiate claims in the representation made by Councillor Sykes that the Planning Authority had not been forthcoming in discussions with the applicant.
- (5) Councillor Wealls asked for more information in relation to the design of the proposed windows, and it was explained that the glazing bars and opening mechanism of the window were inappropriate and the door would be of modern design.

#### **Debate and Decision Making Process**

- (6) Councillor Randall stated that he felt from the site visit that the proposal was almost unnoticeable, and he would vote against the Officer recommendation.
- (7) Councillor Mac Cafferty noted that policy allowed the opportunity for sensitive alterations, and he felt this could be such an opportunity.
- (8) Councillor Hyde noted that the application would provide amenity for a resident who did not currently have any outside space, and the existing roof structure was four storeys up. She noted that the rest of the property had been sympathetically designed and refurbished, and if granted this could be a further improvement.
- (9) Councillor Wealls expressed his concern about the window design.

- (10) Councillor Davey expressed concern that the Committee might be minded to go against the recommendation made by the Heritage Officer; he also noted that it was a shame there was no comment from the Conservation Advisory Group (CAG).
- (11) Councillor Jones stated this was difficult decision; he felt this was a good use of the space, but the application could potentially remove an interesting and historic roofscape.
- (12) The Deputy Development Control Manager highlighted Council guidance which was explicit about retaining the original forms of roofs to listed buildings, and the Area Planning Manager also noted that a similar scheme had been approved on a neighbouring property, but this property was not listed.
- (13) A vote was taken and the Officer recommendation that the Committee 'would have refused' the application was not carried on a vote of 5 to 5 on the Chair's casting vote. A recorded vote was then taken with the proposed reasons for approval and Councillors: Mac Cafferty, Hyde, Cox, Wealls and Randall voted that planning permission should be approved; Councillors: Jones, Carden, Davey, Gilbey and Hamilton voted that permission should be refused. The Chair exercised his casting vote to in favour of approving the application.

6.4 **RESOLVED** – That the Committee has taken the Officer recommendation that it would have refused the application into consideration, but resolves that it **WOULD HAVE GRANTED** planning permission had it been in a position to determine the application for the reasons set out below:

- i. The proposed development comprises sensitive alterations and any overlooking, loss of privacy and noise disturbance is not so significant so as to cause material harm.

**Note:** Councillor Littman was not present at the Committee, and Councillor Carol Theobald was not present during the debate and vote on this application.

**E. BH2013/00511 - 1st to 3rd Floors, 7 Waterloo Street, Hove Listed Building Consent** - Removal of valley roof over rear projection, building up of surrounding walls and replacement of UPVC window with timber door, all to facilitate the creation of a roof terrace. Replacement of UPVC window with timber sliding sash. Repair of rear chimney stack and installation of new chimney pots.

- (1) It was noted that this application had been the subject of a site visit prior to the meeting.
- (2) A vote was taken and the Officer recommendation that the Committee 'would have refused' the application was not carried on a vote of 5 to 5 on the Chair's casting vote. A recorded vote was then taken with the proposed reasons for approval and Councillors: Mac Cafferty, Hyde, Cox, Wealls and Randall voted that listed building consent should be approved; Councillors: Jones, Carden, Davey, Gilbey and Hamilton voted that consent should be refused. The Chair exercised his casting vote in favour of approving the application.



- 6.5 **RESOLVED** – That the Committee has taken the Officer recommendation that it would have refused the application into consideration, but resolves that it **WOULD HAVE GRANTED** listed building consent had it been in a position to determine the application for the reason set out below:
- i. The proposed works comprise sensitive alterations.

**Note:** Councillor Littman was not present at the Committee, and Councillor Carol Theobald was not present during the debate and vote on this application.

- F. BH2013/00979, Stockwell Lodge, rear of 121-131 Conway Street, Hove - Removal or Variation of Condition** - Application for variation of condition 4 of application 3/87/0895 (Change of use to 3no business class B1 units from existing builders depot) that the use hereby authorised shall be limited to the hours of 0700 to 2000 Monday to Friday, 1100 to 1700 Saturdays and Bank Holidays, no working on Sundays.

- (1) The Area Planning Manager introduced this application and gave a presentation by reference to plans and photographs; attention was also drawn to matters on the Late List. It was noted that the site had very narrow access, and the application related to the whole (units 1, 2 & 3) seeking amended hours of operation. The existing use had been in place since 1988, and it was noted that the newly proposed hours sought a later start time on Saturdays (with no overall increase on this day); a total increase of 10 hours per week across the other days and no operation on Sundays. Officers were of the view that the proposed hours were appropriate, but anything beyond this would be harmful to the neighbours due to the restricted access to the site. The additional two hours in the evening would still ensure that operations at the site finished by 20.00 hours, and the light industrial use of the site was such that it could take place alongside residential properties without material harm. It was considered that a balance needed to be achieved between protecting the employment space, and protecting the residential amenity, and the application presented a sensible compromise. If the premises were to operate beyond the permitted hours then this could be the subject of enforcement action. For the reasons set out in the report the application was recommended for approval.

### **Public Speakers and Questions**

- (2) Mrs Prescott supported by Mrs Coleman spoke against the application in her capacity as a local resident. Mrs Prescott stated she had lived in the street for 23 years, and previously the operation of the businesses had been successful, but in the last 12 months the businesses had operated beyond the permitted hours. Recently there had been security staff to remove cars after 18.00 hours, and incidents of the leaseholders of the units harassing the local residents were reported. Mrs Prescott indicated that the owner, Mr Ellis, had promised residents that the disturbance would stop, and she appealed to the Committee to protect residents from further disturbance. She stated that some of the businesses also operated from others sites, and they should consider relocation to more appropriate sites in the city; tenants had also moved out of the residential properties because of the noise disturbance, and the letters of support were not from people who lived in the street.

- (3) Mrs Prescott confirmed for Councillor Carol Theobald that there was no allocated parking for residents in the street.
- (4) Councillor Wealls asked Mrs Prescott for more information about the nature of the disturbance, and she explained that classes held in some of the units creating a number of vehicular trips, as well as general noise and disruption; she also stated a security guard had recently been employed to prevent people entering the site.
- (5) Mr Bareham spoke in support of the application in his capacity as the agent for the applicant; he was accompanied by Mr Ellis the owner and applicant. Mr Bareham stated that the application sought a modest increase to the opening hours which was consistent with a modern economy. If the application were refused and the applicant forced to operate under the existing hours then there was a real risk that leaseholders would be forced to relocate, and two had already left due to the restrictive hours. The site currently provided employment for about 30 FTE posts, and it was highlighted that the NPPF advocated the necessity of sustainable employment space. The owner now monitored the activity at the site, and he had evidence to show that it was largely members of the public using the site to park outside of the normal operating hours. It was also highlighted that the location was 'town centre' and the Salvation Army already operated well into the evening. It was the intention of Mr Ellis to operate a low-key site, and co-exist with the residents.
- (6) Mr Ellis confirmed in a response to Councillor Carol Theobald that approximately 12 people attended the martial arts classes, but this had been as high as 18.
- (7) Councillor Randall asked if Mr Ellis considered himself to be a good neighbour, and in response Mr Ellis stated that he was trying to exist in peace with the neighbours, and he had made it clear to the leaseholders that they had to comply with the hours of permitted activity. Recently he had made it clear that leaseholders needed to move their cars by 18.00 hours, and be off the site completely in the weekdays by 20.00 hours. Mr Ellis also stated the evidence of 84 occasions where residents had entered the site after the permitted hours.
- (8) Councillor Wealls asked why bank holiday hours were also being applied for, and it was explained by Mr Ellis that two of the largest tenants had activities they wanted to specifically undertake on bank holidays. The Area Planning Manager highlighted that some of this activity would fall under the change of use application to be heard at this Committee.
- (9) It was confirmed by Mr Ellis, in response to a query from Councillor Jones, that he had recently employed a security guard on the site.

### **Questions for Officers**

- (10) Councillor Hamilton queried the current hours that the premises was operating, and in response it was confirmed that the site was currently operating outside of the permitted hours.
- (11) Councillor Randall asked Officers how they could provide assurance that the operator would keep to the permitted hours if this application were granted given that he was

currently in breach. In response Officers explained that the Council had been monitoring the situation, and meetings had taken place with Enforcement Officers; given the application before the Committee it had been the view of Officers to withhold any enforcement action pending the outcome of the application. If the Committee were minded to grant the application then monitoring would continue, and Officers would have the power to undertake enforcement action if necessary.

- (12) Councillor Wealls asked for further information on what kinds of use compromise B1 – light industrial; Officers clarified this and explained that the uses on the site that were outside of this category were the subject of a separate application on the agenda for a change of use.

### **Debate and Decision Making Process**

- (13) Councillor Hyde stated this was a much improved application, and she agreed with the amended Saturday hours, and the restriction of use on Sundays. She was pleased about the installation of CCTV on the site, and noted that it seemed the owner was taking appropriate steps to monitor the activity on the site. The residents already lived in close proximity to established premises, and she was content that action was being taken to work with residents; for these reasons she would be voting in support of the Officer recommendation.

- (14) A vote was taken and planning permission was granted on a vote of 9 to 1.

- 6.6 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

**Note:** Councillor Littman was not present at the Committee, and Councillor Davey withdrew during the consideration and vote on this application.

- G. BH2012/03987 - Unit 2, rear of 121 - 131 Conway Street, Hove - Full Planning Permission** - Change of use from Light Industrial (B1) to Stroke Care Facility (D1) and Martial Arts Facility (D2).

- (1) The Area Planning Manager introduced the application and gave a presentation by reference to plans and photographs. The application only related to unit 2 on the site – which had been sub-divided containing a physiotherapy centre and martial arts unit. The letters of objection predominantly related to the ‘comings and goings’ at the site rather than the actual proposed use in the application. Officers in Environmental Health had made no comment on the application, and it was felt that – despite the narrow access – the site was being operated without causing significant harm to amenity. The site had also been marketed for B1 use and little interest had been shown; the applicant also felt the current use would be compatible with the rest of the activity on the site. The application proposed conditioning the use of the site to the specific activities applied for – otherwise it would revert back to the original B1 use, and this was considered an acceptable control. The application was recommended for approval for the reasons set out in the report.

### Public Speakers and Questions

- (2) Mrs Prescott supported by Mrs Coleman spoke against the application in her capacity as local resident. She stated that access to the site was not accessible for stroke patients, and the only access was by car, and the operator currently used the site largely in the evenings. She also stated that exercise classes were held in both the car park and the road. Mrs Prescott stated that Mr Ellis had pressured local residents into supporting his application through a petition; the businesses were not 'start-up' and they should consider relocation to a more appropriate location. She also highlighted there was no disturbance from the Salvation Army, and the letters of support for Mr Ellis were not from local residents.
- (3) Mr Bareham spoke in support of the application in his capacity as the agent for the applicant; he was accompanied by Mr Ellis the owner. Mr Bareham stated the NPPF encouraged mixed use development, and the scheme was supported by Officers in Economic Development; the proposals also had social benefits for the users of the services. There was also good access to the site by public transport, the application also sought the same hours of operation as in the previous application.

### Questions for Officers

- (4) It was confirmed for Councillor Gilbey that the uses comprised two different businesses, and the recommended conditions sought to restrict activities tightly to the specific use. The application proposed that, should these activities cease, the premises would revert back to the B1 use rather than remain dormant.
- (5) Councillor Mac Cafferty asked for further clarification in relation to the number of trips by car to the site, and in response Officers explained that the driver for the calculation of trips was floor area, and given that this was not changing it was not envisaged this would be significantly different from the current B1 use. It was also confirmed for Councillor Wealls that the number would not necessarily be the same, but not significantly different.

### Debate and Decision Making Process

- (6) Councillor Carol Theobald thought the use and the hours were appropriate, and the area was already in the city centre; she acknowledged the restricted access, but felt on balance she would support the Officer recommendation.
- (7) A vote was taken and planning permission was granted on a vote of 9 to 1.

- 6.7 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

**Note:** Councillor Littman was not present at the Committee, and Councillor Davey withdrew during the consideration and vote on this application.

H. **BH2013/01182 - 27 Hill Brow, Hove - Householder Planning Permission** - Erection of single storey front extension.

(1) A vote was taken and planning permission was unanimously granted.

6.8 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 of the report and the policies and guidance in section 7 of the report and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11 of the report.

**Note:** Councillor Littman was not present at the Committee, and Councillor Carol Theobald was not present during the consideration and vote on this application.

I. **BH2013/00900 - 13 Lloyd Road, Hove - Householder Planning** - Erection of part single part two storey extension to the front, side and rear.

(1) It was noted that this application had formed the subject of a site visit prior to the meeting.

(2) The Area Planning Manager introduced the application, and gave a presentation by reference to plans, photographs and elevational drawings; attention was also drawn to information on the Late List. The application sought to enlarge the property to create a 'granny flat' on the ground floor, and enlarge the living and bedroom space across the rest of the house. To achieve this the application sought to replicate the front gable creating a double fronted property increasing the overall street frontage. The proposed extension would be prominent to the south and north; Officers were of the view that there was scope for a sizeable extension, but felt that this needed to be subservient to the parent building to be more 'polite' and not harm the character of the area. This current application was considered overbearing and prominent; Officers were happy to continue discussions for a smaller two-storey extension. The application was recommend for refusal for the reasons set out in the report.

### **Public Speakers and Questions**

(3) Mrs Dibsall spoke in support of the application in her capacity as the owner and applicant. She explained that the extension was necessary to house her elderly mother, and the house was an 'arts & crafts' building and the proposed extension sought to retain this character with the extension blending seamlessly with the original house. The suggestions of a smaller more subservient extension were too hard to introduce, for structural reasons, and the proposed annex would provide enough independent living space for her elderly mother. All of the neighbours were in support of the scheme, and in particular the neighbours who would potentially be most affected. The scheme had been designed to protect privacy and the extension was considered modest.

(4) Councillor Carol Theobald asked if a garage would be retained elsewhere on the site, and Mrs Dibsall confirmed it would not.

### **Questions for Officers**

- (5) Councillor Davey asked about some sort of compromise in relation to the application, and in response Officers explained that an alternative scheme had been proposed by the Case Officer; however, it was the prerogative of the applicant to apply for their preferred scheme, and the Committee had to consider the application before them.
- (6) It was confirmed for Councillor Carol Theobald that the side of the proposed extension had two high level roof lights and a secondary window into a bedroom. Following a further query from Councillor Hyde it was explained that the neighbouring property these windows would face had no side windows.

### **Debate and Decision Making Process**

- (7) Councillor Carol Theobald noted that the house was on one of the largest plots; all of the houses in that area were quite different and there was room for an extension. She stated she would be voting against the Officer recommendation.
- (8) Councillor Hyde echoed these comments and stated that she did not feel the house was of any 'great design' and noted the suggested alteration to make it subservient would be too expensive. She felt that the proposed extension would give the impression that the building had been built in that form, rather than looking like a later addition; reference was made to the NPPF and the presumption to approve development; as such she would be voting against the Officer recommendation.
- (9) Councillor Randall stated his view that the extension would improve the appearance of the house, and would help to tidy up the scruffy looking garage. He would be voting against the Officer recommendation.
- (10) Councillor Mac Cafferty noted there was an emerging SPD due to be approved that would help to clarify matters in relation to such extensions.
- (11) A vote was taken and the Officer recommendation to refuse was not carried on a vote of 6 to 5. Councillor Hyde proposed reasons for approval and these were seconded by Councillor Cox; a short adjournment was then held to allow Councillor Mac Cafferty, Councillor Hyde, Councillor Cox, the Deputy Development Control Manager, the Senior Solicitor and the Area Planning Manager to draft the reasons for approval in full. These reasons were then read to the Committee, and it was agreed they reflected what had been put forward by Members. A recorded vote was then taken with the proposed reasons for approval and Councillors Jones, Hyde, Cox, Carol Theobald, Wealls and Randall voted that planning be granted and Councillors: Mac Cafferty, Carden, Davey, Gilbey and Hamilton voted that permission be refused.

6.9 **RESOLVED** – That the Committee has taken the Officer recommendation to refuse into consideration, but resolves to **GRANT** planning permission for the reason and subject to conditions, set out below:

- i. The proposed development is acceptable in terms of massing, form, scale and its forward position and is not detrimental to neighbouring properties in terms of amenity. The proposed development is in keeping with the mixture of styles in Lloyd Road and is an improvement to the current design of the existing property.

Conditions:

- i. 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.

- ii. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

- iii. 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.

Additional Informative:

- i. The applicant is advised that planning permission has been granted on the basis that the granny annex is ancillary to the dwelling and that its use as a separate residential dwelling would require further planning permission.

**Note:** Councillor Littman was not present at the Committee.

**J. BH2013/00491 - Westview, Cornwall Gardens, Brighton - Householder Planning -**  
Extensions and alterations to existing chalet bungalow to form a two storey house.

- (1) The Area Planning Manager introduced the report, and gave a presentation by reference to plans, photographs and elevational drawings. The application proposed a two-storey extension that would raise the roof of the bungalow and also extend into the side retaining the existing garage. This would create a two-storey building with two fully glazed gables at the front; which would be a very prominent feature. Officers were not concerned with the proposed bulk, but felt the design fell down in relation to some of the detailing. The building also proposed a slate roof and a large roof light at the front both of which were considered inappropriate, and some of the materials and characteristics were felt to be out of keeping with the area and potentially visually harmful. It was important that development within the conservation area was appropriate, and would not cause harm; for the reasons set out in the report the application was recommended for refusal.

**Public Speakers and Questions**

- (2) Mr Anderson spoke in support of the application in his capacity as the owner and applicant. He explained he worked from home, and his children went to school locally, and the application was to make their 1950's bungalow more sustainable and efficient. He explained that pre-application advice had been given that there was no objection to raising the roof to create a second storey. After the first application was refused the

second had sought to address the reasons for refusal; then they were informed that the second application was likely to be recommended for refusal in relation to the proposed materials. They had also not been made aware of any objection to the fully glazed gabled windows, and they were happy to amend this; as well using materials that would be appropriate. Mr Anderson explained he had letters of support from his neighbours, and felt the extension would be an improvement to the existing building.

- (3) Councillor Wealls asked about the choice of materials, and Mr Anderson explained that they had considered a number of different options, and they had tried to pick those they considered to be in keeping; they were more than happy to negotiate the materials, but had not until now received any feedback on this.

### Questions for Officers

- (4) Councillor Mac Cafferty asked about some of the contradictory advice that the applicant had made reference to, and in response the Deputy Development Control Manager highlighted the Conservation Officers comments in the report, and stated these were clear.
- (5) Following a query from Councillor Hyde it was explained by Officers that they would normally expect the objection to the fully glazed gable windows to have been raised, and it was felt that in this case it should have been picked up.
- (6) In response to a query from Councillor Davey the Area Planning Manager explained that Officers would be happy to work with the applicant, if the Committee were minded to refuse, to look at a scheme that could be suitable for delegated approval.
- (7) Councillor Mac Cafferty stated his concern with the lack of information and clarity in relation to application process; he suggested the application be deferred to allow further discussion between the applicant and Officers. This position was echoed by Councillor Hamilton.

- 6.10 **RESOLVED** – That the application be deferred to allow further discussion on design and external materials between the applicant and Officers.

### 7. TO CONSIDER ANY FURTHER APPLICATIONS IT HAS BEEN DECIDED SHOULD BE THE SUBJECT OF SITE VISITS FOLLOWING CONSIDERATION AND DISCUSSION OF PLANNING APPLICATIONS

- 7.1 There were none.

### 8. APPEAL DECISIONS

- 8.1 The Committee noted the content of the letters received from the Planning Inspectorate advising of the results of planning appeals which had been lodged as set out in the agenda.

### 9. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE



9.1 The Committee noted the new appeals that had been lodged as set out in the planning agenda.

**10. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES**

10.1 The Committee noted the information regarding informal hearings and public inquiries as set out in the planning agenda.

**11. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS**

11.1 The Committee noted the position regarding pre application presentations and requests as set out in the agenda.

**12. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS)**

12.1 That the Committee notes the details of applications determined by the Executive Director Environment, Development & Housing under delegated powers.

[Note 1: All decisions recorded in this list are subject to certain conditions and reasons recorded in the planning register maintained by the Executive Director Environment, Development & Housing. The register complies with legislative requirements.]

[Note 2: A list of representations received by the Council after the Plans List reports had been submitted for printing was circulated to Members on the Friday preceding the meeting. Where representations are received after that time they should be reported to the Chairman and Deputy Chairman and it would be at their discretion whether they should in exceptional circumstances be reported to the Committee. This is in accordance with Resolution 147.2 of the then Sub Committee on 23 February 2006.]

The meeting concluded at 5.26pm

Signed

Chair

Dated this

day of



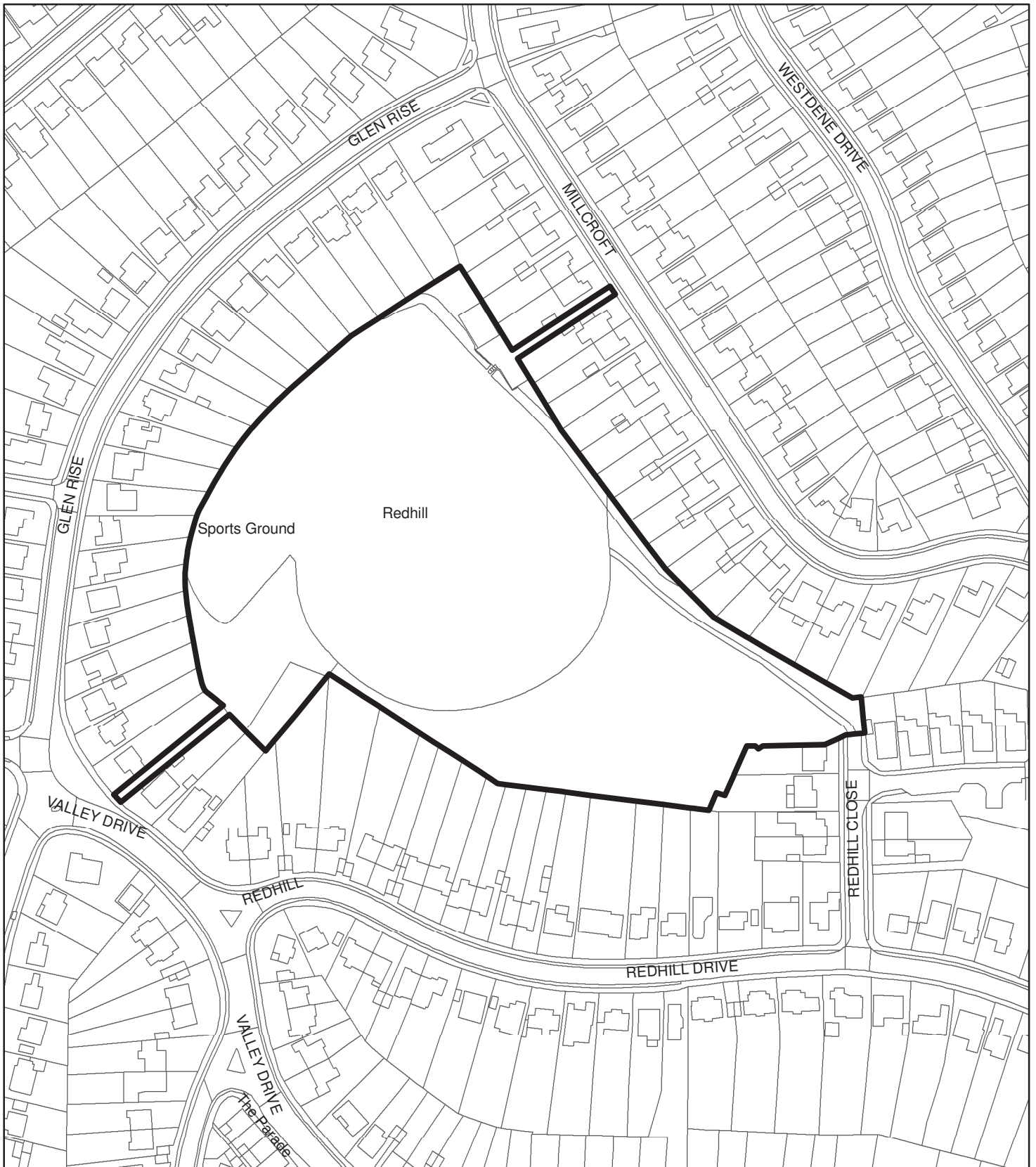
**PLANS LIST  
ITEM A**

**Land West of Redhill Close, Brighton**

**BH2013/00293  
Removal or variation of condition**

**26 JUNE 2013**

# BH2013/00293 Land West of Redhill Close, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:2,000**

<b><u>No:</u></b>	<b>BH2013/00293</b>	<b><u>Ward:</u></b>	<b>WITHDEAN</b>
<b><u>App Type:</u></b>	<b>Removal or Variation of Condition</b>		
<b><u>Address:</u></b>	<b>Land West of Redhill Close Brighton</b>		
<b><u>Proposal:</u></b>	<b>Application for variation of conditions 8 and 13 of application BH2010/00692 (Outline application for 31 dwellings (0.62 ha) with public open space (2.11 ha) and approval of reserved matters for layout, access and landscaping) to change the wording within the condition to state that the development will achieve Sustainable Homes Code Level 4 in respect of plots 1-14 and block 1, and Sustainable Homes Code Level 5 in respect of plots 15-22 and block 2.</b>		
<b><u>Officer:</u></b>	<b>Guy Everest Tel 293334</b>	<b><u>Valid Date:</u></b>	<b>15/05/2013</b>
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Expiry Date:</u></b>	<b>14 Aug 2013</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b><u>Agent:</u></b>	<b>N/A</b>		
<b><u>Applicant:</u></b>	<b>Bellway Homes (South East) Limited, Bellway House, London Road North, Merstham</b>		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to be **MINDED TO GRANT** planning permission, subject to the completion of a deed of variation to the Section 106 Obligation dated 13<sup>th</sup> May 2011 to refer to this revised application number and to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises a disused private sports ground of approximately 2.73 hectares. There are three accesses into the site, from Millcroft, Redhill Close and Valley Drive; although the latter two are currently closed. It appears that the sports ground was last used for organised sport in 1992 and has since become overgrown. It contains a number of trees and is partially covered by a Tree Preservation Order.
- 2.2 The surrounding area is residential with the rear gardens of neighbouring properties backing onto the application site. Surrounding houses are generally at a lower level than the sports ground and have sloping rear gardens. There is a scout hut in the north-western corner of the sports ground, which shares the access from Millcroft.

## 3 RELEVANT HISTORY

**BH2013/01520:** Non material amendment to BH2010/00692 to replace the approved tree survey report and plan ref 09/105 rev:10 with the tree survey report and arboricultural impact assessment plan ref SJA A1A 12103-04. Under consideration.

PLANS LIST - 26 JUNE 2013

**BH2013/00626:** Reserved Matters application pursuant to outline permission BH2010/00692 for 31 dwellings (0.62ha) with public open space (2.11ha) and approval of reserved matters for layout, access and landscaping. Under consideration.

**BH2011/03431:** Application for variation of conditions 8 and 13 of application BH2010/00692 (Outline application for 31 dwellings (0.62 ha) with public open space (2.11 ha) and approval of reserved matters for layout, access and landscaping) to change the requirement for code for Sustainable Homes rating from level 5 to level 4. Refused 16/02/2012 for the following reason:-

1. *The development has been assessed as economically viable to be constructed to reach Code for Sustainable Homes Level 5. The approved application is for outline permission and there are no other constraints which have been identified to justify the reduction in the sustainability standards as outlined in Supplementary Planning Document on Sustainable Building Design (SPD08). The proposed variation of conditions 8 and 13 would be contrary to policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document on Sustainable Building Design (SPD08).*

**BH2010/00692:** Outline application for 31 dwellings (0.62 ha) with public open space (2.11 ha) and approval of reserved matters for layout, access and landscaping. Approved 13/07/2011; conditions 8 and 13 of this outline permission state:-

- 8 *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 5 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 5 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.*

- 13 *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 5 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 THE APPLICATION**

- 4.1 Planning permission is sought for a variation of conditions 8 and 13 of application BH2010/00692 to change the required Code for Sustainable Homes (CfSH) rating from Level 5 to Level 4 in respect of plots 1 to 14 and Block 1 only.

#### **5 PUBLICITY & CONSULTATIONS**

##### **5.1 External**

**Neighbours: 17 (seventeen)** letters of representation have been received from **8 & 40 Glen Rise; 2, 3, 7, 9, 21 Redhill Close;** and **14, 16, 17, 21, 28, 29 (x2), 34, 39 & 66 Redhill Drive** objecting to the application for the following reasons:-

- The application is identical to one refused in February 2012, the applicant should have been aware of this;
- If development on a field is allowed it should be of the highest environmental quality;
- A Greenfield site should set a precedent for future development in the City;
- There is a trade-off between profits for the few and environmental costs;
- Object to loss of open space and the principle of development;
- Access to the site as open space is covered by covenants;
- The development would change the character of the area;
- Increased noise and traffic flow;
- Security problems as the plans suggest a low fence to car parking areas;
- The development could cause drainage problems and flooding.

- 5.2 **20 Glen Rise** comments that if the reduction is the only way for the project to go ahead then it would be acceptable; however, all other avenues should be explored first.

- 5.3 **Westdene and Withdean Community Association** object to the application as any support for BH2010/00692 was on the basis of exceptional benefits on offer to the local community, the minimum acceptable standard to develop a Greenfield site is Code 5. The application is the same variation which has already been proposed and refused. A lessening in recommended standards is likely to have serious adverse impacts on surrounding properties and the area as a whole.

- 5.4 **Cllrs Ann & Ken Norman** comment on the application – see attached letter.

##### **Internal:**

- 5.5 **Sustainability:** The value of negotiating the conditioned standards, where evidence demonstrates that the standard is not achievable for financial viability reasons, site constraints or technical constraints, is recognised.

- 5.6 An examination of the submitted documents has not demonstrated that there are technical constraints on this site that would prevent achievement of CfSH Level 5. In summary:

- The Energy report which is claimed to demonstrate that PV is the only option for improving performance and does not assess the range of technical



solutions that are available and might be suitable for this site that also generate *renewable heat* to contribute to space and water heating requirements.

- It is claimed that there is inadequate roof space to accommodate the capacity of PV that would deliver Code level 5. No assessment is provided which substantiate this claim and PV is not shown on any drawings.
- 5.7 The application for Variation of Conditions 8 & 13 proposes CfSH level 4. A CfSH Pre-assessment Report is submitted with this application which indicates that currently a low Level 4 is targeted. The report states that this score could be improved through increasing renewables installed and by improving the score within the 'materials' section. The report also shows that credits *may be* available in the following sections: Energy and carbon dioxide emissions; Water; Materials; Health & wellbeing; and Ecology.
- 5.8 It is recommended that the applicant is asked to reassess and improve their expected performance including assessing energy efficiency, renewable heat and capacity for PV. The applicant should explore:
- If not all, how many of the dwellings can achieve Code level 5.
  - If CfSh Level 5 is not met the delivery of Code level 5 in at least the Energy Sections of the CfSH (i.e. 100% CO2 reduction in regulated emissions) should be explored
  - If this cannot be achieved, the dwellings should aim to achieve a minimum of a *high* Code Level 4 overall (i.e. achieve a score of at least 76 points overall).
- 5.9 Further comments  
The revised proposals for a mix of Code Level 4 & 5 are considered satisfactory in this instance.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.



- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR3	Development in areas of low public transport accessibility
TR7	Safe development
TR8	Pedestrian routes
TR12	Helping the independent movement of children
TR14	Cycle access and parking
TR15	Cycle network
TR18	Parking for people with a mobility related difficulty
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Water resources and their quality
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU15	Waste management
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
QD6	Public art
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD20	Urban open space
QD27	Protection of amenity
QD28	Planning Obligations
HO1	Housing sites and mixed use sites with an element of housing
HO2	Affordable housing – ‘windfall sites’
HO3	Dwelling type and size

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HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
HO13	Accessible housing and lifetime homes
HO19	New community facilities
HO21	Provision of community facilities in residential and mixed use schemes
SR17	Smaller scale sporting and recreational facilities
SR20	Protection of public and private outdoor recreation space

### Supplementary Planning Guidance:

SPGBH4 Parking Standards

### Supplementary Planning Documents:

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

### Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in favour of sustainable development
SA6	Sustainable neighbourhoods
CP1	Housing delivery
CP7	Infrastructure and developer contributions
CP8	Sustainable buildings
CP9	Sustainable transport
CP10	Biodiversity
CP11	Managing flood risk
CP12	Urban design
CP14	Housing density
CP16	Open space
CP18	Healthy city
CP19	Housing mix
CP20	Affordable housing

## **8 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to the impact of varying conditions 8 and 13 of planning permission BH2010/00692 on the level of sustainability, and the efficient use of resources, achieved by the development.

### **Background**

8.2 Outline planning permission was granted at Planning Committee in March 2011 for the erection of 31 dwellings (0.62 ha) with public open space (2.11 ha) on the site. The decision notice was issued on 13<sup>th</sup> July 2011 following completion of a s106 agreement. The s106 included:-

- The provision of 12 affordable housing units (38.7% of the total);
- The transfer of 2.11 hectares of open space to the Council for recreational use, and the provision of infrastructure (to include, landscaping, informal

play space, footpaths / cycle ways and sports pitches) to an agreed specification;

- Transfer of the scout hut and a portion of the Open Space Land to the Scout Association;
- £151,000 Education Contribution;
- £37,000 Transport Contribution;
- £137,000 Open Space Maintenance Contribution; and
- £25,000 Outdoor Recreation Space Contribution.

- 8.3 A subsequent application was submitted to vary conditions 8 and 13 of this outline permission (as set out in section 3) and reduce the required Code for Sustainable Homes (CFSH) rating from Level 5 to Level 4 across the whole site. The applicant considered, as part of this 2011 application, that the requirement of CFSH Level 5 rendered the development unviable and, given the scheme would deliver additional benefits, a lower code level was justified.
- 8.4 The application was refused in February 2012. As part of this decision it was considered that development would be viable at CFSH Level 5, and that the community benefits delivered by the scheme (i.e. the provision of open space) were not negotiated extras above and beyond that needed to make the development acceptable. The ability of the development to achieve CfSH Level 5 was not raised by the applicant and as such was not considered.

#### **Current application**

- 8.5 The Council has adopted a Supplementary Planning Document on Sustainable Building Design, SPD08. This document requires that residential development on Greenfield sites achieves Code for Sustainable Homes (CfSH) Level 5. Conditions 8 and 13 of the outline planning permission were therefore necessary in order to ensure development was in accordance with SPD08.
- 8.6 As originally submitted the current application sought to vary conditions 8 and 13 and allow CfSH Level 4 for the whole development. A submitted pre-assessment indicated a score of 70.80 would be achieved for dwellinghouses and 69.75 for flats. These scores are within the lower range of a CfSH Level 4 score, which encompasses 68 to 83 points (CfSH Level 5 is 84-89 points). The supporting information considered that the CfSH Level achievable by the development was hindered by site constraints, limiting the amount of solar photovoltaics that could be provided as part of the scheme.
- 8.7 The supporting information also stated, however, that *'there are a number of notable areas that the score could be improved, notably, materials and renewable provision for the houses'*. The Sustainability Officer also commented that the CfSH score could be improved through increasing the use of renewables, by improving the score within the 'materials' section and possibly achieving additional credits available in the Energy and Carbon Dioxide emissions; Water; Materials; Health & Wellbeing; and Ecology sections of the assessment.
- 8.8 In response, the applicant has provided a further 'CfSH & Energy Review' document. This additional document indicates that CfSH scores and

photovoltaic installations have been maximised across the site, with a rationale provided as to why alternative renewable technologies, such as air & ground source heat pumps and biomass CHP, are unsuited to a development of this scale in this location.

- 8.9 In addition detailed pre-assessments for the development were provided. The pre-assessments indicate that 13 units would now achieve CfSH Level 5, and a score of 86.09. The remainder of the development would achieve a CfSH Level 4 and a score of at least 79.63. These scores represent a considerable improvement on those originally proposed by the application, with the Level 4 scores at the upper end of this rating.
- 8.10 The key factor limiting CfSH Level 5 being achieved for the whole development (and the remaining 18 units) is the amount of usable roofspace for photovoltaics, whereby design to some extent compromises the ideal form and orientation and therefore the CfSH credits that can be achieved by photovoltaic installations.
- 8.11 The amount and siting of residential development on the site was established by the existing outline planning permission, and this has formed the basis of the applicant's sustainability statements. While the detailed design is currently under consideration as part of a reserved matters application for the site (ref: BH2013/00626) the key principles do not diverge from those established at outline stage. It is therefore considered there is no scope to revisit form or orientation in order to accommodate additional photovoltaics within the scheme.
- 8.12 The proposed variation has been supplemented by the submission of additional information as part of the application process. The information is considered to demonstrate that the highest practicable CfSH Level has been achieved, with 13 units achieving CfSH Level 5. Whilst a number of units would fall within CfSH Level 4 the pre-assessment indicates a very high score within this range. The proposed variation of conditions is therefore considered acceptable and strikes an appropriate balance between site and design constraints and the achievement of the highest possible CfSH Level for development on the site. This approach is consistent with SPD08, which acknowledges that in considering the achievement of sustainability standards in developments, site constraints and technical viability will be taken into account.
- 8.13 For the reasons outlined it is recommended that conditions be imposed to secure CfSH Level 5 for the 13 units identified in the additional information submitted by the applicant, with CfSH Level 4 being required for the remainder of the development. The amended conditions are necessary in order to ensure the development achieves a high level of sustainability, are relevant to planning and the development permitted, are enforceable and precise, and reasonable in all other respects. The conditions are therefore considered to meet the six tests for conditions as outlined in Circular 11/95.

**Other considerations**

- 8.14 The recommendation is 'minded to grant' subject to the completion of a deed of variation to the Section 106 Agreement dated 13<sup>th</sup> July 2011 to refer to this

permission. This would secure the Heads of Terms agreed by Planning Committee in March 2011, including those relating to affordable housing, the transfer of open space for recreational use, and contributions, as part of the varied outline consent.

- 8.15 There have been numerous representations raising issues relating to the principle of development, which was considered at outline stage as part of BH2010/00692. This current s73 application only, though, relates to the acceptability of the sustainability conditions imposed. Matters relating to the principle of the development, transport, amenity and construction impacts are not material to the consideration of this current application.

## 9 CONCLUSION

- 9.1 The applicant has provided sufficient justification to vary the requirement for the development to meet Code for Sustainable Homes Level 5. The development would achieve Level 5 where possible (13 units) with the remainder of the development achieving a high Level 4 (18 units).

## 10 EQUALITIES

- 10.1 The development would be built to Lifetime Homes standards and would provide 12 units of affordable housing, with 1 unit being wheelchair accessible.

## 11 CONDITIONS / INFORMATIVES

### 11.1 Regulatory Conditions:

1. The development hereby permitted shall be commenced before 13<sup>th</sup> July 2014 or two years from the approval of the last of the reserved matters as defined in condition 2 below, whichever is the later.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
  
2. a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval before 13<sup>th</sup> July 2014:
  - (i) scale;
  - (ii) appearance;
 b) The reserved matters shall be carried out as approved.  
 c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.  
**Reason:** To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.
  
3. The development hereby permitted shall be carried out in accordance with the approved drawings and documents listed below.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Site Survey	S01	A	09/03/2010

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Location Plan	S02		09/03/2010
Indicative Site Layout	P01		09/03/2010
Indicative Site Sections	P02		09/03/2010
Design Statement (OSP Architecture)			09/03/2010
Sustainability Statement and Checklist (Blue Sky Unlimited)			09/03/2010
Ecological Assessment (Hankinson Duckett Associates)			09/03/2010
Landscape and Visual Impact Assessment (Hankinson Duckett Associates), which includes drawing HDA5 – landscaping and ecological masterplan and HDA6 – playspace elements			09/03/2010
Flood Risk Assessment (Monson Engineering)			09/03/2010
Tree Survey Report (Simon Pryce Arboriculture)			09/03/2010
Open Space and Recreation Assessment (Humberts Leisure)			09/03/2010
Transportation Assessment (Motion Consulting)			09/03/2010
Waste Minimisation Statement			09/03/2010
CfSH & Energy Review (BBS)			29/05/2013

4. 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.

5. 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 dwellinghouses 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



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any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

6. The new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

**Reason:** To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.

7. The 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.

### 11.2 Pre-Commencement Conditions:

8. No residential development pursuant to plots 15-22 (inclusive) or Block 2 shall commence until a Design Stage / Interim Code for Sustainable Homes Certificate demonstrating that development achieves Code Level 5 for these 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.

9. No residential development pursuant to plots 1-14 (inclusive) or Block 1 shall commence until a Design Stage / Interim Code for Sustainable Homes Certificate demonstrating that development achieves Code Level 4 for these 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.

10. No development shall commence until fences for the protection of trees to be retained have been erected in accordance with a scheme 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.

11. No development shall take place until a Nature Conservation Report assessing current nature conservation interest and setting out a scheme to protect and enhance such interest as been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details.  
**Reason:** In the interests of nature conservation and in accordance with policy QD17 of the Brighton & Hove Local Plan.
  12. 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.
  13. 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.
- 11.3 Pre-Occupation Conditions:
14. Plots 15-22 (inclusive) and Block 2 shall not be occupied until a Final / Post Construction Code Certificate issued by an accreditation body confirming that these residential units have achieved a Code for Sustainable Homes rating of Code Level 5 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.
  15. Plots 1-14 (inclusive) and Block 1 shall not be occupied until a Final / Post Construction Code Certificate issued by an accreditation body confirming that these residential units have 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.
  16. The hard surfaces 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 surfaces to a permeable or porous area or surface within the site.

**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.

17. No development shall commence until a scheme to enhance the nature conservation interest of all of the land other than the open space land 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.

11.4 Informatives:

1. In accordance with the National Planning Policy Framework the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

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

- (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Documents:

(Please see section 7 of the report for the full list); and

- (ii) for the following reasons:-

The proposed development of private open space which is overgrown and not accessible to the public with a development of 31 dwellings, of which 12 are affordable, and the transfer of approximately two-thirds of the land to the Council, laid out as open space with a sport pitch, informal play areas and enhanced ecological site, together with a maintenance contribution, represents a significant benefit to the local community. The proposal is considered to be acceptable in terms of access and layout and impact on the amenities of surrounding properties and highway implications.

The applicant has provided sufficient justification to vary the requirement for the development to meet Code for Sustainable Homes Level 5. The development would achieve Level 5 where possible with the remainder of the development achieving a high Level 4.

3. The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)), on the Department for Communities and Local Government website ([www.communities.gov.uk](http://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](http://www.brighton-hove.gov.uk)).

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Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.

4. The applicant is advised that new legislation on Site Waste Management Plans (SWMP) was introduced on 6 April 2008 in the form of Site Waste Management Plans Regulations 2008. As a result, it is now a legal requirement for all construction projects in England over £300,000 (3+ housing units (new build), 11+ housing units (conversion) or over 200sq m non-residential floorspace (new build)) to have a SWMP, with a more detailed plan required for projects over £500,000. Further details can be found on the following websites: [www.netregs.gov.uk](http://www.netregs.gov.uk) and [www.wrap.org.uk](http://www.wrap.org.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](http://www.communities.gov.uk)).
6. There is currently inadequate capacity in the local network to provide foul sewage disposal to the proposed development. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to serve the development. The applicants are advised to enter into formal agreement with Southern Water to provide the necessary sewerage infrastructure.
7. In the absence of adequate turning space for fire appliances the applicants are advised to contact the Fire Safety Officer to discuss the possible need to provide an automatic sprinkler system.

## Brighton & Hove

COUNCILLOR ANN NORMAN COUNCILLOR KEN NORMAN  
c/o King's House Grand Avenue Hove  
BN3 2LS

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Tel: 01273 291182

Guy Everest Planning Officer  
Environmental Service Norton Road  
HOVE BN3 3BQ  
Cc Jeanette Walsh Ross Keatley  
Abraham Ghebre-Ghiorghis

h

Date: March 20<sup>1</sup>

2013

Dear Mr. Everest,

Ref: Planning Application Number BH2013/00627

Address: Land West of Redhill Close

Approval of Details Reserved by conditions 6,7,8,9,10,11,12 and 15  
Application BH2010/00692  
Application type:

We are writing as elected members representing Withdean Ward in connection with Application Number BH2013/00627 by Bellway Homes (South East Ltd). In so doing, we wish only to represent the views expressed to us either personally, in writing, by telephone or by email. We wish to make clear once again, that we have no personal interest in this application by virtue of our own residence nor do we own a property in Redhill Drive, Redhill Close, Glen Rise, Hillcrest or Millcroft nor are any properties in the roads listed above occupied by any of our relatives.

As will be well established, this land has been subject to numerous earlier applications and the early history of this land is well documented as being left to the local residents of Withdean for sport and recreation activities.

On all of the previous applications since at least 1988 the elected members of Withdean Ward (previously named Westdene Ward) have consulted with residents in the immediate area to gain knowledge of the consensus of opinions expressed.

On this occasion like all of the previous applications we, as elected members, have hand delivered an information sheet or consultation letter to all residents in the immediate area giving as much information as was known and asked residents to consider the application. contact us with their views. and make a submission to the Planning Department.

We have met with the applicant, Bellway Homes and are grateful for the information provided to us and the willingness of this applicant to inform those residents who have homes that back onto or would be affected by this application.

COUNCILLOR REPRESENTATION

Those residents who responded tell us of reasons why they feel dissatisfied with the proposals and we list those reasons below:-

1. Application BH2013/00293 by Bellway Homes South East Ltd applies to change the wording within the condition to state that the development will achieve a Sustainable Homes Code Level 4 rather than level 5. A similar application, BH2011/03431 by Braybon Holdings Ltd in 2011, to change the requirement to code for Sustainable Homes rating from level 5 to level 4 was refused, the reason being given as "The development has been assessed as economically viable to be constructed to reach Code of Sustainable Homes Level 5". Therefore this development would be contrary to the following policies in the Brighton and Hove Local Plan 2005:- SU2 Efficiency of development in the use of energy.
2. Traffic concerns regarding access/egress from Redhill Drive and Redhill Close because of the width of both roads which currently often prove impassable for refuse collection vehicles and emergency vehicles. Residents also have concerns regarding insufficient car parking in the proposals which will cause overspill parking onto Redhill Close and Redhill Drive both of which are already well oversubscribed with vehicles wishing to park. Therefore this development would be contrary to the following policies in the Brighton and Hove Local Plan 2005:- QD27 Protection of amenity- planning permission for any development will not be granted where it would cause material nuisance and loss of amenity to existing and/or adjacent users, residents or occupiers.
3. The positioning and height of proposed residential units will be out of character and incongruous with the rest of the immediate area and will be a dominating feature on one of the highest points of the city. This development would be visible and destroy the skyline from many other view points across the city. Therefore this development would be contrary to the following policies in the Brighton and Hove Local Plan 2005:- QD2 Design- key principles for neighbourhoods (a) design of existing buildings, (b) topography and impact on skyline.

The colour, cladding and design of properties would also be out of character and the area. This development would be contrary to the following policies in the Brighton and Hove Local Plan 2005:- QD1 Design- quality of development (a) scale and height of development

Positive comments from residents include commitment to protect and relocate protected wildlife as well as the acknowledgement and importance of the continued use of the Scout and Guide Hut and its handover to the relevant organisation. The commitment to hand over the remaining land for recreational purposes is warmly welcomed but as elected members, we do have concerns about the long term prospects because of the limited funding that will be available via this application.

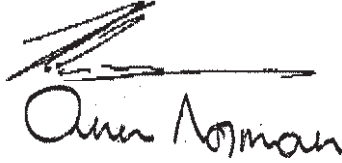
We ask that this letter be included in full with the application that will be going before the Planning Committee for decision and request permission for one of us to speak at that meeting.



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**Brighton & Hove** COUNCILLOR REPRESENTATION  
**City Council**

Yours Sincerely



Councillor Ann Norman

Councillor Ken Norman

Councillors Ken and  
Ann Norman  
Withdean Ward



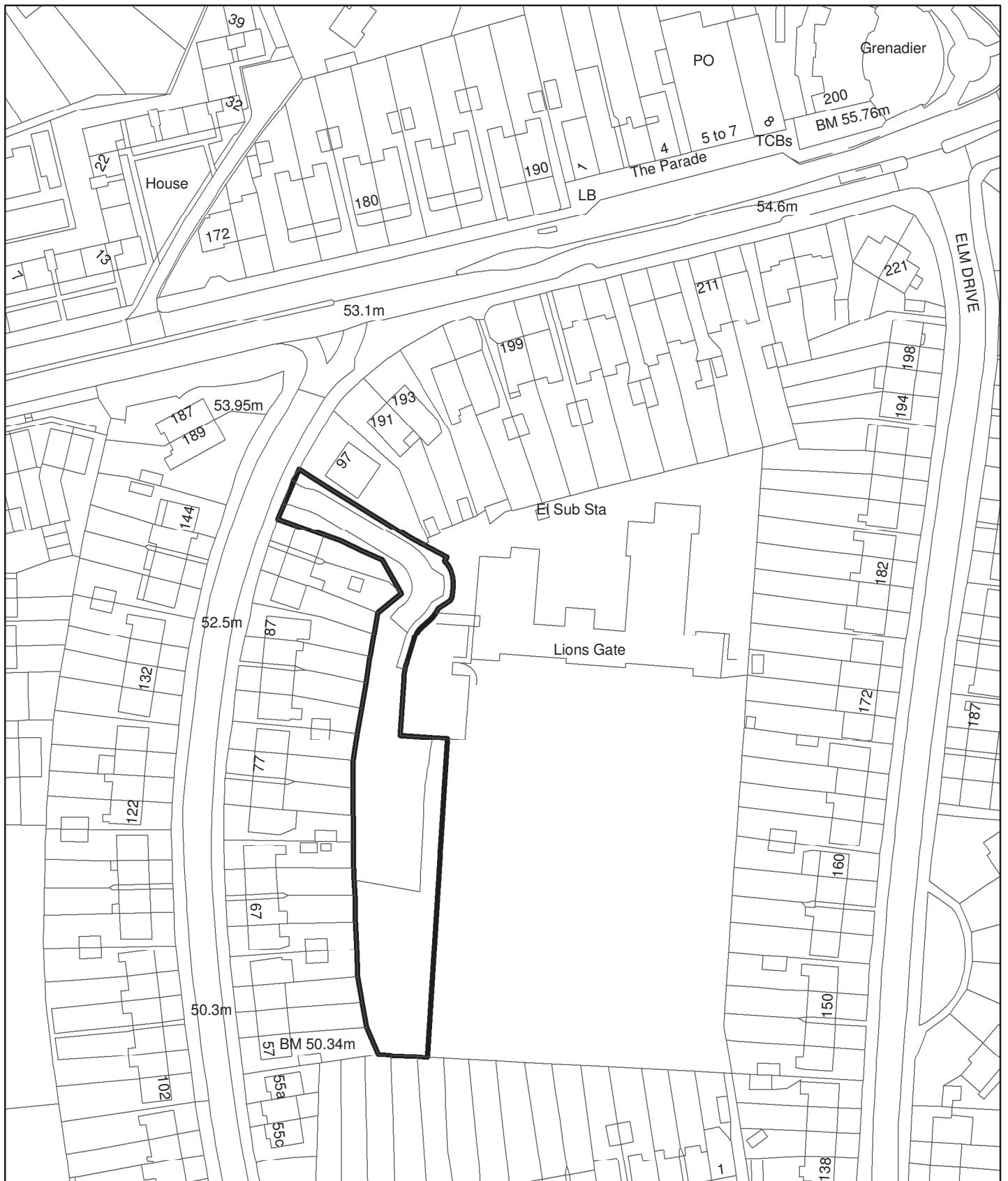
**PLANS LIST  
ITEM B**

**The Hyde, 95 Rowan Avenue, Hove**

**BH2013/00848  
Full planning**

**26 JUNE 2013**

# BH2013/00848 The Hyde, 95 Rowan Avenue, Hove.



**Brighton & Hove  
City Council**



**Scale: 1:1,250**



<b><u>No:</u></b>	<b>BH2013/00848</b>	<b><u>Ward:</u></b>	<b>HANGLETON &amp; KNOLL</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>The Hyde 95 Rowan Avenue Hove</b>		
<b><u>Proposal:</u></b>	<b>Construction of 5no four bedroom houses and access road off Rowan Avenue with associated works including car parking.</b>		
<b><u>Officer:</u></b>	Christopher Wright Tel 292097	<b><u>Valid Date:</u></b>	26/03/2013
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	21 May 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	BPM, 31a Warmdene Road, Brighton, BN1 8NL		
<b><u>Applicant:</u></b>	Birch Restorations Ltd, 1a Victoria Terrace, Hove, BN3 2WB		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves it is **MINDED TO GRANT** planning permission subject to the completion of a s106 Planning Obligation and to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a plot of land to the rear of Nos. 57-81 Rowan Avenue comprising of a builder's yard and surface parking area formerly associated with the adjoining field which belonged to a sports and social club.
- 2.2 The plot is 76m in length and 21m in width, tapering to a width of 12m at the southern end and has an area of 1441 square metres.
- 2.3 The plot would be accessed by extending the existing private road to Lion's Gate between the back gardens of houses in Rowan Avenue and the Lion's Gate car park to link up with the plot.
- 2.4 Historically the whole site belonged to the sports and social club and comprised pavilion/club building and a large playing field with ancillary surface car parking. The site is bounded to the north by houses in Hangleton Road, to the west by Rowan Avenue, to the east by Elm Drive and to the south by Maytree Walk.
- 2.5 The sports and social club building itself was demolished and re-developed as sheltered flats in 2001, leaving behind the playing field and surfacing parking area. The sheltered flat development is known as Lions Gate, and the access to the site was created by demolishing 95 Rowan Avenue.
- 2.6 The application site does not include the large open grass area in front of Lions Gate. This area is required to be retained as open space/recreation space under to the provision of the approval of Lion's Gate (**BH2002/02206/FP**), and works are underway to provide community allotments on this land, which is now leased to the Council.

- 2.7 The current application is not connected with either the Lions Gate development or the requirement of the applicant to provide the enhancements to the land east of the application site.

### 3 RELEVANT HISTORY

**BH2010/00102** – Certificate of Lawfulness for an existing use of the site as a builder's yard for the purposes of securely storing builder's plant, equipment, materials and re-claimed materials, no part of which exceeds 2 metres in height above ground level. Approved 4 May 2010.

**BH2009/01249** – Proposed construction of two blocks of 2 and 3 storeys to provide a total of 27 new sheltered housing units with associated caretaker's flat, support and recreation areas including private landscaped gardens and car and cycle parking facilities. Refused 3 September 2009.

**BH2008/02532** – Development of the site with 28 new sheltered residential units with one additional caretaker's unit, associated support and recreational areas and private landscaped gardens. Refused 12 November 2008.

**BH2006/03568**: Certificate of Lawfulness to establish an existing use as a builder's store and as a car park – refused on the 8<sup>th</sup> of January 2007. A subsequent appeal was lodged and then withdrawn.

**BH2005/01271/OA**: Outline application for 7 dwellings – appeal withdrawn on 7 September 2006.

**BH2005/00249/FP**: Conversion of lounge to form an additional 1 bedroom flat – refused on the 14<sup>th</sup> of March 2005 (loss of common room/communal facilities).

**BH2004/01816/FP**: Extension to existing development to provide 2 no. additional flats and laundry room – approved on the 23<sup>rd</sup> of September 2004.

**BH2003/02279/INV.**

**BH2002/02206/FP**: Erection of 39 flats for the elderly, caretaker's accommodation and common room – approved with S106 on the 20<sup>th</sup> of January 2003.

**BH2001/02545/FP**: Proposed additional football/tennis facilities and changing facilities – approved on the 9<sup>th</sup> of April 2002.

**BH2000/03007/OA**: Demolish 95 Rowan Ave., residential development on northern part of site occupied by Clubhouse and tennis courts. Improvements to playing fields including new changing facilities and pitches – approved with S106 on the 9<sup>th</sup> of October 2002.

**BH1999/01245/OA**: Two storey block affordable flats, improvements to sports facilities – approved on the 2<sup>nd</sup> of December 1999.

**3/94/0288(F)**: Internal and external alterations to form new entrance, caretaker's flat and general upgrading to re-instate existing club (retrospective) – granted on the 4<sup>th</sup> of July 1994.

**3/93/0579(OL)**: Outline application for conversion of clubhouse to form 2 no. detached houses – refused on the 8<sup>th</sup> of December 1993.

**3/93/0578(O/L)**: Outline application for development of 8 linked residential units – refused on the 26<sup>th</sup> of November 1993.

**3/93/0381(OL)**: Outline application for development of 8 linked residential units – refused on the 8<sup>th</sup> of September 1993.

**3/93/0380(OL)**: Outline application for conversion of existing clubhouse to form 2 no. detached houses – refused on the 8<sup>th</sup> of September 1993.

**3/82/0533:** Ground floor changing room extension – approved on the 22<sup>nd</sup> of October 1982.

**3/81/0488:** Extension to car park to form addition parking for 18 cars – granted on the 25<sup>th</sup> September 1981.

**3/79/0399:** Erection of Groundsman's store/garage – granted on the 6<sup>th</sup> August 1979.

**3/78/0725:** Extension to club room bar area, bar extension and resiting of 20 car parking spaces – granted on the 26<sup>th</sup> February 1979.

**M/14696/70:** Extension to existing sports pavilion and clubhouse with parking for 24 vehicles – granted on the 3<sup>rd</sup> August 1970.

**M/11432/65:** Outline application for residential development – allowed to lapse on 11<sup>th</sup> May 1965.

**M/3471/54:** Sports Pavilion – granted on the 10th December 1954.

**M/1903/51:** Recreation ground – granted on the 20<sup>th</sup> December 1951.

#### **4 THE APPLICATION**

4.1 Planning permission is sought for the construction of 5 no. four bedroom dwelling houses arranged as a pair of semi-detached properties opposite a row of three terrace houses. A vehicular manoeuvring space is proposed between the two rows of dwellings and the houses would be 19m apart.

4.2 Ten cycle parking spaces are proposed and the site boundaries would be delineated by 2m high close-boarded timber fences. All fenestration is proposed to be grey powder coated aluminium.

4.3 Gated passages to the side of the properties would provide access to rear gardens and semi-permeable patio areas incorporating space for refuse and recycling storage and water butts.

#### 4.4 House Type 1

House type 1 represents the design of the two semi-detached houses proposed in the northern part of the site. These would have painted render walls with brick plinths and bay windows together with flat roof porches of lead with standing rolls.

4.5 Each property would have a single parking space in front (one being of disabled size); kitchen/dining room, living room and W.C. at ground floor level; three bedrooms and a bathroom at first floor level; and a fourth, master bedroom and en-suite in the loft space.

4.6 The houses would have a single rooflight on the front roof slope and a small flat roof dormer on the rear roof slope.

#### 4.7 House Type 2

4.8 House Type 2 represents the design of the three terrace houses proposed in the southern part of the site. These would have painted render walls and slate grey plain tiled roofs but would not have bay windows.

- 4.9 Each property would have a single parking space in front and a similar configuration to the internal layout, with 3 bedrooms at first floor level and a fourth, master bedroom in the attic space.
- 4.10 The houses would have single rooflight on the front roof slopes and a small flat roof dormer on the rear roof slope.

## 5 PUBLICITY & CONSULTATIONS

### 5.1 External

**Neighbours:** Eleven (11) letters of representation have been received from **148 (x2), 178 Elm Drive; 7 (x2), 9 May Tree Walk; 65 (x2), 67 (x2), 89, 93, 4/95, 97 Rowan Avenue, objecting** to the application for the following reasons:

- Encroaches on green area.
- Too big a development for the location.
- Remaining area will become vulnerable to development.
- Inappropriate site for housing despite housing need.
- Intrusive.
- Height equal to three storeys due to gable ends as opposed to hipped roofs.
- No space between the buildings and neighbours' houses.
- Additional noise.
- Loss of privacy.
- Loss of light.
- Overshadowing.
- Security lighting nuisance.
- Disturbance to wildlife.
- Disturbance to elderly residents of Lions' Gate.
- Extra traffic.
- Sharing the access to Lion's Gate may lead to accidents with elderly residents.
- Increased congestion.
- Poor access.
- Inadequate parking provision.
- No provision for visitor parking or deliveries.
- Over spill parking into surrounding streets.
- Buses have difficulty driving around parked cars in the street.
- Some cars drive the wrong way along Rowan Avenue.
- Inadequate local services/facilities to serve the dwellings.
- The land should be used as a garden for local people.

### Internal:

#### 5.2 **Country Archaeologist:** No objection.

The proposed development is situated within an Archaeological Notification Area defining an area of Prehistoric and Roman remains potential. In light of the potential for loss of heritage assets on this site resulting from development, the area affected by the proposals should be the subject of a programme of archaeological works. Conditions are recommended accordingly.

- 5.3 **Brighton & Hove Archaeological Society:** No objection.
- 5.4 **Sustainable Transport:** No objection.
- 5.5 The proposed trip generation is forecast to increase above existing levels as there are to be 5 new residential units on the site. In light of this a financial contribution of £7500 is required to go towards accessible bus stops in the area including those on Rowan Avenue and Elm Drive.
- 5.6 The proposed level of parking is in line with the maximum car parking standards set out in SPGBH4.
- 5.7 The proposed cycle parking in the rear gardens of each property is acceptable except for the middle terrace house. This is because it would require users to carry their bikes through the property. Therefore alternative cycle parking for this unit should be provided. This could be located to the front of the unit and be secured via condition.
- 5.8 The applicant is retaining the existing access from Rowan Avenue. The applicant is intending to extend the existing access road into the site to provide vehicular access. To ensure the road where the residential properties are located is pedestrian friendly the Highway Authority would look for appropriate treatments on entry to the site. Ideally the applicant should provide rumble strips or a change in material to identify or designate to drivers that this is an area where pedestrians could be. This treatment will also assist in slowing vehicle speeds down and ensure it is a safe environment. It is recommended this is secured by condition.
- 5.9 The applicant is intending to extend the existing footway on the access road into the site. The footway is approximately 1.2m to 1.3m in width within the site. Ideally the footway should be widened to provide better pedestrian provision. There is scope to widen the footway and narrow the carriageway slightly and it is recommended further details are secured via condition.
- 5.10 In addition the Highway Authority recommends that a Grampian condition is imposed to require the developer to bring the existing access and adjacent footway up to adoptable standards prior to occupation of the development.
- 5.11 **Accessibility Officer:** No objection.  
The proposals appear to meet Lifetime Home standards. All entrances should have level thresholds, including the rear doors.
- 5.12 **Environmental Health:** No objection.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006) Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration.
- 6.4 Due weight should be given to relevant policies in the existing development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF) March 2012

#### 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  
SU4 Surface water run-off and flood risk  
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  
QD20 Urban open space  
QD27 Protection of Amenity  
QD28 Planning Obligations  
HO3 Dwelling type and size  
HO4 Dwelling densities  
HO5 Provision of private amenity space in residential development  
HO6 Provision of outdoor recreation space in housing schemes  
HO13 Accessible housing and lifetime homes  
SR20 Protection of public and private outdoor recreation space



HE12 Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD08 Sustainable Building Design

SPD11 Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1 – Presumption in Favour of Sustainable Development

CP8 – Sustainable Buildings

CP9 – Sustainable Transport

CP12 – Urban Design

CP14 – Housing Density

CP16 – Open Space

CP17 – Sports Provision

CP18 – Healthy City

## **8 CONSIDERATIONS & ASSESSMENT**

The principal considerations in the determination of this application relate to the principle of development; design and appearance; impact on amenity; sustainable transport; and sustainability.

### **8.1 Principle-**

With the exception of the area of the site which benefits from a lawful use as a builder's storage yard, neither the former surface car park nor the open grass areas of the site constitute previously developed land. Those parts of the application site qualify as privately owned urban open space.

8.2 Policy QD20 of the Local Plan 'Urban open space', states planning permission will not be granted for proposals that would result in the loss of areas of public or private open space that are important to people because of their recreational, community, historical, conservation, economic, wildlife, social or amenity value. Enhancements to these areas of open space will be sought and the preservation of character, appearance, layout and features of importance.

8.3 The loss of an area of open space important to people will only be considered in exceptional circumstances. For example, where it can be demonstrated that the proposal is of national importance or essential to meet social, environmental and/or economic needs, which cannot be located elsewhere. Where such exceptional circumstances apply, the planning authority will require alternative appropriate open space provision of a suitable size, type, layout character, appearance and location.

8.4 Planning permission for the development of areas of public and private open space that are not considered to be important to people, will only be permitted where the applicant can satisfy the planning authority that:

- a. there are no alternative open space needs in the area, such as deficiencies in outdoor recreation space, accessible natural green space or allotments; or
  - b. the area of open space is not suitable to meet alternative open space needs.
- 8.5 Policy SR20 of the Local Plan 'Protection of public and private outdoor recreation space', states planning permission will not be granted for development on areas of outdoor recreation space, other than that which is incidental and appropriate to the respective recreation uses, unless it can be demonstrated that the land is not an important open space under the terms set out in policy QD20; and
- a. there is not an existing deficiency in accessible outdoor recreation space in the respective locality and it will not create a deficiency in outdoor recreation space;
  - b. the land physically cannot be made accessible to the public;
  - c. the sports, recreation and amenity facilities can best be retained and enhanced, including where appropriate the creation of suitable access to the public, through the redevelopment of a small part of the site.; or
  - d. the proposal is of benefit to the local community and includes the provision of an appropriate alternative site, which is accessible to the public, provides similar community and amenity facilities, and, is in a suitable location so as to serve the original catchment area.
- 8.6 With regards to criteria 'c' and 'd' where planning permission is granted for development on an area of outdoor recreation space, conditions will be imposed or a planning obligation will be sought in order to ensure that the onsite facilities are retained and enhanced or similar facilities are provided on an appropriate alternative site.
- 8.7 The Planning Statement submitted by the applicant on 23 April 2013 seeks to put forward the case that the application site meets the exceptions set out in policies QD20 and SR20 and is therefore appropriate for development in principle.
- 8.8 The applicant contends that:
- The site has no value as an open space.
  - The site is not publicly accessible.
  - The site has no recreational, amenity, historical, conservation or wildlife value.
  - The site is not a high quality open space.
  - The part of the application site not comprising either car park or builder's yard will form the rear gardens of three of the proposed houses.
  - The irregular shape of the application site does not lend itself to a viable recreational facility.

The applicant contends that the proposal would not result in the loss of open space which is important to people and there is no social or environmental need for the retention of the space. In any case the physical constraints of the application site would make such provision undeliverable.



These circumstances are considered sufficient to meet the exceptions set out in policy QD20.

8.9 In terms of meeting policy SR20, the applicant submits that:

- The site is located approximately 235m walking distance from an alternative
- recreation space at Knoll Recreation Ground.
- The land physically cannot be made accessible to the public.

The case put forward by the applicant is considered sufficient to meet the exceptions set out in policy SR20.

In view of the above, the proposed development is considered acceptable in principle.

**8.10 Design and Appearance-**

The proposed layout is considered acceptable and the boundary between the site and the back gardens of houses in Rowan Avenue would be buffered and screened with fences and planting.

8.11 The proposed density is considered acceptable and the five dwellings would not have a cramped appearance. The form and design detailing of the proposed dwellings is traditional, with rectangular plan forms and pitched roofs, albeit using more modern finishes such as painted render walls and aluminium fenestration. In terms of height, bulk and scale the proposed dwellings would be in keeping with the characteristics of the existing houses which bound the site. In respect of design, scale, form and external appearance, the proposed development is considered to be compliant with policies QD1 and QD2 of the Local Plan.

8.12 The proposal is for 5 dwellings and each would have four bedrooms. As such the proposal does not provide for a mixture of housing types and sizes. However, the provision of 4 bedroom dwellings is considered appropriate to the site context and the number of dwellings proposed has limited scope for providing a range of house sizes. The proposed development would make more effective and efficient use of the site and help to meet housing need within the city.

The proposal is considered to be compliant with policies QD3, HO3 and HO4 of the Local Plan.

**8.13 Landscaping:**

There are no trees within the application site and the applicant states that existing hedges along the site boundary will not be removed. In this regard there is no conflict with policy QD16 of the Local Plan 'Trees and Hedgerows'.

8.14 The drawings submitted by the applicant indicate that some consideration has been given to a proposed landscaping scheme at the design stage, in accordance with policy QD15 of the Local Plan 'Landscape Design'.

- 8.15 The plans indicate landscaping between each property and alongside the access road into the site. This will help to green the development and provide screening between the development and existing houses in Rowan Avenue. The precise details of the landscaping scheme, such as species, planting density and height, can be agreed by condition in the event approval is granted.

**Impact on amenity-**

8.16 Future occupiers:

The proposed houses would be accessible and can meet Lifetime Home standards whereby the design would cater for people's changing mobility needs without the need for structural alterations. A condition may be imposed accordingly in the event permission is granted. In this regard the proposal complies with policy HO13 of the Local Plan.

- 8.17 Each of the five dwellings would benefit from a rear garden and patio area for private, useable amenity space. The size of the rear gardens is considered appropriate to the scale of the dwellings, which could be occupied by families. As such proposal is considered to meet the requirements of policy HO5 of the Local Plan.

- 8.18 The front elevations of the dwellings proposed would be 19m apart. This is a normal front to front separation distance and is acceptable.

8.19 Neighbouring residents:

Neighbour letters received raise objections based on harm to amenity, including loss of privacy and overshadowing.

- 8.20 The neighbouring properties most likely to be affected by the development proposal in terms of amenity are nos. 57 to 81 Rowan Avenue. The two Type 1 dwellings would be more than 24m from the rear elevations of nos. 73-79 Rowan Avenue whilst the three Type 2 houses would be between 19m and 20m from the rear elevations of nos. 65-67 Rowan Avenue. The Type 2 houses would be situated between 1m and 2m from the edge of the plot, unlike the Type 1 houses which would be set further inside the plot boundary due to the proposed accessed road running alongside them.

- 8.21 The proposed dwellings would not have any windows or other openings on their flank elevations. In terms of height, the proposed eaves height of 5.4m and ridge heights of 9.2m are comparable with the height of existing houses in Rowan Avenue.

- 8.22 For reasons including the height and scale of the proposed dwellings, their distance from adjoining houses in Rowan Avenue, and the absence of windows or other openings in the flank elevations, the proposal is not considered likely to have an overbearing impact or lead to overshadowing or overlooking. The development proposal would be situated to the east of houses in Rowan Avenue and therefore for the greater part of the year, the high summer sun arcing from the north-east and lower winter sun arcing from the south-east through to the south-west, would provide sunlight into the rear gardens of properties in Rowan Avenue.

- 8.23 Lions Gate is situated to the north of the application site some 28m away from the rear elevations of the nearest proposed dwellings. As such, the proposal would not overshadow or have an overbearing impact on occupiers of Lions Gate. The proposed roadway would form a continuation of the existing access route into Lions Gate, which also benefits from a car park. The number of vehicular movements associated with the proposed development, together with the site context of being near to the Lions' Gate car park are such that the amenity of Lions Gate residents should not be compromised as a result of the proposal.
- 8.24 For the above reasons the proposed development is considered to be acceptable in terms of policy QD27 of the Local Plan.

**Sustainable Transport-**

- 8.25 In order to meet the requirements of policies TR1 and TR19 of the Local Plan, new development should provide for the transport demand generated in accordance with the maximum parking standards set out in SPGBH4: Parking Standards.
- 8.26 The applicant proposes 1 car parking space in front of each dwelling, two of which would be wide enough for potential disabled use. This level of off-street parking provision accords with the maximum level of 1 space per dwelling set out in SPGBH4 and is therefore considered acceptable. Neighbour comments regarding potential over-spill parking in surrounding streets are noted, the planning policy position is also intended to encourage alternative methods of transport.
- 8.27 In terms of meeting the requirements of policy TR14 of the Local Plan, secure, convenient and ideally sheltered cycle parking facilities are required in accordance with the minimum standards set out in SPGBH4. One cycle parking space is required per dwelling, with an additional space for visitors per 3 dwellings. The minimum level of cycle parking provision for the development is therefore 6 cycle spaces.
- 8.28 The applicant is proposing 10 cycle parking spaces, 2 in the rear garden of each of the dwellings. This is acceptable in principle, but Sustainable Transport has raised the issue of the mid-terrace house needing to carry bikes through the inside of the property to get them into the back garden, and this would not meet the requirements of policy TR14 in terms of convenience. However, there is space in front of the property to provide cycle storage instead, and it is recommended a planning condition should secure further details in the event approval is granted.
- 8.29 Policies TR7 and TR8 of the Local Plan seek to ensure that development does not increase the danger to users of adjacent pavements, cycle routes and roads; and to ensure proposals provide for the needs of pedestrians and take account of pedestrian links within and outside the site boundaries.

- 8.30 Sustainable Transport recommends that the footways proposed within the site are widened and that dropped kerbs are provided, for example at the points where the two footways abut the front parking areas. These details may be requested by condition, in the event approval is granted. In addition, due to the poor condition of the existing access surface for vehicles and pedestrians connecting the site to Rowan Avenue, Sustainable Transport recommends that a condition is included on any permission granted in order for the access and adjacent footway to be brought up to adoptable standards prior to occupation of the development.
- 8.31 Trip generation:  
Sustainable Transport have identified that the proposed development of 5 houses would increase levels of trip generation above those generated by the current uses of the application site. For example, the grass area to the southern end of the site produces no vehicular trips and similarly the surface parking area associated with the nearby former sports and social club does not generate vehicular trips in itself. In light of this, in accordance with policies TR1 and QD28 of the Local Plan, the applicant is requested to enter into a s.106 Agreement for provision of £7500 to go towards providing accessible bus stops in Rowan Avenue and Elm Drive.

**Sustainability-**

- 8.32 Policy SU2 of the Local Plan requires development to be efficient in the use of energy, materials and water. Notwithstanding the builder's yard occupying a portion of the site, the plot is predominantly Greenfield. For this reason, in accordance with SPD08: Sustainable Building Design, each dwelling should achieve a minimum of Level 5 of the Code for Sustainable Homes.
- 8.33 The applicant has submitted a Sustainability Checklist which confirms the proposed development would achieve Level 5 of the Code for Sustainable Homes. This is considered to be acceptable.
- 8.34 Policy SU4 of the Local Plan states measures to minimise surface water run-off from application sites should be incorporated where practicable and appropriate. Commonly this can be achieved by using porous and semi-permeable materials for hard surfaced areas.
- 8.35 The applicant is proposing to use semi-permeable materials for the hardstanding areas within the development, including the patios to the rear of the proposed dwellings. These measures would help surface water drain away naturally rather than add pressure to the sewage infrastructure and potentially increase risk of flooding. The precise details of the semi-permeable hard surfacing materials can be agreed by condition, in the event approval is granted.

**9 CONCLUSION**

- 9.1 The applicant has made a satisfactory case for meeting the exceptions provided for in policies QD20 and SR20 of the Local Plan and as such the residential development of the site is considered acceptable in principle.
- 9.2 The form, scale, design, materials and layout of the 5 houses proposed are considered appropriate to the site and its context and the houses would not have a discordant or unduly dominant appearance.
- 9.3 The proposal would not have a significant adverse impact on residential amenity and future occupiers would benefit from appropriately sized rear gardens and houses built to meet Lifetime Home standards.
- 9.4 The impact on transport is considered acceptable with the appropriate contribution and the applicant is proposing that the development would achieve Level of the Code for Sustainable Homes, which is welcome.

**10 EQUALITIES**

- 10.1 The houses can meet Lifetime Home standards.

**11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES**

11.1 Section 106 Agreement - Heads of Terms

- Contribution of £7,500 for improvements of accessibility to bus stops in the vicinity of the site.

11.2 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
Existing Site Plan and Sections	01		18 Mar 2013
House Type 1	02A		22 Mar 2013
House Type 2	03A		22 Mar 2013
Proposed Site Plan	04		18 Mar 2013
Existing and Proposed Site Plan	05		18 Mar 2013
Location and Block Plan	06A		25 Apr 2013

- 3) No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouses as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) 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.

- 4) The new dwellings hereby permitted shall be constructed to meet Lifetime Homes' 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.

- 5) The hard surfaces 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) 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.

- 7) 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.

- 8) The development hereby permitted shall be constructed in accordance with the approved drawings showing 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.

**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) 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.

11.3 Pre-Commencement Conditions:

- 10) No residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves Code level 5 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

- 11) 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 as indicated in the approved Arboricultural Report.

**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.

- 12) 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.

- 13) No development shall take place until details of an appropriate road treatment in the form of rumble strips or a raised table have been submitted to and approved in writing by the Local Planning Authority, in order to improve road safety on the access road. 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 improve the safety of all road users, in the interests of highway safety and to comply with policy TR7 of the Brighton & Hove Local Plan.

- 14) No development shall take place until detailed drawings of the proposed footway and carriageway provision including the implementation of dropped kerbs to be provided, have been submitted to and approved 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:** In the interests of highway safety and to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.

- 15) No development shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Archaeological Investigation which shall be submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the approved programme of archaeological work. **Reason:** To ensure that the archaeological and historical interest of the site is safeguarded and recorded and to comply with policy HE12 of the Brighton & Hove Local Plan.

#### 11.4 Pre-Occupation Conditions:

- 16) Unless otherwise agreed in writing by the Local Planning Authority, the residential unit 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 5 has been submitted to, and approved in writing by, the Local Planning Authority.

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

- 17) The development hereby permitted shall not be occupied until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination or results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Archaeological Investigation approved under condition 16.

**Reason:** To ensure that the archaeological and historical interest of the site is safeguarded and recorded and to comply with policy HE12 of the Brighton & Hove Local Plan.

- 18) The development hereby permitted shall not be occupied until a scheme of works to ensure the existing access arrangements including the adopted footway on Rowan Avenue are brought up to an adoptable standard. The scheme of works shall be submitted and, once acceptable, approved in writing by the Local Planning Authority. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

**Reason:** In the interests of highway safety and to comply with policies TR7, TR8 and TR13 of the Brighton & Hove Local Plan.

#### 11.5 Informatives:

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

- 2) This decision to grant Planning Permission has been taken:



## PLANS LIST - 26 JUNE 2013

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

- (ii) for the following reasons:-

The applicant has made a satisfactory case for meeting the exceptions provided for in policies QD20 and SR20 of the Local Plan and as such the residential development of the site is considered acceptable in principle.

The form, scale, design, materials and layout of the 5 houses proposed are considered appropriate to the site and its context and the houses would not have a discordant or unduly dominant appearance and would not be readily visible from the public highway.

The proposal would not have a significant adverse impact on residential amenity and future occupiers would benefit from appropriately sized rear gardens and houses built to meet Lifetime Home standards.

The impact on transport is considered acceptable and the applicant is proposing that the development would achieve Level 5 of the Code for Sustainable Homes, which is acceptable.



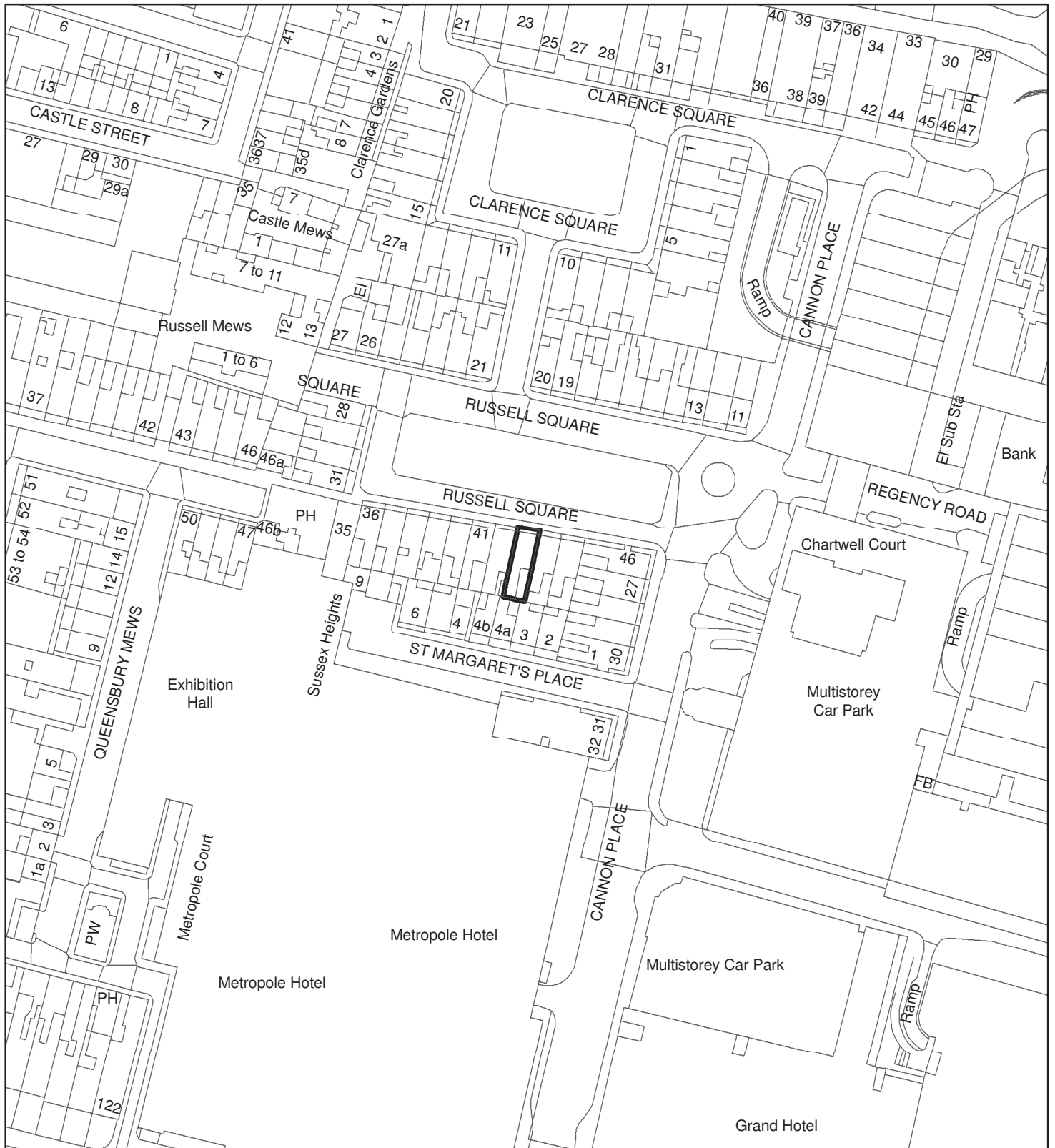
**PLANS LIST  
ITEM C**

**43 Russell Square, Brighton**

**BH2012/04035  
Full planning**

**26 JUNE 2013**

# BH2012/04035 43 Russell Square, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2012/04035</b>	<b><u>Ward:</u></b>	<b>REGENCY</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>43 Russell Square Brighton</b>		
<b><u>Proposal:</u></b>	<b>Change of use from single dwelling (C3) to House in Multiple Occupation (Sui Generis) on upper floors and 1no one bedroom basement flat. Alterations including increased roof height of rear extension and provision of slate roof. (Part Retrospective).</b>		
<b><u>Officer:</u></b>	Christopher Wright Tel 292097	<b><u>Valid Date:</u></b>	03/01/2013
<b><u>Con Area:</u></b>	Regency Square	<b><u>Expiry Date:</u></b>	28 February 2013
<b><u>Listed Building Grade:</u></b>	Grade II		
<b><u>Agent:</u></b>	Dr Layth Raouf, Floreat, Stable Lane, Findon Village, West Sussex, BN14 0RR		
<b><u>Applicant:</u></b>	AR Properties (Brighton) Limited, 7 Redhill Drive, Brighton, BN1 5SH		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a four storey mid-terrace property with basement, situated along the southern edge of Russell Square in the city centre. The building has entrances at both ground and lower ground level and has a traditional footprint with two storey outrigger and yard area to one side, at the back. The property is a Grade II listed building and is located within the Regency Square Conservation Area.
- 2.2 The building is presently vacant and is understood to have last been occupied as a dwellinghouse. Prior to this the building was used as six flat-lets (**ref. 82/724**).
- 2.3 Various works have been undertaken to the building without the necessary planning and Listed Building consents being in place:
- New windows to the rear outrigger.
  - Alterations to a first floor rear extension.
  - New internal partitions at lower ground level to form kitchen and bathroom areas.
  - Removal of staircase balusters and areas of lathe and plaster wall.
  - Installation of suspended ceilings to the back rooms (overlapping window architraves).

- 2.4 All works on site have now ceased following intervention by the Planning Investigations and Enforcement Team.

### 3 RELEVANT HISTORY

**BH2012/04036** – Listed Building Consent. Internal alterations to layout including creation of basement level flat. External alterations including increased roof height and provision of slate roof to rear extension. (Part Retrospective). Approved 29 April 2013.

**82/724** – Proposed use of the premises as a six flat-let house. Approved 28 September 1982.

### 4 THE APPLICATION

- 4.1 The application seeks full planning permission for the change of use of the building from a dwellinghouse (Use Class C3) to a self-contained 1-bedroom flat in the basement (C3) and a sui generis House in Multiple Occupation (HMO) on upper floors.

- 4.2 In total 5 HMO type units are proposed with 4 of the units sharing 2 W.C./washing facilities on the first floor. The works include the following elements:

#### 4.3 Basement-

- One bedroom self contained flat with separate entrance into front light-well.
- Soft landscaping in rear yard.
- Kitchen and shower room/W.C. situated in the rear part of the outrigger.
- Installation of a suspended ceiling (retrospective)
- Replacement of non original or missing doors with 4 panel doors to match original.
- Repair and replacement of skirting boards.
- Creation of a new fire door opening at the foot of the stairs leading up to ground floor level.

#### 4.4 Ground Floor-

- One bed-sit at the rear with its own kitchen and shower room formed with new internal partitions.
- One HMO unit occupying the two front rooms and sharing W.C./washing facilities on the first floor.
- Reinstatement of staircase balusters (retrospective).
- Retention of existing internal doors and installation of 6 panel doors to original design where missing.
- Repair and replacement of profiled skirtings and window architraves.
- Panelled door to entrance of rear bed-sit with external bead moulding.
- Removal of non original partition between front and back rooms to form HMO unit.

#### 4.5 First Floor-

- One HMO unit occupying the two front rooms.
- Two combined shower/W.C. rooms within the rear projection.
- Landlord's storage.

## PLANS LIST - 26 JUNE 2013

- Replacement of door leading to roof terrace with a window, to prevent access.
  - Reinstatement of 6 panel doors.
  - Repair of skirting and architraves and cornices to match originals.
  - Removal of non original partition between front and back rooms, to form a single HMO unit.
- 4.6 Second Floor-
- One HMO unit occupying the two front rooms.
  - Original 4 panel doors retained.
- 4.7 Third Floor-
- One HMO unit occupying the two rooms.
  - Original 4 panel doors retained.
- 4.8 Proposed external alterations include:
- Three timber sash windows to the return wall of the rear outrigger at basement level (part retrospective).
  - New external yard door (4 panel)(retrospective).
  - Lime cement render of outrigger.
  - Re-construct mono pitched roof of first floor level outrigger with natural slate (retrospective).
  - Replace roof terrace access door with a timber casement window.
- 4.9 A separate application for listed building consent has also been submitted, ref. **BH2012/04036**, and this was approved on 29 April 2013.

## 5 PUBLICITY & CONSULTATIONS

### 5.1 External:

**Neighbours:** Seven (7) letters have been received from **39, 41 and Flats 1 and 2, 65/66 Regency Square; 42 (x2) and 44 Russell Square; and 8c Sussex Heights, St. Margaret's Place, objecting** to the application for the following reasons:-

- The number of future occupants should be restricted to a reasonable and legal number at any given time, commensurate with the size and nature of the property.
- Too many units crammed in too small a space and fragile, historic building.
- The units are too small.
- Excessive stress on historic structure.
- Calibre of future tenants will be detrimental to the prestige of Russell Square.
- Building should have fewer occupants.
- Poor quality of refurbishment works which should be in keeping with original specifications.
- Should be retained as a family dwelling.
- Inappropriate use as an HMO is this area.

### 5.2 Conservation Advisory Group: Objection.

The group strongly recommended this application be refused on the grounds that it would represent an excessively intensive use of a Listed Building and felt it important that the basement flat be retained as part of the main building and not separated.

**Internal:**

5.3 **Sustainable Transport:** No objection.

The trip generation is forecast to be similar to the existing permitted residential use. There will be a small increase in trip generation associated with the site as there will be more people living within the HMO rather than the single dwelling. This level of trip generation would not be considered a reason for refusal. In light of this and the fact the scale of development is below the temporary recession measures the highway authority would not request a S106 contribution in this instance.

5.4 The applicant is not intending to provide any on-site car parking spaces as a result of this development. SPGBH4 states the maximum car parking standard for an HMO within a Controlled Parking Zone (CPZ) is 1 space per 4 bed-sits. Therefore the proposals for no on-site car parking are in line with the maximum parking standards in SPGBH4 and are deemed acceptable.

5.5 In order to meet policies HO7 and TR1 of the Brighton & Hove Local Plan the Highway Authority would look for the development to be made car free. The development lies within CPZ 'Z' and benefits from being in a central, sustainable location, close to public transport routes and local services.

5.6 Therefore on this basis, as the site is in close proximity to a range of public transport and local facilities the Highway Authority would look for the standard car free condition to be included on any planning permission granted, to ensure that sustainable transport trips are promoted from this sustainable location.

5.7 For this development of 1 HMO house, the minimum parking standard is 1 cycle parking space per 3 bed-sits. Therefore this development should provide a minimum of 4 cycle parking spaces. In order to be in line with policy TR14 of the Brighton & Hove Local Plan 2005, the cycle parking must be secure, convenient, well lit, well signed and wherever practicable, sheltered.

5.8 The applicant does not indicate where they intend to provide cycle storage to meet policy TR14 of the Local Plan. It does not appear that there is adequate room to accommodate cycle parking on site.

5.9 Normally the highway authority would look to secure a contribution towards on-street cycle parking in lieu of not providing on-site cycle parking. However, as the development is below the Temporary Recession Measures threshold for when contributions can be requested, in this instance the highway authority would not look to secure a contribution.

5.10 **Access Consultation:** Objection.

The bathroom does not have the required space in front of the W.C. or the necessary side transfer space.



Otherwise no comment as there is no access policy relating to an HMO.

5.11 **Heritage Team:** No objection.

The section drawings of the doors, windows and their architraves are poor and at too small a scale. However, these can be addressed by conditions requiring 1:1 scale joinery sections.

5.12 1:20 scale elevation drawings will be needed of the new four and six panelled internal doors. This also can be dealt with by a condition.

5.13 There are no large scale section details of how the relationship of the false ceiling in the rear basement room and the main part of the building to the glazed borrowed light will be addressed. A 1:1 scale section is required showing the borrowed light, its frame and the false ceiling. This could also be dealt with by condition.

5.14 There are no details of how the floors are to be sound and fire proofed. Apart from the basement where a false ceiling is proposed, this should be carried out fully within the existing floor/ceiling voids and all door self closing mechanisms as required should be of the concealed mortice type except where the doors are too thin to accommodate them, in which case surface mounted ones will have to be accepted, subject to them having a brass finish.

**NB:** These issues were covered by conditions attached to the listed building consent granted under application ref. BH2012/04036.

## 6 MATERIAL CONSIDERATIONS

6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.2 The development plan is:

- Brighton & Hove Local Plan 2005 (saved policies post 2007);
- East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
- East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
- East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.

6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.

6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.

- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF) March 2012

#### Brighton & Hove Local Plan 2005:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO7	Car free housing
HO13	Accessible housing and lifetime homes
HO14	Houses in multiple occupation (HMOs)
HE1	Listed Buildings
HE6	Development within or affecting the setting of conservation areas

#### City Plan Part One (Submission Version):

SS1	– Presumption in Favour of Sustainable Development
CP1	– Housing Delivery
CP9	– Sustainable Transport
CP12	– Urban Design
CP15	– Heritage
CP21	– Student Housing and Housing in Multiple Occupation

#### Supplementary Planning Guidance:

SPGBH4	Parking Standards
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#### Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design

## 8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of development; impact on the character and appearance of the building and the conservation area; impact on neighbour amenity; sustainability; and transport.
- 8.2 **Principle:**  
The building is currently in use as a single dwellinghouse. The proposal would make more effective use of the site by providing a net increase in the number of residential units contained within the building. Policy HO14 of the Local Plan states that HMOs play an important role in providing housing for young people and people who are socially or economically disadvantaged. They are often the only choice of housing for people who would otherwise be homeless. Given the overriding level of housing need in the city, it remains important to ensure that an adequate supply of HMO accommodation is retained.
- 8.3 The proposal is considered compliant with policy HO3 of the Local Plan because the use is appropriate to the site and its location, and compliant with policy HO4 because it would make full and effective use of the land available at a site within a densely populated and built up part of Brighton city centre.
- 8.4 Policy CP21 of the Brighton & Hove Draft City Plan Part One specifically addresses the issue of changes of use between use classes C3 and C4 sui generis HMO uses and states that:
- ‘In order to support mixed and balanced communities and to ensure that a range of housing needs continue to be accommodated throughout the city, applications for the change of use to a Class C4 (Houses in multiple occupation) use, a mixed C3/C4 use or to a sui generis House in Multiple Occupation use (more than six people sharing) will not be permitted where:
- More than 10 per cent of dwellings within a radius of 50 metres of the application site are already in use as Class C4, mixed C3/C4 or other types of HMO in a sui generis use.’
- 8.5 This policy at present has significant weight as the adopted Local Plan is silent on the issue. The site is located within the recently introduced Article 4 Direction area which removes permitted development rights under Class I (b) of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, to change from a C3 (dwellinghouses) Use to a C4 (houses in multiple occupation) Use, which came into effect from 5 April 2013.
- 8.6 A mapping exercise has taken place which indicates that there are 248 separate residential properties which fall within a 50 metre radius of the site. Of these 248 residential properties, 1 has been identified as being in Class C4, mixed C3/C4 or other types of HMO in a sui generis use. This represents a percentage of 0.4%. Were the proposed change of use to occur this would increase to 0.8%. The proposed HMO use would therefore be compliant with emerging policy CP21.

- 8.7 In principle the proposed change of use to an HMO with a self contained flat at basement level in this particular location is considered acceptable.

**Design:**

- 8.8 Works to extend the height of an existing rear extension at first floor level, over the original ground floor level outrigger, and to re-roof the extension in slate, have already been carried out, hence the application is part retrospective. In addition, three replacement timber sash windows have been installed to the return wall of the original outrigger at basement level. Repairs have also been carried out to the front door of the property at ground level (there is a second front entrance at basement level as well).
- 8.9 The external alterations carried out are acceptable and in keeping with the character of the building. However, section details should be requested by condition to ensure the reveals of the rear windows on the basement return wall are appropriate.
- 8.10 Other alterations to the building are limited to the interior and were considered as part of the application for listed building consent which has been granted on the basis that the works were deemed satisfactory.
- 8.11 The proposed external alterations are considered compliant with policies HE1 and HE6 of the Local Plan.

**Impact on Amenity:**

- 8.12 Part of the proposal includes blocking up access to a flat roof terrace at first floor level to the rear of the building and replacing with a casement window. This alteration is acceptable in principle and would improve the present amenity impact on neighbours because use of the roof terrace causes overlooking and loss of privacy for neighbouring occupiers, which are located in very close proximity to the rear elevation of the application site.
- 8.13 Whilst objections received are acknowledged, the change of use from a single dwelling to a 1-bed flat and an HMO is not considered likely to have an adverse impact on neighbour amenity in terms of the intensity of the use of the land and would not be markedly different, in terms of overall levels of activity, to the use of the building as flats, as per previous use.
- 8.14 The proposed layout would utilise existing front and rear facing windows and as such the proposal would not increase potential for overlooking or loss of privacy for neighbouring residents.
- 8.15 The proposal is not considered to be contrary to policy QD27 of the Local Plan.

**Sustainable Transport:**

- 8.16 In order to meet the requirements of policies TR1, TR14 and TR19 of the Local Plan, development should provide for the transport demand it would generate in accordance with maximum car parking and minimum cycle parking levels as set out in SPGBH4: Parking Standards.

- 8.17 The site is in a city centre location adjacent to the regional shopping centre and frequent bus routes and is within walking distance of Brighton mainline station. The site is also in a controlled parking zone. For the proposed development a maximum of 2 off-street car parking spaces could be provided. However, the site has no accessible external space where parking could be situated. The absence of any off-street car parking is acceptable in this sustainable location and still complies with SPGBH4, because that sets out maximum rather than minimum standards.
- 8.18 The presence of on-street parking controls also means that a planning condition can be used to ensure the development remains genuinely car free in the long terms and therefore meeting the requirements of policy HO7 for car free housing development.
- 8.19 The nature and constraints of the site as an historic mid-terrace building, built up to the pavement and with no separate access to the rear yard, means provision of off-street cycle parking would also be impracticable. The applicant suggests the store in front of the basement could be used for cycle storage and in view of the aforementioned constraints this is considered acceptable in this instance.

**Sustainability:**

- 8.20 In order to meet the requirements of policy SU2 of the Local Plan and SPD08: Sustainable Building Design, the conversion of the existing building into two residential units (one C3 use and one sui generis HMO use) is recommended to be accompanied by a Sustainability Checklist and measures to reduce water consumption and minimise surface water run-off.
- 8.21 The applicant has submitted a Sustainability Checklist but there are areas which could be improved upon, for example: locally sourced or re-used/recycled materials could be used; and efficient gas boilers could be installed.
- 8.22 For these reasons it is considered a planning condition should be imposed to secure further details of sustainability measures to be adopted in the development.

**9 CONCLUSION**

- 9.1 The proposed conversion is considered acceptable in principle and no significant adverse impact on neighbour amenity or transport is forecast. The external alterations which have been carried out are considered appropriate to the character and appearance of the listed building and the wider conservation area.
- 9.2 Accordingly approval is recommended.

**10 EQUALITIES**

- 10.1 Residential conversions of existing building should be designed and built, in so far as practicable, to be accessible and meet Lifetime Home standards in order to comply with policy HO13 of the Local Plan. In this instance the conversion involves an historic Listed building and the constraints of the site mean Lifetime

Home standards cannot be met in full. However, it is recommended a condition is imposed requiring those standards to be met in the development in so far as practicable for this site.

## 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

### 11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan			2 Jan 2013
Existing Plans	12/01		18 Dec 2012
Existing Plans	12/02		18 Dec 2012
Existing Plans	12/03		18 Dec 2012
Proposed Plans	12/04	E	1 Mar 2013
Proposed Plans	12/05	F	1 Mar 2013
Proposed Plans	12/06	F	1 Mar 2013
Proposed Plans/Sections	12/07	A	1 Mar 2013
Basement Sections	12/08		1 Mar 2013
Schedule of Finishes	12/09		1 Mar 2013

- 2) All new windows shall be painted softwood, double hung vertical sliding sashes with joinery details to match originals, where existing, and shall 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 2005.

- 3) The external finishes of the walls to the reconstructed rear extension shall be smooth rendered in a cement/lime/sand render mix down to ground level and shall be lined out with ashlar joint lines to match the original building and shall not have bell mouth drips above the damp proof course or above the windows, doors or archway openings and the render work shall not use metal or plastic expansion joints, corner or edge render beads and shall be painted in a smooth masonry paint to match the original building and shall be 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 Local Plan 2005.

- 4) 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 policies HE1 and HE6 of the Brighton & Hove Local Plan 2005.

- 5) All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron and shall be painted to match the colour of the background walls 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 Local Plan 2005.

11.2 Pre-Commencement Conditions:

6) No works shall take place until 1:1 scale section drawings of the new windows, glazing bars and reveals 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 policies HE1 and HE6 of the Brighton & Hove Local Plan 2005.

7) 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.

11.3 Pre-Occupation Conditions:

8) The development hereby permitted shall not be occupied until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit.

**Reason:** To ensure that the development is car-free and to comply with policy HO7 of the Brighton & Hove Local Plan.

11.4 Informatives:

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

2) This decision to grant Planning Permission has been taken:

(i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and

(ii) for the following reasons:-

## PLANS LIST - 26 JUNE 2013

The proposed conversion is considered acceptable in principle and no significant adverse impact on neighbour amenity or transport is forecast. The external alterations which have been carried out are considered appropriate to the character and appearance of the listed building and the wider conservation area.

- 3) The applicant is advised that the scheme required to be submitted by Condition 8 should include the registered address of the completed development; an invitation to the Council as Highway Authority (copied to the Council's Parking Team) to amend the Traffic Regulation Order; and details of arrangements to notify potential purchasers, purchasers and occupiers that the development is car-free.



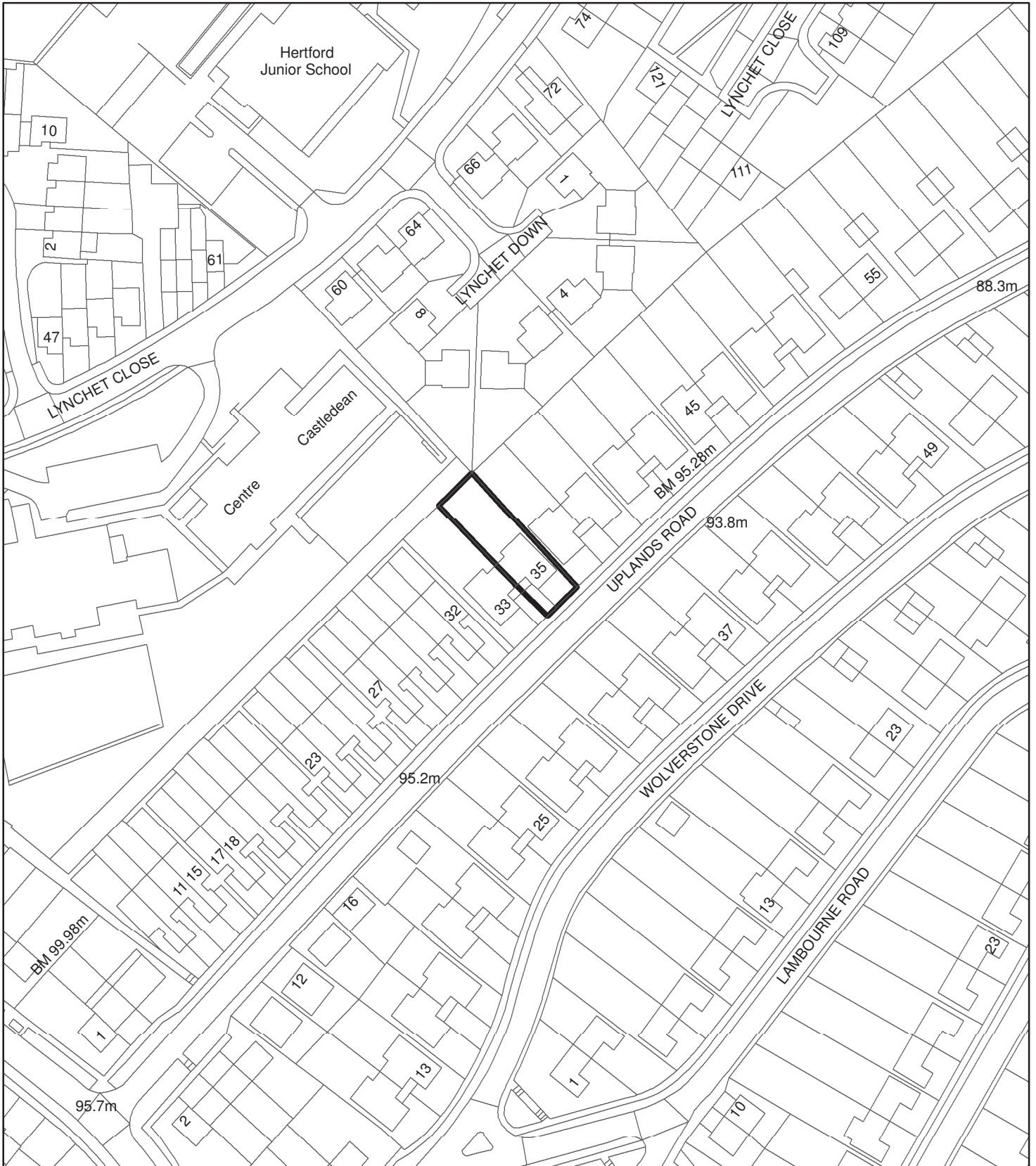
**PLANS LIST  
ITEM D**

**35 Uplands Road, Brighton**

**BH2013/01366  
Full planning**

**26 JUNE 2013**

# BH2013/01366 35 Uplands Road, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2013/01366</b>	<b><u>Ward:</u></b>	<b>HOLLINGDEAN &amp; STANMER</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>35 Uplands Road Brighton</b>		
<b><u>Proposal:</u></b>	<b>Change of use from single dwelling (C3) to House in Multiple Occupation (C4).</b>		
<b><u>Officer:</u></b>	Jonathan Puplett, tel: 292525	<b><u>Valid Date:</u></b>	13/05/2013
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	08 July 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	N/A		
<b><u>Applicant:</u></b>	Mr David Tamplin, 50 Honey Croft, Hove.		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a semi-detached property situated on the western side of Uplands Road. The property is a split level dwelling set up from the road, with a driveway and integral garage.

## 3 RELEVANT HISTORY

**BH1997/01817/FP:** Extension at first floor level forming two bedrooms and bathroom. Refused 11 December 1997.

## 4 THE APPLICATION

- 4.1 Planning permission is sought for the change of use of the property from a dwelling (Use Class C3) to a six-bedroom small House in Multiple Occupation (HMO) (Use Class C4).

## 5 PUBLICITY & CONSULTATIONS

- 5.1 **External:**  
**Neighbours: Seventeen (17)** letters have been received from the occupiers of **nos. 30, 31, 33, 37, 41 and 51 Uplands Road and nos. 23, 25, 29, 31, 33, 35, 37, 39, 41, 43 and 47 Wolverstone Drive** objecting to the proposed development for the following reasons:
- The proposed use is unsuitable for the area. The area is currently primarily occupied by families and retirees.
  - The proposed new building is too big and inappropriate for the area.
  - Neighbouring residents will suffer overshadowing and loss of privacy.
  - The proposed use will result in increased comings and goings, noise, disturbance, pollution, rubbish and traffic.
  - The proposed use could result in additional on-street parking; the driveway can only accommodate one car. Parking is already very limited as the road is narrow so cars can only park one side of the road.
  - The current occupiers of the application property cause noise disturbance to the occupiers of the adjoining semi-detached property, the

proposed use would result in increased noise and disturbance.

- The area to be considered includes a school and park, therefore the number of existing HMO's will be lower than in an area which is all housing. This should be taken in to account.
- The application property should be kept as a family dwelling; there is a shortage of such properties in the city.
- Who will attend the gardens of the property?

### **Internal**

- 5.2 **Transport:** The proposal would not result in significantly increased trip generation. It is proposed that the existing off-street parking (garage and driveway) be retained which is considered acceptable. Recommend that details of cycle storage provision be secured by planning condition.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the "Considerations and Assessment" section of the report.

## 7 RELEVANT POLICIES & GUIDANCE

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU13	Minimisation and re-use of construction industry waste
QD27	Protection of amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO8	Retaining housing
HO14	Houses in multiple occupation (HMOs)

#### Supplementary Planning Guidance:

SPGBH4 Parking Standards

#### Supplementary Planning Documents:

SPD08 Sustainable Building Design

#### Brighton & Hove City Plan Part One (submission document)

CP21 Student Accommodation and Houses in Multiple Occupation

## 8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of the proposed change of use, neighbouring amenity, the standard of accommodation which the proposed use would provide, transport issues and environmental sustainability.

### 8.2 **Principle of development:**

The proposed development is for a C4 small HMO use providing bed spaces for up to six unrelated individuals, who share basic amenities including a kitchen and bathroom.

8.3 The Brighton and Hove Local Plan pre-dates the formulation of the C4 use class, but does make specific reference to houses in multiple occupation. The sub-text of policy HO14 details that:

*'It is recognised that in some areas of the city, a concentration of HMOs can cause various problems arising from heavy concentrations of people living within a small geographical area. Appropriate policies elsewhere in the Plan aimed at protecting amenities will also be important factors in assessing new proposals in respect of new HMOs and the loss of existing*

*HMOs. Particularly important in this respect are policies QD27 and HO4.'*

- 8.4 Policy CP21 of the Brighton and Hove Draft City Plan Part One specifically addresses the issue of changes of use between use classes C3 and C4/Sui Generis HMO's and states that:

*'In order to support mixed and balanced communities and to ensure that a range of housing needs continue to be accommodated throughout the city, applications for the change of use to a Class C4 (Houses in multiple occupation) use, a mixed C3/C4 use or to a sui generis House in Multiple Occupation use (more than six people sharing) will not be permitted where:*

- *More than 10 per cent of dwellings within a radius of 50 metres of the application site are already in use as Class C4, mixed C3/C4 or other types of HMO in a sui generis use.'*

- 8.5 This policy at present has significant weight as the adopted Local Plan is silent on the issue. The site is located within an area covered by the recently introduced Article 4 Direction which removes permitted development rights under Class I (b) of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, to change from a C3 (dwellinghouses) Use to a C4 (small houses in multiple occupation) Use, which came into effect from 5 April 2013.

- 8.6 A mapping exercise has taken place which indicates that there are 25 separate neighbouring residential properties which fall within a 50 metre radius of the site. Of these 25 residential properties, 2 have been identified as being in Class C4, mixed C3/C4 or other types of HMO in a sui generis use. This represents a percentage of 8%. Were the proposed change of use to be carried out this would result in a percentage of 12%; the wording of policy CP21 however relates to the existing situation only; the fact that the resulting percentage would be in excess of the 10% figure is not itself contrary to the policy as worded in the Draft City Plan Part One.

- 8.7 The proposed C4 use would therefore not be contrary to emerging policy CP21. The proposed use, in principle, is not contrary to the policies of the Local Plan and City Plan Part One (submission document) and is considered acceptable in this case. Detailed considerations are addressed below.

**Standard of accommodation:**

- 8.8 The proposed dwelling layout would provide a garage at road level, a dining room / living room, a kitchen, four bedrooms, a bathroom and a W.C. at ground floor level. At first floor level a further two bedrooms and a bathroom are proposed.
- 8.9 It is considered that the proposed layout would provide an acceptable standard of accommodation.



- 8.10 It is considered that the intensified use is likely to require greater provision for refuse and recycling and cycle storage, details of which could be secured by planning condition.

**Neighbouring Amenity:**

- 8.11 It is acknowledged that a change to a C4 House in Multiple Occupation may result in a more intensive use of the property and a greater impact upon the immediate and surrounding area, and upon neighbouring amenity. Due to the limited amount of HMOs within the vicinity it is considered that the increased impact likely to be caused in this case would not be of a magnitude which would cause demonstrable harm to neighbouring amenity to an extent that would warrant the refusal of planning permission.

- 8.12 It is considered appropriate to remove permitted development rights to protect against further additions being made to the property under permitted development, if it were to revert back to a C3 dwelling from a C4 HMO. The extensions may result in a further intensification of use of the site which could then have a permitted change to an intensified C4 use which has not been considered under this application. This change could have a detrimental impact upon the amenity of the adjoining occupiers.

**Transport:**

- 8.13 The proposed C4 use would potentially create greater trip generation than a C3 use. In some cases the Council would seek to secure financial contributions towards sustainable transport infrastructure to address this increased travel demand to ensure accordance with policy TR1 of the Brighton and Hove Local Plan. In this case, due to current short-term recession measures and the scale of the development proposed, such contributions are not sought.

- 8.14 Off street parking is proposed to be retained in the form of a garage and driveway. The proposed use could result in some on-street parking and it is noted that parking is only available on one side of Uplands Road due to its width. The demand for on-street parking in the vicinity of the site does not however appear to be at a level which would warrant the refusal of planning permission for the proposed development. The site is not within a Controlled Parking Zone (CPZ).

- 8.15 Policy TR14 requires that all developments provide cycle storage for occupiers of the development and visitors to the development, full details of which would be secured by planning condition.

**Environmental sustainability:**

- 8.16 Due to the scale of development proposed and the amount of physical works proposed it would not be reasonable to require that measures be carried out to improve the environmental sustainability of the property.

**9 CONCLUSION**

9.1 The proposed change of use is considered to be acceptable in this location. No significant harm to neighbouring amenity would result and adequate refuse and recycling and cycle storage is secured by planning condition.

**10 EQUALITIES**

10.1 The proposed dwelling would not provide full compliance with Lifetime Homes Standards, a flexible approach is however required as the development relates to the conversion of an existing building rather than a new-build.

**11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES**

11.1 Regulatory Conditions:

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN			13/05/2013
EXISTING FLOORPLANS			13/05/2013
PROPOSED FLOORPLANS			13/05/2013

11.2 Pre-Commencement Conditions:

- 3) Cycle parking details to be submitted  
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) Satisfactory refuse and recycling storage  
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.

11.3 Informatives:

- 1) In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
- 2) This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Brighton & Hove Local Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-  
The proposed change of use is considered to be acceptable in this location. No significant harm to neighbouring amenity would result and adequate refuse and recycling and cycle storage would be secured by planning condition.
- 3) The applicant is advised that the (C4 use class) permission hereby granted allows a maximum of 6 individuals to occupy the property. Were any more than 6 occupants to be proposed in the future a further application for planning permission for a change of use would be required.
- 4) The permission hereby granted relates only to the proposed change of use and does not grant permission for any external alterations which are proposed, for which additional planning permission may be required.
- 5) The approval hereby granted relates to planning permission only. The proposed use may also require a licence under private sector Housing legislation.

**I have considered and agree with the reasoning in this report and authorise the grant of planning permission, subject to the Conditions and Informatives set out in Section 11 above.**

Signed:  
Martin Randall  
Head of Service



Planning and Public Protection

Signature of Reviewing Officer:

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Dated:

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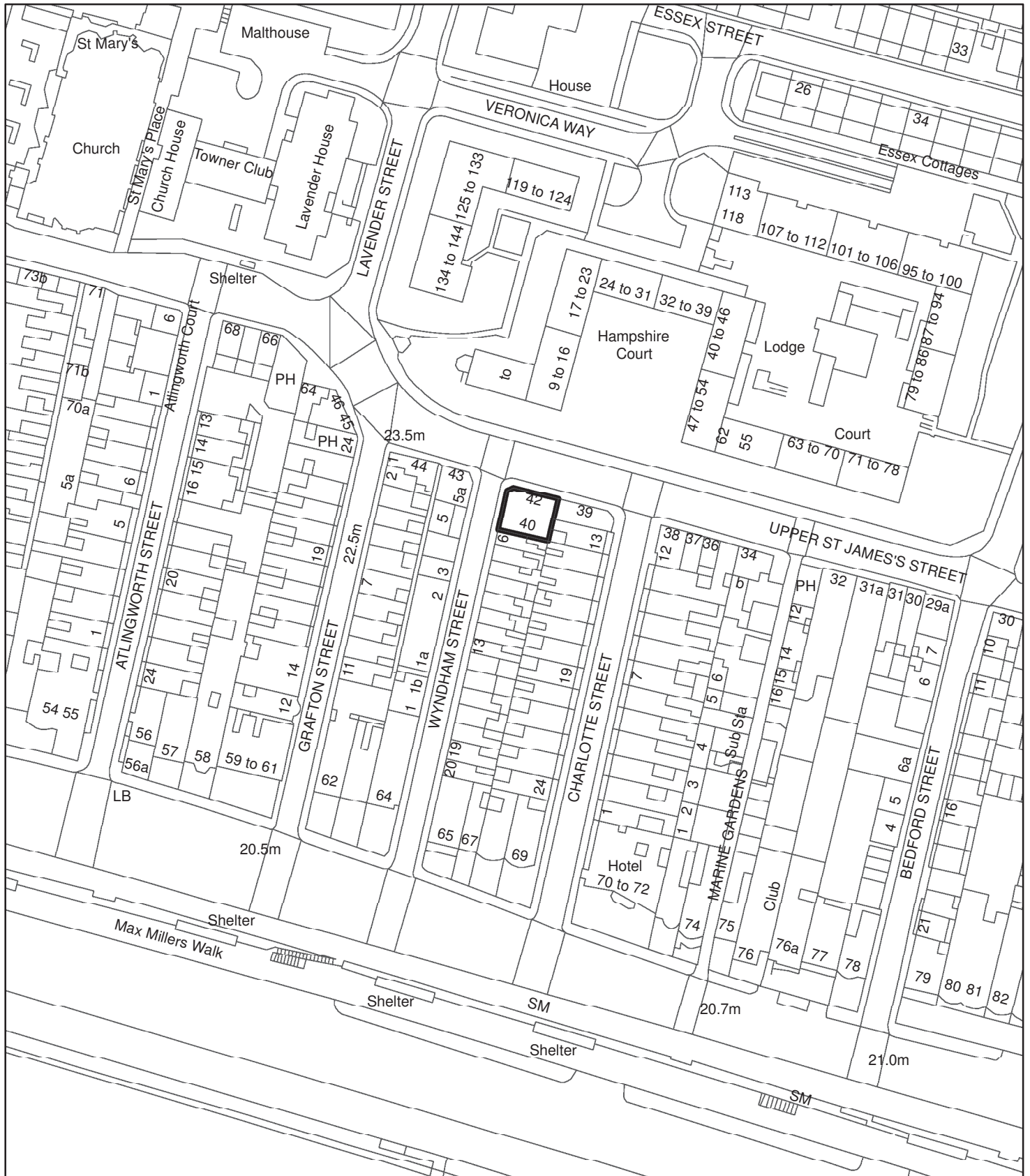
**PLANS LIST  
ITEM E**

**40-42 Upper St James's Street, Brighton**

**BH2013/01106  
Full planning**

**26 JUNE 2013**

# BH2013/01106 40-42 Upper St James's Street, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2013/01106</b>	<b><u>Ward:</u></b>	<b>QUEEN'S PARK</b>
<b><u>App Type:</u></b>	<b>Full Planning</b>		
<b><u>Address:</u></b>	<b>40-42 Upper St James Street Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of a two storey extension creating additional second and third floors. Creation of 2no flats at second and third floor levels.</b>		
<b><u>Officer:</u></b>	Chris Swain Tel 292178	<b><u>Valid Date:</u></b>	15/04/2013
<b><u>Con Area:</u></b>	East Cliff	<b><u>Expiry Date:</u></b>	10 June 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	David F. Smith, 3 Northgate Cottage, The Green, Rottingdean, Brighton, BN2 7DT		
<b><u>Applicant:</u></b>	Nordstar Property Co Ltd, Mr David Bean, 24 Roedean Crescent, Brighton, BN2 5RH		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 11 and the policies and guidance in section 7 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.2 The site is located on the corner of Upper St James Street and Wyndham Street. The property is a two-storey end of terrace building, currently used as a restaurant on the ground floor, and a 3-bedroom self-contained flat on the first floor. The site is located within the East Cliff Conservation Area. Nos. 7-19 (inclusive) in Wyndham Street form part of a terrace of Grade II listed buildings. The site is located within a mixed residential/commercial area.

## 3 RELEVANT HISTORY

**BH2012/02395** - Erection of a two storey extension creating additional second and third floors. Conversion of existing first floor flat into 2no flats and creation of 3no flats at second and third floor levels. Withdrawn 5 November 2012.

**BH2012/01414** - Erection of two storey extension creating additional second and third floors. Conversion of existing first floor flat into 2no flats and creation of 3no flats at second and third floor levels. Withdrawn 20 July 2012.

**BH2004/01699/FP** - Addition of two storeys forming 5 no. flats (1 flat existing, 4 new flats). Approved 12 August 2004.

43-43a Upper St James Street (opposite the site)

**BH2000/02980/FP** - Construction of 2 flats at first and second floor level. Approved 2 August 2001.

## 4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of a two storey extension creating additional second and third floors and the creation of an additional flat at both the second and third floor levels.

## 5 PUBLICITY & CONSULTATIONS

5.1 **External**

**Neighbours: Nine (9)** letters of representation have been received from **Nos. 5, 6(x2), 18 and 19 Wyndham Street, Nos.11, 13 and 15 Hampshire Court** and **one unsolicited letter objecting** to the application for the following reasons:

- Detrimental impact upon the setting of the adjacent listed terrace at Wyndham Street to the south,
- Out of character with the surrounding area,
- Detrimental impact to the East Cliff Conservation Area,
- Harmful impact on the adjoining properties in regard to overshadowing/loss of light/ loss of outlook and a loss of privacy,
- Disruption to the existing restaurant at ground floor level,
- Increased parking pressure,
- Overdevelopment of the site,
- Increased noise and disturbance from the future occupants of the additional units,
- Noise and disturbance during construction,
- Safety concerns for adjoining properties during construction.

**Internal:**

5.2 **Conservation Advisory Group (CAG):**

In reconsidering this application the group agreed this application should be refused due to its overbearing nature and the adverse impact it would have on the Windham Street properties.

5.3 **Environmental Health:** No objection on grounds of air quality and therefore recommend approval.

5.4 **Heritage:** This application involves a significant increase in height for this building which fronts Upper St James Street on one elevation, with buildings of far grander scale than on its other elevation fronting Wyndham Street. This causes difficulties (as is common with corner buildings) as there is a resulting contrast with the height of the terrace in Wyndham Street, however it is considered that the transition is acceptable.

5.5 Details are proposed to reflect the treatment of the corner building at the other end of the terrace on St James Street and this allows a reduction in height at each end creating a step down to the lower neighbouring buildings.

5.6 The elevations do not show the existing projecting masonry cills on the first floor, which should be retained and matched on the proposed upper floors, along with the slim section joinery details of the existing first floor windows.

5.7 Mitigations and Conditions

Conditions are needed requiring further approval of window and door details, the cornice profile, rainwater downpipes and hoppers (in cast iron).

A condition requiring the use of a wet render to match the existing building in composition (lime based) and texture, without external beads, stops or bell drips.

- 5.8 **Access Officer:** There should be 300mm clear space between the leading edge of all doors and the adjacent wall. (Flats 1 & 2 entrances)
- 5.9 Confirmation should also be obtained re provision of floor zone drainage to accommodate a level entry shower.
- 5.10 **Sustainability:** No comment
- 5.11 **Sustainable Transport:** No objection. Recommended approval as the Highway Authority has no objections to this application subject to the inclusion of the necessary condition on any permission granted.
- 5.12 Trip Generation & S106  
The proposals are for an increase in 2 residential units. The proposed change of use is not considered to significantly increase trip generation to and from the site. Due to this and the fact that the development is below the Temporary Recession Measures Threshold the Highway Authority would not recommend securing a S106 contribution in this instance.
- 5.13 Car Parking  
SPG04 states that the maximum car parking standard for a residential unit within a CPZ is 1 space per dwelling plus 1 car space per 5 dwellings for visitors. The applicant is not proposing any on-site car parking provision and couldn't provide any due to site constraints. Therefore this level of car parking is deemed acceptable and in line with SPG04. Given that 59% of households in the Queens Park ward do not have access to a car this level of car parking provision is deemed acceptable.
- 5.14 Cycle Parking  
SPG04 states that a minimum of 1 cycle parking space is required for every dwelling plus 1 space per 3 dwellings for visitors. For this development of 3 residential units the minimum parking standard is 3 cycle parking spaces for residents and 1 for visitors.
- 5.15 In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Highway Authority's preference is for the use of Sheffield type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22.
- 5.16 The applicant has proposed 4 cycle parking spaces in a store at ground floor level. It does appear tight and it is not apparent how some of the bikes would be easily accessible. There would however be space for 3 bikes to be stored and easily accessible. This level of provision would be deemed acceptable by the Highway Authority given the site constraints. Further details as to the nature of the cycle parking should be secured via condition. The Highway Authority would advise the applicant to consider providing Sheffield stands in line with the guidance in the Manual for Streets or wall mounted bars which a frame of a bike can be locked to. The latter should ensure 3 bikes can be stored and also be easily accessible.



## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR7	Safe development
TR14	Cycle access and parking
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
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
HO6	Provision of outdoor recreation space in housing schemes
HO7	Car free housing
HO13	Accessible housing and lifetime homes
HE3	Development affecting the setting of a listed building
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH1 Roof Alterations & Extensions

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD08 Sustainable Building Design

SPD09 Architectural Features

Brighton & Hove City Plan Part One (submission document)

## **8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application are the impact of the development upon the character and appearance of the site and wider conservation area, the amenity of adjacent residential occupiers, traffic issues and sustainability.

### **Design:**

The proposal is for two additional storeys above the existing two storey building. The proposed second floor would contain a three bedroom residential unit with a two bedroom unit on the top floor. The restaurant at ground floor level and the flat at first floor level would be retained as existing.

- 8.2 A similar scheme for two additional storeys on the site was approved in August 2004, though was never commenced. Subsequently, two further applications for similar schemes were submitted to the Local Planning Authority in 2012. These were withdrawn by the applicant after concerns were raised regarding the internal room sizes within the proposed flats once Lifetime Homes standards for common ways were adopted.
- 8.3 Whilst the previously approved scheme was determined before the adoption of the current Brighton & Hove Local Plan in 2005, it was assessed against the draft document. It is not considered that the proposal is contrary to the aims of either existing national or local planning policy. There are no significant material differences to the site since the determination of the original application.
- 8.4 The Heritage Team raises no objection to the proposal. It is considered that the principle of the additional two storeys, the massing and the general design approach are appropriate and would preserve the appearance and character of the conservation area. On this corner location it is considered that there is scope in principle to increase the height of properties to a scale higher than that of the remainder of the terrace. This is not uncharacteristic of the locality, and it can be

seen that the proposal would be similar in appearance and height to the adjacent, higher property (no.39 Upper St James's Street) and the higher buildings located to the east on Charlotte Street. It is also noted that on the opposite side of Wyndham Street, no.43 Upper St James Street, two additional storeys were approved in 2001 and have now been built. The proposed design allows a reduction in height at each end of the building, creating a step down to the lower neighbouring buildings and is considered to result in an acceptable transition to the existing adjoining terraces.

- 8.5 It is considered that the proposal would not adversely affect the setting of the listed Wyndham Terrace, which is separated from the building by No.6 Wyndham Street, due to its end of terrace, corner location which has a distinct visual separation from the listed terrace.
- 8.6 Conditions are recommended to require large scale drawings of the proposed new windows to ensure the character and appearance of the East Cliff Conservation Area is preserved.
- 8.7 Overall, subject to the compliance with the relevant conditions the proposal is not considered to detract significantly from the appearance or character of the building, the street scene or the wider East Cliff Conservation Area, and complies with policies QD14 and HE6 of the Brighton & Hove Local Plan.

**Amenity for residential occupiers**

- 8.8 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.
- 8.9 The policy also requires new residential development to provide a high standard of living accommodation, suitable for future occupiers.
- 8.10 The two additional flats are set out over a floor each. The layouts and room sizes of the residential units are considered to result in a satisfactory standard of living accommodation for future occupiers. Whilst the windows to the rear are set close to the rear outrigger of the adjoining property at No.6 Wyndham Street these serve either kitchen/study or landing and the lack of outlook is not considered to be significantly detrimental to amenity.
- 8.11 Policy HO13 requires residential units to be Lifetime Homes compliant where feasibly possible.
- 8.12 The access officer has stated that there should be 300mm clear space between the leading edge of all doors and the adjacent wall and that confirmation should also be obtained regarding provision of floor zone drainage to accommodate a level entry shower.
- 8.13 Sufficient details, showing the internal bathroom and kitchen layouts have been provided to enable an assessment against Lifetime Homes criteria to be made.

- 8.14 There is sufficient circulation space in the living areas and bedrooms. The concerns raised by the access officer could be overcome with minimal revisions to the design and it is considered that the Lifetimes Homes requirements have been met as far as feasibly possible for this development.
- 8.15 Policy HO5 requires the provision of private useable amenity space in new residential development. The restrictions of the site, which has no potential land at ground floor level suitable for a garden area and the siting of the building, close to a number of public open spaces, are such that the lack of amenity space is considered, on balance acceptable.
- 8.16 It is considered that the units would provide adequate living conditions for future occupiers.
- 8.17 The extended flue to the rear would extend above eaves level and it is not considered that it would result in any significant concerns regarding noise or odour to the adjacent bathroom and kitchen windows. The Environmental Health Team has not objected to the scheme.

**Impact on Amenity:**

- 8.18 It is not considered that the proposal would significantly affect the amenity of adjacent residential occupiers. The residential property to the east, no.39 Upper St James' Street has three windows facing the site at first and second floor levels in close proximity to the proposal. The first floor windows are a secondary bedroom window and a bathroom window, and thus the impact of the proposal is considered acceptable. As the third floor of the proposal would be set back from the eastern boundary of the site the impact to the second floor bedroom window would be acceptable in terms of daylight and outlook. No windows are proposed in the end (east) gable of the proposal so no loss of privacy would result. The adjacent property to the east, 13 Charlotte Street, does not appear to have windows that serve habitable rooms facing the site, and these windows would maintain a satisfactory degree of outlook given their relationship with the proposal.
- 8.19 The building is separated from the property to the south, 6 Wyndham Street by the existing single storey extension. It is noted that an additional storey, containing a bathroom has been added to the rear outrigger of No.6 since the original application was approved in 2004. The existing, higher (two-storey), rear part of the site is set off the common boundary. The rear of No.6 currently experiences a degree of enclosure from existing adjacent buildings to the north and east. The proposed additional storeys would be stepped away from No.6 and the proposal would not significantly worsen this existing situation to the detriment of the amenity of the occupiers of this property. It is not considered that the proposed scheme would result in a relationship between properties that is uncharacteristic in this high density central location, and in addition the proposal is due north of no.6 and would not result in a material loss of sunlight.
- 8.20 The windows to the rear of the proposal would be conditioned to be obscure glazed and fixed with any opening part being at least 1.7m above floor level and this would ensure that there would not be any overlooking issues to adjoining

properties. The proposal is considered to be a sufficient distance from other properties in Wyndham Street so as not to have a significant impact on their amenities. A modest development of two additional flats is unlikely to generate significant noise or disturbance for local residents.

**Sustainable Transport:**

- 8.21 Policy TR1 requires that development proposals provide for the demand for travel they create and maximise the use of public transport, walking and cycling. Policy HO7 states that planning permission will be granted for car-free housing (i.e. housing with no designated off-street vehicular parking attached to it) in locations with good access to public transport and local services.
- 8.22 The proposed development does not include any off street vehicular parking provision, but secure cycle storage is proposed for 4 cycles internally at ground floor level.
- 8.23 The Sustainable Transport Team has commented that the proposed location for cycle storage would only be sufficient to store three bikes whilst remaining easily assessable and further details should therefore be submitted.
- 8.24 The property is located within controlled parking zone (CPZ) Y, where there is a demand for permits. Policy HO7 states that in such locations with good access to public transport and local services where there are complementary on-street parking controls and where it can be demonstrated that the proposed development will remain genuinely car-free over the long term. This will be secured by condition.
- 8.25 The Sustainable Transport Team has advised that to ensure compliance with policy TR1 a financial contribution towards sustainable transport infrastructure in the vicinity of the site would normally be required. As, stated above, under current short term recession measures such contributions are not however being sought in relation to residential developments which would create less than five new units.
- 8.26 Overall, in the context of current policies and practices, it is considered that the proposed development would adequately provide for the demand in travel which it would create, furthermore no highway safety risk would be caused.

**Sustainability:**

- 8.27 Policy SU13 and the Supplementary Planning Document on Construction and Demolition Waste seek to reduce construction waste and require a Waste Minimisation Statement demonstrating how elements of sustainable waste management have been incorporated into the scheme in order to reduce the amount of waste being sent to landfill. Information has been submitted with the application to demonstrate how these requirements have been met, in the form of a waste minimisation statement and it is considered that the proposal adheres to policy SU13 and SPD03.
- 8.28 Policy SU2 which seeks to ensure that development proposals are efficient in the use of energy, water and materials. SPD 08 requires all new dwellings should

seek to reduce water consumption and minimise surface water run off. The applicant has submitted a completed Sustainability Checklist which outlines that the proposal could achieve a satisfactory level of sustainability.

- 8.29 Conditions will be added to ensure that sustainability measures are implemented.

## 9 CONCLUSION

- 9.1 The application would result in the provision of two new residential units without causing any significant harm to the character or appearance of the existing building, the street scene or the wider East Cliff Conservation Area. The scheme would result in a satisfactory standard of accommodation for the residential units and would not cause significant harm to amenity. The proposal is also acceptable in terms of highways and sustainability subject to conditions. As such the proposal is considered to be in accordance with development plan policies.

## 10 EQUALITIES

- 10.1 No issues identified.

## 11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVE

### 11.1 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
**Reason:** To ensure that the Local Planning Authority retains the right to review unimplemented permissions.
- 2) All new and replacement rainwater goods, soil and other waste pipes shall be in traditional cast iron and painted to match the existing 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.
- 3) 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
- 4) 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.
- 5) The development hereby permitted shall be finished in wet render to match the existing building in composition (lime based) and texture, without external beads, stops or bell drips and shall be retained as such thereafter.  
**Reason:** To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

PLANS LIST - 26 JUNE 2013

- 6) Cycle parking details to be submitted. 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.
- 7) The windows shown as serving the bathrooms and kitchens to the rear at second and third floor level, hereby permitted shall be obscure glazed and non-opening, unless the parts of the windows 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.
- 8) The development hereby permitted shall be carried out in accordance with the approved drawings listed below.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.

Plan Type	Reference	Version	Date Received
Site location plan			4 April 2013
Block plan			4 April 2013
Existing floor plans and elevations	PL01		4 April 2013
Proposed floor plans and elevations	PL02	D	11 June 2013

11.2 Pre-Commencement Conditions:

- 9) No development shall take place until full details of the following have been submitted to and approved by the local planning authority in writing:
- i) 1:20 sample elevations and sections showing the proposed windows and masonry cills and 1:1 joinery details of the windows,
  - ii) 1:20 sample elevations and sections showing the proposed corncicing detailing.
  - iii) details and samples of materials and colours;
- and the works shall be carried out and completed in their entirety fully in accordance with the approved 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.
- 10) The development hereby permitted for the second and third floors 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.

11.3 Pre-Occupation Conditions:

- 11) The development hereby permitted shall not begin until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the residents of the development, other than those residents with disabilities who are Blue Badge Holders, have no entitlement to a resident's parking permit. **Reason:** To ensure that the development is car-free and to comply with policy HO7 of the Brighton & Hove Local Plan.

11.4 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.
2. This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents: (Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-

The application would result in the provision of two new residential units without causing any significant harm to the character or appearance of the existing building, the street scene or the wider East Cliff Conservation Area. The scheme would result in a satisfactory standard of accommodation for the residential units and would not cause significant harm to amenity. The proposal is also acceptable in terms of highways and sustainability subject to conditions. As such the proposal is considered to be in accordance with development plan policies.
3. The applicant is advised that the scheme required to be submitted by Condition 11 should include the registered address of the completed development; on invitation to the Council as Highway Authority (copied to the Council's Parking Team) to amend the Traffic Regulation Order; and details of arrangements to notify potential purchasers, purchasers and occupiers that the development is car free.





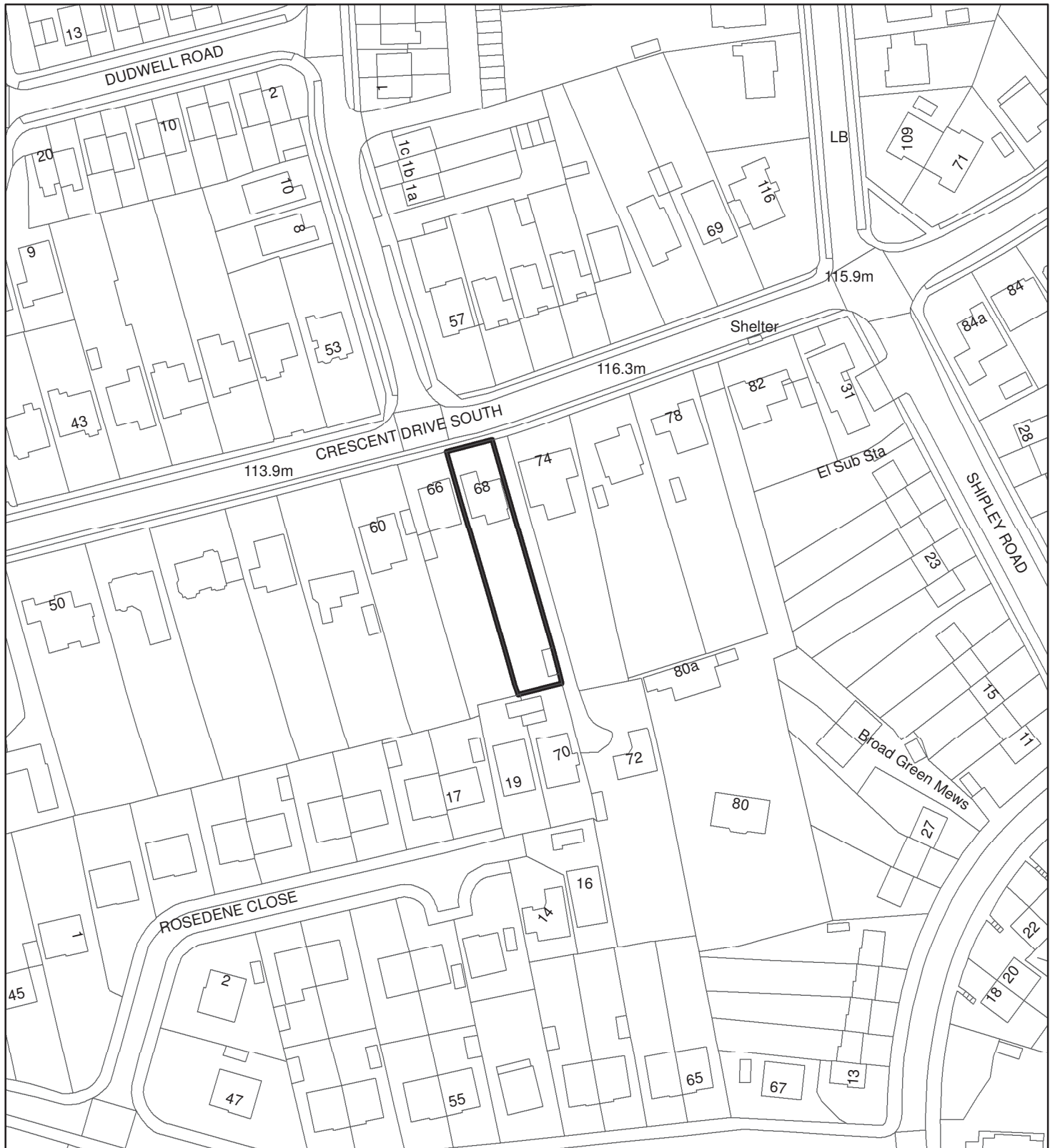
**PLANS LIST  
ITEM F**

**68 Crescent Drive South, Brighton**

**BH2013/01482  
Full planning**

**26 JUNE 2013**

# BH2013/01482 68 Crescent Drive South, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,250**

<b><u>No:</u></b>	<b>BH2013/01482</b>	<b><u>Ward:</u></b>	<b>WOODINGDEAN</b>
<b><u>App Type:</u></b>	<b>Householder Planning Consent</b>		
<b><u>Address:</u></b>	<b>68 Crescent Drive South Brighton</b>		
<b><u>Proposal:</u></b>	<b>Erection of front and rear extensions, loft conversion incorporating raising of ridge height, hip to gable roof extension, installation of rear balcony and rooflights.</b>		
<b><u>Officer:</u></b>	Andrew Huntley Tel 292321	<b><u>Valid Date:</u></b>	20/05/2013
<b><u>Con Area:</u></b>	N/A	<b><u>Expiry Date:</u></b>	15 July 2013
<b><u>Listed Building Grade:</u></b>	N/A		
<b><u>Agent:</u></b>	SDR Designs, 14 Batemans Road, Brighton, BN2 6RD		
<b><u>Applicant:</u></b>	Miss Lucy Clifton-Sprigg, 68 Crescent Drive South, Brighton, BN2 6RB		

## 1 RECOMMENDATION

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

## 2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on the south eastern side of Crescent Drive South. The area is residential in character with a mix of bungalows, chalets and two storey detached properties. The property on the application site is a detached bungalow of a typical 1950's design and has a modest single storey flat roofed extension. The property has a generous rear garden and is bounded by mature hedging. At the rear of the garden there is a detached garage with access out onto a narrow drive which serves the detached chalets to the south of application site. To the south west is another detached bungalow of similar design, which has large flat roofed additions to the rear. To the north east is a detached chalet bungalow, which has been significantly extended to the rear.

## 3 RELEVANT HISTORY

### **No. 68 Crescent Drive South**

**BH2013/00867** – Erection of front and rear extensions. Loft conversion incorporating raising of roof ridge height, hip to gable roof extension, installation of rear balcony and 7no rooflights. This application was refused on 7<sup>th</sup> May 2013. This application is the subject of a current, as yet, undetermined appeal.

## 4 THE APPLICATION

- 4.1 Planning permission is sought for the erection of front and rear extensions together with loft conversion incorporating raising of roof ridge height, hip to gable roof extension, and installation of rear balcony and rooflights.

## 5 PUBLICITY & CONSULTATIONS

### 5.1 External

**Neighbours:** No response

- 5.2 **Councillor Dee Simpson supports the application and her comments are attached to this report.**

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### Brighton & Hove Local Plan:

TR14	Cycle access and parking
TR19	Parking standards
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

#### Supplementary Planning Guidance:

SPGBH1 Roof Alterations & Extensions  
SPGBH4 Parking Standards

Brighton & Hove City Plan Part One (submission document)

**8 CONSIDERATIONS & ASSESSMENT**

- 8.1 The main considerations in the determination of this application relate to the effect on residential amenity and the impact on the character and appearance of the property and the area.

**History:**

- 8.2 This application follows on from application **BH2013/00867**, which was refused on 7<sup>th</sup> May 2013 for the following reasons:

*'The development, by reason of bulk, depth, height and massing would appear as excessively dominant and incongruous additions that would relate poorly with the existing modest bungalow, harming the appearance and character of the building and the surrounding area. The six rooflights on the south western roof slope, which would be visible within the street scene, would appear visually excessive and cluttered. Therefore, the development is contrary to policy QD14 of the Brighton & Hove Local Plan.'*

- 8.3 This previous refusal is a material consideration when determining the current application. The only alteration to this current proposal from the previously refused application is the reduction in the number of rooflights on the south western elevation from 6 to 2.

**Design and Character:**

- 8.4 The existing bungalow is modest in size and has a traditional, hipped roof front projection and a modest rear extension. The bungalow has a low profile within the street scene due to its modest size and roof design. The property is similar in design to the two properties to the southwest. With other small bungalows continuing down the street.
- 8.5 The proposal involves significant alterations to the existing bungalow with front and rear additions at ground floor level and a new gabled roof with accommodation included at first floor level. In addition there would be a single storey flat roofed extension to the rear.
- 8.6 The plan form of a bungalow does not lend itself to having a roof which includes accommodation as the span is normally significantly greater than two storey dwellings. In this case, the bungalow is nearly nine metres wide and the result of attempting to gain headroom at first floor level results in an overly large, bulky addition to the property which bears little relation to the existing bungalow. The size, scale, depth and bulk of the roof will be particularly visible when viewed from the south west. This is not helped by the fact that the property would be squared off at the front with a gable end and the new roof over, with the resultant loss of the existing break in the front elevation and low key hipped roof.

- 8.7 In addition, the proposed single storey rear extension would span the width of the rear of the dwelling and would appear visually large and bulky, when compared with the redesigned dwelling with its substantial roof. This is not helped by the fact the land slopes downwards to the south, so it appears visually larger as the internal level has been kept constant. This gives the flat roof extension a height of approximately 3.8m. The existing modest rear extension has a height of 3m. While the next door neighbour to the northeast has a sizeable rear addition, this is not reason to allow further poorly designed additions, which are not well related to the host dwelling.
- 8.8 Overall, it is considered that the proposed extensions, by virtue of their size and massing would result in visually intrusive and bulky additions to the property, which is unsympathetic to the design of the existing modest bungalow and as a result would harm the street scene and would be detrimental to the visual appearance of the parent property and the character of the wider area.

**Amenity:**

- 8.9 It is considered that the bi-folding doors and Juliet balcony to the rear serving bedroom 1 would not have a detrimental impact on neighbouring amenity. While this is at first floor level, there would be minimal impact on overlooking into the lower parts of the rear gardens to 74 and 66 Crescent Drive South. The properties to the rear No. 19 Rosedene Close and 70 Crescent Drive South are approximately 50m away and as such would have privacy through distance. The proposal shows two rooflights on the western elevation at first floor level. Both rooflights would face towards the roof of No. 66 and as they serve two ensuite bathrooms could be obscurely glazed if necessary. These therefore, would not harm neighbouring amenity.
- 8.10 The single rooflight on the eastern elevation facing number 74 Crescent Drive South serves the stairwell and as this is not a habitable room, its impact on privacy to number 74 would not be to an extent that it would be detrimental. Therefore, the proposal would not have a harmful impact on amenity in terms of overlooking.
- 8.11 No. 74 South Crescent Drive to the north east across the access drive has a number of windows facing south west. These are located approximately 4.8m from No. 68. While these windows would be impacted in terms of outlook due to the size, height and depth of the proposed development, they appear to serve non-habitable rooms including a kitchen and dining room. As such, while there would be some impact, this does not warrant the refusal of planning permission on amenity grounds
- 8.12 The impacts of the proposed development in terms of outlook and day-lighting are considered acceptable.
- 8.13 Overall, the proposal is considered to be acceptable in regard to neighbouring residential amenity.

**9 CONCLUSION**

- 9.1 The proposed development fails to accord with policies of the Brighton & Hove Local Plan as the extensions, by virtue of design, size, depth, form and massing would result in a visually intrusive and bulky additions to the property, which is unsympathetic to the design of the existing modest bungalow and as a result would be of detriment to the visual amenities of the parent property and the wider area. In addition, the proposed single storey rear extension spans the width of the rear of the dwelling and would appear visually large and bulky, when read with the redesigned dwelling with its large roof.

**10 EQUALITIES**

- 10.1 None identified.

**11 REASON FOR REFUSAL / INFORMATIVES**

11.1 Reason for Refusal:

1. The development, by reason of bulk, depth, height and massing would appear as excessively dominant and incongruous additions that would relate poorly with the existing modest bungalow, harming the appearance and character of the building, the street scene and the surrounding area. Therefore, the development is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

11.2 Informatives:

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing Floor Plan, Elevations and Sections. Location and Block Plans.	1312012/01		15/03/2013
Proposed Ground/First Floor Plans and Elevations.	1312012/02		15/03/2013
Proposed Sections AA & BB and Street scene Elevation.	1312012/03		15/03/2013



Re: BH2013/00867 68 Crescent Drive South

Dear Andrew

I have been contacted by the applicant of the above planning application as there are concerns that despite earlier conversations with the planning department when it seemed to fit within planning policy and would be approved, it now appears officers are considering refusing it.

I have visited the property and looked at the surrounding houses and the variety of structures within the immediate and wider area which are very mixed.

Whilst the increase in size of this particular application is quite big it doesn't appear that it will be an overdevelopment of the site or detract or greatly affect the street scene.

I would therefore ask that should you be minded to refuse it, that it is sent to the Planning Committee so that they can view the site and make the final decision.

Yours truly,

**Dee**

*Dee Simson*

Conservative Councillor Woodingdean Ward



**APPEAL DECISIONS**

	<b>Page</b>
<b>A – 81 HANGLETON WAY, HOVE – HANGLETON &amp; KNOLL</b>	<b>107</b>
Application BH2012/03925 – Appeal against refusal for conversion and extension of garage with connection to existing house. <b>APPEAL ALLOWED</b> (delegated decision)	
<b>B – 49 GLEBE VILLAS, HOVE – WISH</b>	<b>109</b>
Application BH2012/03150 – Appeal against refusal for single-storey rear extension, first floor side extension. <b>APPEAL DISMISSED</b> (delegated decision).	
<b>C – 8 CHESHAM ROAD, BRIGHTON – EAST BRIGHTON</b>	<b>111</b>
Application BH2012/03360 – Appeal against refusal for internal renovations and conversion of existing rear pitched roof to a mansard. <b>APPEAL DISMISSED</b> (delegated decision)	
<b>D – THE NORTH LAINE, 27 GLOUCESTER PLACE, BRIGHTON – ST. PETERS &amp; NORTH LAINE</b>	<b>115</b>
Application BH2012/02497 – Appeal against refusal for the erection of glazed screens to pavement in front of existing building to create external seating area. <b>APPEAL DISMISSED</b> (delegated decision)	
<b>E – 2 GLEN RISE, BRIGHTON – WITHDEAN</b>	<b>117</b>
Application BH2012/03614 – Appeal against refusal for a rear single storey extension. <b>APPEAL DISMISSED</b> (delegated decision)	
<b>F – 4 BENNETT ROAD, BRIGHTON – EAST BRIGHTON</b>	<b>121</b>
Application BH2012/03611 – Appeal against refusal for demolition of existing rear porch and replacement with new porch, external steps and timber decking (retrospective). <b>APPEAL DISMISSED</b> (delegated decision)	
<b>G – 15 THE BEECHES, BRIGHTON – EAST BRIGHTON</b>	<b>125</b>
Application BH2012/04088 – Appeal against refusal for erection of single storey side extension incorporating conversion of existing garage. <b>APPEAL DISMISSED</b> (delegated decision)	





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# Appeal Decision

Site visit made on 14 May 2013

**by R Barrett BSc(Hons) MSc, Dip HistCons, Dip UD, MRTPI, IHBC**  
an Inspector appointed by the Secretary of State for Communities and Local Government

**Decision date: 30 May 2013**

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**Appeal Ref: APP/Q1445/D/13/2195966**  
**81 Hangleton Way, Hove, East Sussex BN3 8AF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms Stephanie Mee against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/03925, dated 10 December 2012, was refused by notice dated 6 February 2013.
  - The development proposed is conversion and extension of garage with connection to existing house.
- 

## Decision

1. The appeal is allowed and planning permission is granted for conversion and extension of garage with connection to existing house in accordance with the terms of the application Ref. BH2012/03925 dated 10 December 2012, subject to the following conditions:
  - 1) The development hereby permitted shall not begin later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: OE-120 PO7A; OE-120 PO4B; OE-120 PO5B; OE-120 PO6B.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
  - 4) Before the first occupation of the extension hereby permitted the window facing the street shall be fitted with obscured glass and fixed shut and shall be permanently retained in that condition.

## Main issue

2. The main issue is the effect of the proposed rear extension on the character and appearance of the locality.

## Reasons

3. The appeal site includes a semi-detached family house in a road of generally similar properties. The garages of many of these houses sit between the semi-detached pairs, close to the common boundary, set back behind the rear building line of the properties. Due to a drop in ground level the garages sit at a lower level to the street.

4. The proposed extension would be in place of the existing garage, with an increased footprint and height. Whilst it would extend into the rear garden perpendicular to the main house, it would have a broadly similar relationship to the host dwelling as that of the existing garage and would not appear out of scale. It would be appropriate in its design and its use would be in association with the main house. Whilst it would be larger than the existing garage, it would leave adequate garden to the side and rear and would not dominate it. The folding doors on the garden side of the proposed extension would not materially increase its impact on the rear garden. The existing single storey garage to No 83 and the high level fence on the boundary with No 79 would significantly reduce the impact of the proposal on the character and appearance of the locality. Despite the insertion of a door and window in the front elevation, as the proposal would have a similar form to the existing garage and that of the neighbouring property's garage, it would relate appropriately to the neighbouring property. On my site visit I saw that other pairs of garages had been altered with the consequence that one differs slightly from its partner and therefore the proposal would not appear out of character in this respect. As the proposed extension would be at a lower level than the street and would be well set back behind the existing rear building line of the host dwelling, it would sit comfortably in the street scene.
5. I conclude that the proposal would not cause an adverse effect on the character and appearance of the locality and would generally accord with Brighton and Hove Local Plan (2005) Policies QD2 and QD14, which together require all new development to be designed to emphasise and enhance the positive qualities of the local neighbourhood and be well designed. I find these policies generally consistent with The National Planning Policy Framework.

### **Conditions**

6. I have considered the conditions suggested by the Council in light of advice set out in Circular 11/95: *The Use of Conditions in Planning Permissions*. I have attached the standard condition relating to the commencement of development. For clarity a condition referring to the relevant plans is necessary for the avoidance of doubt and in the interest of proper planning. A condition to ensure that new work matches the existing house is also necessary to ensure that the proposed extension would blend in with the host dwelling. To preserve the privacy of the occupiers of No 83, a condition to ensure that the proposed window which would front the street is obscure glazed and fixed shut is required. In addition, a condition to ensure that the window which would face the street would be obscure glazed and fixed shut is necessary to preserve the privacy of the occupiers of No 83.

### **Conclusion**

7. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be allowed.

*R Barrett*

INSPECTOR



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# Appeal Decision

Site visit made on 1 May 2013

**by John D Allan BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 23 May 2013**

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**Appeal Ref: APP/Q1445/D/13/2195443**  
**49 Glebe Villas, Hove, East Sussex BN3 5SL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs Cottrell against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/03150, dated 25 September 2012, was refused by notice dated 22 February 2013.
  - The development proposed is single-storey rear extension, first floor side extension.
- 

## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the street scene.

## Reasons

3. The proposed side extension would replace an existing single-storey lean-to projection. The appellants argue that the existing gap of around 0.6m between the appeal property and No 51 would be appropriately maintained. However, in my view the existing separation at first floor level plays an important role for providing an individual detached setting for both neighbouring properties, which are clearly distinct from each other in terms of their architecture and appearance.
  4. Despite the proposed side extension's recessed position and lower ridge in relation to the main part of the dwelling, it would fill the majority of the space between the properties at first floor level. As a result, both buildings would sit uncomfortably close to each other such that, regardless of the extension's hipped roof, I find that their relationship would appear awkward and incongruous within the street scene. In addition, whilst the properties would not be physically attached and regardless of their different styles, their close proximity would create the impression of a terracing effect when viewed along Glebe Villas with the nominal gap between them only evident when seen directly 'head-on'.
-

5. I recognise that there is a variety of gap sizes between properties along Glebe Villas. However, these largely reflect the different groups of property types that exist along its length. Furthermore, in the vast majority of cases I saw that adjoining dwellings, regardless of their form, sat comfortably next to each other, maintaining an appropriate rhythm to the street scene with only the odd exception where, in the past, 2-storey side extensions had been constructed uncharacteristically close to their neighbour.
6. I have noted that planning permission had been given for a similar side extension to the appeal property in 2002 (Ref BH2002/02837/FP) although it was never implemented and has now lapsed. The appellants have argued that the Council's past policy for house extensions was similar. Be that as it may, for the reasons I have given it is clear that the proposal would conflict with part c. to Policy QD14 *Extensions and alterations* of the currently adopted Brighton & Hove Local Plan 2005 by failing to take proper account of the existing space around the building or by maintaining an appropriate gap between the extension and the joint boundary to No 51. In this regard it would also fail to display the high quality of design that is required by one of the core planning principles of the National Planning Policy Framework 2012.
7. Overall therefore I conclude that the proposal would be harmful to the character and appearance of the street scene. Accordingly, and having regard to all other matters raised, including the absence of objections from any local residents, the appeal is dismissed.

*John D Allan*

INSPECTOR



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# Appeal Decision

Site visit made on 14 May 2013

**by R Barrett BSc(Hons) MSc, Dip HistCons, Dip UD, MRTPI, IHBC**  
an Inspector appointed by the Secretary of State for Communities and Local Government

**Decision date: 30 May 2013**

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**Appeal Ref: APP/Q1445/D/13/2195658**  
**8 Chesham Road, Brighton BN2 1NB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr James Eyre against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/03360, dated 22 October 2012, was refused by notice dated 25 February 2013.
  - The development proposed is internal renovations and conversion of existing rear pitched roof to a mansard.
- 

## Decision

1. The appeal is dismissed.

## Main issues

2. The main issues are whether the proposal would preserve or enhance the character or appearance of the East Cliff Conservation Area and whether it would result in satisfactory living conditions for the occupiers of 24 and 25 St Mary's Square, with regard to overlooking.

## Reasons

3. The appeal site includes a two storey terraced house with accommodation at basement and roof level. It forms part of a small group of four similar properties. The character and appearance of the locality is generally comprised of Victorian terraced properties which front the street in terraces of similar buildings. Although there is some variety in design detail, there is largely cohesion in terms of their general design. Prominent slate roofs, some with neat, traditionally detailed dormers, upright chimney stacks and fire walls reinforce the vertical emphasis of individual houses within the terraces and are important elements of the individual buildings' character. The appeal site, its traditional, simple pitched roof form and vertical emphasis contributes to this character and appearance.

### *Character and Appearance*

4. The proposed rear roof extension would considerably alter the simple traditionally pitched roof profile of the appeal property. It would introduce a steeply sloping rear face and a flat roofed section with a shape and profile which would be alien to the host property. The overall effect would significantly detract from the character and appearance of the appeal property. It would unbalance the existing roof and dominate the rear of the host dwelling

at roof level. Even though it would not be visible from Chesham Road, as the rear of the property is open to public view from St Mary's Square, even though this is a privately gated street, it would still have a significantly detrimental impact on the character and appearance of the locality. This would be the case, even though its shape may be similar to some roof alterations in the same terrace and it may result in less harm than a traditionally detailed mansard roof.

5. Moreover, the rear face of the roof extension would accommodate a number of large modern rooflights. These would be modern in appearance and would contribute to the unacceptable relationship of the proposed extension to the host dwelling, even though there are large areas of glazing on the adjacent property, No 7.
6. In addition, I am aware that other properties in this small group of similar terraced properties and in the vicinity have large roof extensions. Even though the proposal has been designed to match these altered roofscapes, I am not aware of the circumstances that led to them and they do not provide justification for further unacceptable development. Whether the insertion of rooflights of this size and number into the existing roof slope would be possible under Permitted Development Rights or not does not alter my conclusion in this respect.
7. The proposed front dormer would be appropriately sized and positioned on the roof slope and subject to its detailing, which could be secured by the a suitably worded planning condition, it could relate satisfactorily to the roof, the host property and the terrace. Even though it may be larger than that on the adjacent property, No 7, with a greater projection from the roof plane, as it would relate appropriately to the host dwelling and would be in scale with the roof slope, I consider that it would be acceptable in this case.
8. However, notwithstanding my last finding, I have found that the proposed roof alterations would fail to preserve and enhance the character and appearance of the East Cliff Conservation Area. The proposal would therefore generally fail to accord with the terms of Brighton and Hove Local Plan (2005) (LP), Policy QD14, which requires proposed development to be well designed. It would also fail to comply with LP Policy HE6, which requires proposals within a conservation area to preserve or enhance its character or appearance. Moreover, it would be contrary to advice set out in Supplementary Planning Guidance SPG Note 1: *Roof Alterations and Extensions*, which advises that reshaping the roof structure is a significant change which will be resisted where the existing roof form is an important element of the building's character. Whilst the unacceptable harm identified to the character and appearance of the Conservation Area would be less than substantial, no other public benefits have been identified to outweigh this.

### *Living Conditions*

9. There are five large rooflights proposed in the rear elevation of the roof extension. Given that these would serve a large habitable room, even though they would be centre hung, they would provide high level relatively uninterrupted views of the rear of the properties behind, particularly those nearest at 24 and 25 St Mary's Square. Whilst these properties are a sufficient distance away to ensure that undue overlooking into the first and second floor rear windows would not result, the rear gardens would be nearer and imposing



views would be afforded from the proposed rear roof lights. The fact that those rear gardens are relatively small and the only private garden available to the occupiers of the properties increases my concern. The trees on the shared boundary, whilst they may reduce the level of overlooking when in leaf, due to the height of the rear roof extension would not overcome the harm identified.

10. I acknowledge that there is already some overlooking from rear roof extensions of properties in Chesham Road, and I accept that in a dense urban area such as this, some level of mutual overlooking between properties may be expected. However, this proposal would significantly increase both the actual and perceived overlooking to the rear gardens of 24 and 25 St Mary's Square, even though the appeal site sits directly opposite a communal hardsurfaced area. The fact that the proposed rooflights would provide cross ventilation and allow light into the room that they would serve does not outweigh my concerns.
11. I conclude that the proposed rear roof extension would result in unsatisfactory living conditions for the occupiers of 24 and 25 St Mary's Square, with regard to overlooking into the rear gardens. In this respect, the proposal would fail to accord with LP Policy QD14 and QD27, which aim to protect the living conditions of neighbouring occupiers. I find the policies referred to in my decision generally consistent with The National Planning Policy Framework.

#### *Other Matters*

12. The proposal would include photovoltaic cells on the roof, which would increase the energy efficiency of the host dwelling. Whilst the appellant suggests that the proposal would include the decoration of the flank wall to No 9, this is not before me.

#### **Conclusion**

13. I conclude, for the above reasons, and having taken all other matters raised into consideration, that the appeal should be dismissed.

*R Barrett*

INSPECTOR





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# Appeal Decision

Site visit made on 20 May 2013

**by S J Papworth DipArch(Glos) RIBA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 31 May 2013**

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**Appeal Ref: APP/Q1445/A/12/2188393**

**The North Laine, 27 Gloucester Place, Brighton BN1 4AA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by InnBrighton Ltd against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/02497, dated 13 August 2012, was refused by notice dated 19 October 2012.
  - The development proposed is erection of glazed screens to pavement in front of existing building to create external seating area.
- 

## Decision

1. I dismiss the appeal.

## Reasons

2. The name of the premises at the time of the original application was given as 'The Gloucester', but at the time of the site inspection it was noted that the above name was displayed. It was also noted that the screens were in place at that time.
3. The premises are located within the Valley Gardens Conservation Area and adjacent to listed buildings. The main issue is therefore the effect of the proposals on the significance of these designated heritage assets. Local Plan Policies QD14, HE3 and HE6 seek respectively, extensions and alterations that are well designed, sited and detailed and take account of the spaces around buildings; to protect the setting of listed buildings; and to preserve or enhance the character and appearance of conservation areas. The National Planning Policy Framework contains guidance at section 12 on conserving and enhancing the historic environment, and Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 detail requirements with regard to the setting of listed buildings and the preservation of conservation areas.
4. The building is an attractive and prominent feature of the street and contains some features of interest at ground floor level. Immediately to the south and adjoining is the listed 26 Gloucester Place, and across Gloucester Road to the north is the listed 1A-13 St George's Place. The highway layout here is of a busy series of traffic lanes with separate bus lanes, pedestrian crossings and a significant quantity of street furniture such as signs, railings and lighting. In views approaching from the east, across the road network, the screens are not readily evident among the street furniture, particularly the highway railings.

5. However, in views approaching from the south the screens present a disruptive intrusion on the view along the footway encompassing first the distinctive façade of the church further away to the north but aligned with this approach, and secondly, on closer approach, the listed building across Gloucester Road. The screens would also harm the interest of the host building, being alien to the finishes and architectural detailing of that distinctive building.
6. On approaching from the north, facing the corner of the building, the screens would appear poorly related to the architectural features of the building and on approaching the listed building at number 26, would appear out of place and harmful to that building's setting. It does not appear to be the case, as asserted in the Council Report by the Heritage Officer, that the screen would actually be fixed to the Ionic column of the entrance portico of number 27, but its proximity detracts from the appreciation of that architectural feature.
7. The screens fail to preserve the setting of listed buildings and the character and appearance of the conservation area and hence do not satisfy the tests in the 1990 Act nor accord with the Development Plan policies on good design and detailing, and the protection of heritage assets. The harm is less than substantial, a distinction required in paragraphs 133 and 134 of the Framework, but the public benefits of the placing of the screen are considered insufficient to justify that harm. For the reasons given above it is concluded that the appeal should be dismissed.

*S J Papworth*

INSPECTOR



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# Appeal Decision

Site visit made on 23 April 2013

**by R J Marshall LLB DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 20 May 2013**

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**Appeal Ref: APP/Q1445/D/13/2194013**  
**2 Glen Rise, Brighton, BN1 5LP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr & Mrs M & K Sanders against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/03614 was refused by notice dated 24 January 2013.
  - The development proposed is rear single storey extension.
- 

## Decision

1. The appeal is dismissed.

## Main issues

2. The main issues this appeal are: **first**, the effect of the proposed development on the character and appearance of the appeal premises and surrounding area; **second**, its effect on the living conditions of those at No. 144 Valley Drive with special reference to visual impact.

## Reasons

### *Character and appearance*

3. The appeal property is an attractive detached house with hipped roofs within a relatively low density suburban area. It has, and would continue to have even with the proposed extension, a large rear garden.
4. The house has been extended in the past and at the rear has a single storey kitchen extension with a pitched roof and adjoining that a conservatory. They are fairly modest extensions of a type often found on such properties and in my view they fit in entirely acceptably with the design of the main house.
5. It is intended to demolish the conservatory and in its place attach a far more substantial extension onto the kitchen. The new and existing extension would appear as one structure with 2 equal height pitched roofs with a flat roof in between. There would be a substantial increase in built form at the rear of the house. The new extension would extend much further into the rear garden than the present conservatory. The proposal would also result in there being a single storey extension across the full width of the house which is not the case at present.
6. I can see no objection to the detailed design of the extension per-se. Its hipped pitched roof, and proposed materials, would match that the main house and

the kitchen extension. It would have a reasonably balanced and symmetrical appearance. However, taken together the new and existing extension would comprise a single storey extension with a footprint not far off the size of the main house. The proposed single storey extension this large would be an incongruous addition that would detract from the attractive proportions of the existing house. The fact that adequate rear garden space would be retained would not lessen this harm.

7. The proposed extension would not be seen from public vantage points and would be well screened from the property to the north by a large hedgerow. However, it would be seen from the property to the south and detract from the character and appearance of the area from this viewpoint and the hedge to the north is not guaranteed to last in perpetuity. Moreover, arguments that there would be limited viewpoints of extensions beyond the appeal site are ones that if frequently used would cumulatively cause greater harm to the character and appearance of areas.
8. It is concluded that the proposed development would detract from the character and appearance of the appeal premises and surrounding area. As such it would be contrary to Policies QD2 and QD14 of the Brighton and Hove Local Plan (2005) which seek to prevent such harm.

### ***Neighbours' living conditions***

9. The Council's concern on the impact of the proposed development on the living conditions of those to the south at No. 144 Valley Drive is, correctly in my view, limited to concerns that it would be over-dominant and over-bearing.
10. No. 144 has a relatively small single story rear extension with windows in its rear elevation. The proposed extension would extend so considerably beyond the rear of the neighbours' extension, and be so much closer to the boundary than the existing extension, that the Council's concerns are justified. Adding weight to this view is the fact that No. 144 is at a lower ground level than the appellant's property. At present an approximately 2.0 metre high fence on the boundary, comprising a 1.8 metre high close board fence with a low trellis above, already restricts the outlook from No. 144. However, this does not justify the further harm that would arise from the proposed pitched roof extension with an eaves height of approximately 2.4 metres. An extension of the proposed length, height and proximity to the boundary would detract from the neighbours' living conditions.
11. It is concluded that that the proposed development would detract from the living conditions of those at No. 144 Valley Drive with special reference to visual impact. As such it would be contrary to Policies QD14 and QD27 of the Local Plan which seek to prevent such harm.

### ***Other matters***

12. The appellant has provided copies of plans for an extension at 6 Glen Rise which was allowed on appeal. However, it is not possible to discern from the plans any similarity with the current appeal to an extent that would lead me to have concluded differently on the above issues.

**Conclusion**

13. For the reasons above it is concluded that the appeal should be dismissed. I am of this view notwithstanding the absence of local objections. Moreover, harm on the first issue alone would justify my decision.

*R J Marshall*

INSPECTOR







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# Appeal Decision

Site visit made on 14 May 2013

**by R Barrett BSc (Hons) MSc, Dip HistCons, Dip UD, MRTPI, IHBC**  
an Inspector appointed by the Secretary of State for Communities and Local Government

**Decision date: 30 May 2013**

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**Appeal Ref: APP/Q1445/D/13/2195833**  
**4 Bennett Road, Brighton, BN2 5JL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Helen Lyons against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/03611, dated 13 November 2012 was refused by notice dated 20 February 2013.
  - The development proposed is demolition of existing rear porch and replacement with new porch, external steps and timber decking (retrospective).
- 

## Decision

1. The appeal is dismissed.

## Procedural Matter

2. The proposed development has been carried out on site. As the description of development is not for retention of the proposal, and I am unable to determine whether the development on site accords exactly with the submitted plans, I am determining this appeal on the basis of the plans submitted with the appeal application.

## Main issue

3. The main issue is the effect of the proposal on the living conditions of the adjacent occupiers at 6 Bennett Road, with regard to outlook and surrounding occupiers with regard to overlooking.

## Reasons

4. The appeal site includes a two storey terraced property with a relatively small rear garden. At the rear of some of the houses in this terrace, there are small porches at the side of a rear outrigger, close to the common boundary. They sit in an elevated position at the top of a small set of stairs that provide access to the rear garden, which is at a lower level.

### *Living Conditions - Outlook*

5. Views from the rear dining room window at No 6 have been interrupted by the porches on the rear of that property and the appeal site since the porches in question were first built. Whilst the proposed porch would be larger, higher and closer to the boundary than the previous porch, thereby slightly closing the gap between the two, the effect of the additional bulk, even though at a raised level, would not cause material harm to the outlook from that room.

6. In addition, as the proposal would relate satisfactorily to the main house and would be appropriate in design, close to the main house, even though it would be in an elevated position, the structure would not appear as overbearing, in comparison to the previous porch, when viewed from the rear garden of No 6.
7. I conclude that the proposal would not cause material harm to the living conditions of the occupiers at 6 Bennett Road with regard to outlook and in relation to this matter, the proposal would comply with Policies QD14 and QD27 of the Brighton and Hove Local Plan (2005) (LP), which together aim to ensure that new development is well designed and protects the amenity of proposed, existing or adjacent users, residents or occupiers. I find these policies generally consistent with The National Planning Policy Framework.

#### *Living Conditions-Overlooking*

8. The proposed porch and decked platform would be very close to the boundary with the neighbouring property. As they would be in an elevated position, the proposed decking and the windows and a door to the proposed porch would together allow open, close range views into the rear garden and dining room of the neighbouring property, No 6. Whilst there is some planting on the common boundary, this would not be sufficiently high to overcome this harm.
9. In addition the elevated decked platform would allow open and relatively close range views to the surrounding private rear gardens. The fact that those gardens are relatively small adds to my concern in this respect. Whilst I accept that a certain level of mutual overlooking is accepted in a relatively dense urban setting such as this, high level close range views would be particularly imposing and would significantly reduce existing levels of privacy within rear gardens. In addition to the occupiers at 6 Bennett Road, my concern is particularly for the occupiers at 2, Bennett Road and 1 and 3 Rugby Place in this respect.
10. A condition to obscure glaze the windows and door of the proposed porch may overcome the harm identified in this respect, but as the appeal fails for other reasons I have not pursued this matter further. Any planting to mitigate the harm identified would by necessity be very high and would appear overbearing when viewed from both sides of the common boundary. A condition to this effect would therefore not be appropriate in this case. Whilst there may be some increase in activity in the proposed porch, due to the increased floor area, as it would still be relatively small, this would not be material.
11. I conclude that the proposal would cause unacceptable harm to the living conditions of the occupiers of surrounding properties identified, with regard to overlooking and would fail to accord with LP Policies QD14 and QD27, in this respect.

#### *Other Matters*

12. The Council also raises concern regarding the effect of the proposal on the character and appearance of the locality. Whilst it is larger than the neighbouring property's porch (No 6), as it would generally be similar in form, of appropriate materials and design, would relate satisfactorily to the main house, and would be in a relatively secluded location, I consider that it would generally be acceptable in this respect. I make this judgement, even though it may be visible from the surrounding properties and Bristol Gardens.

13. Matters relating to the proposal's detailed construction are not covered within the planning regime. The fact that the appellant was unaware that planning permission was required for the proposal does not alter my decision. Matters regarding any advice given by Council Officers should be discussed with the Council in the first instance.

**Conclusion**

14. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be dismissed.

*R Barrett*

INSPECTOR





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# Appeal Decision

Site visit made on 14 May 2013

**by R Barrett BSc(Hons) MSc, Dip HistCons, Dip UD, MRTPI, IHBC**  
an Inspector appointed by the Secretary of State for Communities and Local Government

**Decision date: 30 May 2013**

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**Appeal Ref: APP/Q1445/D/13/2196177**  
**15 The Beeches, Brighton, BN1 5LS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs Olivia Olorenshaw against the decision of Brighton & Hove City Council.
  - The application Ref BH2012/04088, dated 23 December 2012 was refused by notice dated 18 February 2013.
  - The development proposed is erection of single storey side extension incorporating conversion of existing garage.
- 

## Decision

1. The appeal is dismissed.

## Main issue

2. The main issue is the effect of the proposal on the character and appearance of the locality.

## Reasons

3. The appeal site includes a detached bungalow set back from the street behind an open lawned front garden. To one side there is a driveway that provides access to a detached garage which is sited behind the dwelling. The appeal property is located within a cul de sac of similar bungalows, in a generally low density layout. Large plots, open front gardens and substantial planting contribute to a generally spacious, green and sylvan character and appearance. The appeal property contributes to this character and appearance.
4. The appeal proposal, regardless of its width, as it would be set back from the front elevation of the appeal property and would be appropriate in size, it would appear as subservient to the main dwelling, such that the original bungalow would appear as the dominant feature in the street. The front porch which would sit in front of the main part of the proposed extension would be modest in size and would mimic the modelled elevation of the existing bungalow. In addition, even though the proposed pitched roof slope, including that of the proposed front porch, would cut into the roof of the main dwelling, and the roof elements would have different eaves heights, as the angle of these roofs would match, the proposed extension would appear balanced and would integrate successfully with that of the main house, in this respect. As the proposed front window would relate successfully to the proposed front elevation and would have appropriate proportions, as a suitably worded

planning condition could ensure its detail matched that of the existing windows, I consider that this would be acceptable.

5. However, the proposed flat roof of the rear section of the extension would be at odds with the pitched roof of the remainder and integrate unsuccessfully at the junction of the two. The different eaves heights and roof shapes at that junction would appear awkward and poorly detailed. Whilst the flat roofed section would be substantially set back from the street behind the front element of the proposed extension, and views from the street would be limited to those directly in front of the bungalow, this aspect of the appeal scheme would still be visible from the street, and would detract from the character and appearance of the main bungalow.
6. For this reason, I conclude that the proposal would detract from the character and appearance of the host dwelling and therefore that of the locality and would fail to accord with Policy QD14 of the Brighton and Hove Local Plan (2005), which requires that extensions and alterations to existing buildings are well designed, sited and detailed in relation to the property to be extended. I find this policy to be generally consistent with The National Planning Policy Framework.

#### *Other Matters*

7. I am aware that the proposal follows a previous refusal and I acknowledge the efforts made to amend the appeal scheme, but I have still found unacceptable harm would arise as a consequence. I am also aware that there is some local support for the proposal but this, in addition to the fact that the proposal would restrict car traffic to the front of the appeal site and this may reduce the noise and general disturbance experienced by neighbours, does not outweigh the harm that I have identified.

#### **Conclusion**

8. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be dismissed.

*R Barrett*

INSPECTOR

### NEW APPEALS RECEIVED

**WARD**

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

**WITHDEAN**

BH2012/02744

95 Mill Rise Brighton

Erection of raised timber decking with steps to garden level, timber handrail and metal balustrading.

APPEAL LODGED

16/05/2013

Delegated

**WARD**

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

**ST. PETER'S & NORTH LAINE**

BH2012/03796

45-46 Gardner Street Brighton

Replacement of existing light fittings to underside of projecting canopy. (Retrospective)

APPEAL LODGED

17/05/2013

Delegated

**WARD**

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

**QUEEN'S PARK**

BH2012/02708

10 Camelford Street Brighton

Replacement of existing rear ground floor painted timber sash window with new painted timber French doors and Juliet Balcony.

APPEAL LODGED

16/05/2013

Delegated

**WARD**

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

**PRESTON PARK**

BH2012/03356

1A Hythe Road Brighton

Change of use from office/workshop (use class B1) to residential dwelling (use class C3)

APPEAL LODGED

17/05/2013

Delegated

**WARD**

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

**ST. PETER'S & NORTH LAINE**

BH2012/03647

Chapel Royal 164 North Street Brighton

Change of use to restaurant/café incorporating alterations to entrance.

APPEAL LODGED

APPEAL RECEIVED DATE 22/05/2013  
APPLICATION DECISION LEVEL Delegated

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**WARD** **ROTTINGDEAN COASTAL**  
APPEALAPPNUMBER BH2013/00856  
ADDRESS 37 Ainsworth Avenue Brighton  
DEVELOPMENT DESCRIPTION Erection of part single, part two storey rear extension.  
APPEAL STATUS APPEAL LODGED  
APPEAL RECEIVED DATE 28/05/2013  
APPLICATION DECISION LEVEL Delegated

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**WARD** **WITHDEAN**  
APPEALAPPNUMBER BH2013/00055  
ADDRESS 6 Cornwall Gardens Brighton  
DEVELOPMENT DESCRIPTION Erection of single storey porch at front elevation.  
APPEAL STATUS APPEAL LODGED  
APPEAL RECEIVED DATE 30/05/2013  
APPLICATION DECISION LEVEL Delegated

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**WARD** **GOLDSMID**  
APPEALAPPNUMBER BH2013/00282  
ADDRESS 88 Goldstone Road Hove  
DEVELOPMENT DESCRIPTION Erection of single storey rear extension at lower ground floor level and loft conversion incorporating rear dormer and 2no rooflights to the front.  
APPEAL STATUS APPEAL LODGED  
APPEAL RECEIVED DATE 30/05/2013  
APPLICATION DECISION LEVEL Delegated

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**WARD** **WISH**  
APPEALAPPNUMBER BH2012/03504  
ADDRESS Land Adjacent 80 Stoneham Road Hove  
DEVELOPMENT DESCRIPTION Demolition of existing single storey building and erection of a four storey block to form eight residential units.  
APPEAL STATUS APPEAL LODGED  
APPEAL RECEIVED DATE 31/05/2013  
APPLICATION DECISION LEVEL Delegated

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**WARD** **HANOVER & ELM GROVE**  
APPEALAPPNUMBER BH2013/00482  
ADDRESS 17 Ewart Street Brighton  
DEVELOPMENT DESCRIPTION Roof alterations to facilitate loft conversion incorporating installation of juliette balcony and window to rear and 2no roodlights to front elevation.



<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	31/05/2013
<u>APPLICATION DECISION LEVEL</u>	Delegated

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<b><u>WARD</u></b>	<b>HOVE PARK</b>
<u>APPEALAPPNUMBER</u>	BH2013/00073
<u>ADDRESS</u>	40 Aldrington Avenue Hove
<u>DEVELOPMENT DESCRIPTION</u>	Erection of conservatory to the rear.
<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	03/06/2013
<u>APPLICATION DECISION LEVEL</u>	Delegated

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<b><u>WARD</u></b>	<b>WITHDEAN</b>
<u>APPEALAPPNUMBER</u>	BH2013/00328
<u>ADDRESS</u>	1 Hillcrest Brighton
<u>DEVELOPMENT DESCRIPTION</u>	Erection of single storey side extension to ground floor and roof extension incorporating front, rear and side dormers.
<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	03/06/2013
<u>APPLICATION DECISION LEVEL</u>	Delegated

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<b><u>WARD</u></b>	<b>CENTRAL HOVE</b>
<u>APPEALAPPNUMBER</u>	BH2012/03720
<u>ADDRESS</u>	17 Albany Villas Hove
<u>DEVELOPMENT DESCRIPTION</u>	Erection of rear extension to basement and ground floor levels.
<u>APPEAL STATUS</u>	APPEAL LODGED
<u>APPEAL RECEIVED DATE</u>	05/06/2013
<u>APPLICATION DECISION LEVEL</u>	Delegated

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<b>PLANNING COMMITTEE</b>	<b>Agenda Item 18</b> Brighton & Hove City Council
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**Information on Pre-application Presentations and Requests**

<b>Date</b>	<b>Address</b>	<b>Ward</b>	<b>Proposal</b>
17 March 2010	<b>Former Nurses Accommodation,</b> Brighton General Hospital	Hanover & Elm Grove	Demolition of the former nurses accommodation buildings and the construction of three residential apartment blocks comprising 95 units and a 105 square metre community facility with associated car parking and landscaping.
27 April 2010	<b>Open Market</b>	St Peter's & North Laine	Proposed replacement, covered market, 87 affordable housing units, 12 x B1 workshops and public realm improvements.
29 June 2010	<b>Former Royal Alexandra Children's Hospital,</b> Dyke Road, Brighton	Regency	A) <i>Conversion scheme</i> Conversion of a retained main building to provide 118 units. The scheme is 100% private housing and does not include provision of a GP surgery. B) <i>New building scheme</i> Demolition of all existing buildings with a new development comprising 136 units with 54 affordable units (40%) and a GP surgery.
20 July 2010	<b>The Keep,</b> Wollards Field, Lewes Road, Brighton	Moulsecoomb & Bevendean	A new historical resource centre for East Sussex, Brighton & Hove.
10 August 2010	<b>Former Sackville Hotel,</b> Kingsway, Hove	Westbourne	Construction of 47 flats (mix of 1, 2, 3, & 4 bed units) within 6 to 9 floor building, and to incorporate basement parking of 49 spaces, and 2 spaces at ground floor level.
21 September 2010	3Ts	East Brighton	3T's (teaching, tertiary & trauma). Comprehensive redevelopment of southern half of RSCH on Eastern Road to provide replacement modern clinical facilities over three phases.

**NOTE: The Pre Application Presentations are not public meetings and as such are not open to members of the public. All Presentations will be held in Hove Town Hall on the date give after scheduled site visits unless otherwise stated.**

<b>Date</b>	<b>Address</b>	<b>Ward</b>	<b>Proposal</b>
14 December 2010	<b>Brighton Station, Block J</b>	St Peters & North Laine	Proposed mixed use scheme comprising 3500 sq m B1 commercial office space, 147 residential units, 3* hotel in buildings of between 5-8 storeys, provision of civic square, Southern SNCI, and 250 sq m A1 retail / A3 café
11 January 2011	<b>Park House</b>	Hove Park Ward	Demolition of former residential language school buildings and the residential redevelopment of the site by way of flats in buildings of between 4 and 5 storeys.
15 March 2011	<b>Anston House, 137-147 Preston Road</b>	Preston Park	Demolition of existing building and proposed mixed scheme. Exact details of the scheme are not finalised. The presentation is to show Cllrs the concept of the scheme and how they have come to the point that they are now at.
15 July 2011	3Ts	East Brighton	3T's (teaching, tertiary & trauma). Comprehensive redevelopment of southern half of RSCH on Eastern Road to provide replacement modern clinical facilities over three phases and erection of a helipad on top of the Thomas Kemp Tower.
20 September 2011	<b>Ice Rink &amp; No.11 Queens Square</b>	St Peter's & North Laine	Demolition of former ice rink and no.11 Queens Square and erection of 5-6 storey building to provide ApartHotel (58 serviced apartments) with associated restaurant/café and alterations to public realm.
22 November 2011	<b>Park House</b>	Hove Park	Demolition of former residential language school buildings and the residential redevelopment of the site by way of flats in buildings of between 4 and 5 storeys.

<b>Date</b>	<b>Address</b>	<b>Ward</b>	<b>Proposal</b>
21 February	<b>Anston House, 137-139 Preston Road, Brighton</b>	Preston Park	Demolition of existing building and proposed mixed scheme. Exact details of the scheme are not finalised. The presentation is to show Cllrs the concept of the scheme and how they have come to the point that they are now at.
24 April 2012	<b>PortZed, 9-16 Aldrington Basin, Land south of Kingsway, Basin Road North, Portslade</b>	Wish	Demolition of business unit to east of Magnet showroom. Erection of new five and a half storey building at Kingsway level and a further one and half storeys of car parking beneath Kingsway ground floor accessed via Basin Road North. Development comprises mixed use commercial premises with associated new access and car parking at Kingsway level and 52 residential units in 6 blocks.
15 May 2012	<b>1. Brighton Station, Block J</b>  <b>2. Woolards Field, Lewes Road</b>	1. St Peters & North Laine  2. Moulsecomb & Bevendean	1. The commercial and residential blocks will be developed separately. An amended 6/8 storey mixed use commercial building, plus basement, comprising hotel, office and retail uses, is proposed at the southern end of the site.  2. A 1-3 storey building to be used as a make ready ambulance centre including cleaning, maintenance and preparation of ambulances with office, staff facilities, training and education facilities. Associated landscaping car parking (158 spaces) and cycle parking.
28 August 2012	<b>Infinity Foods, Norway Street</b>	South Portslade	An office block (Class B1) of 743sqm, served by 15 parking spaces accessed from Franklin Street to the north of the site. 1 2, 3 and 4 bed dwellings including 12 affordable housing units served by 50 parking

			spaces access from Norway Street and Franklin Road.
09 October 2012	<p><b>1. Hannington Lane</b></p> <p><b>2. Brighton Square</b></p>	<p>1. Regency</p> <p>2. Regency</p>	<p>1. Creation of new retail shopping lane behind the former Hanningtons Store connecting Meeting House Lane with Brighton Place, with new links to North St and Brighton Square. Accommodation comprising 9 new residential units (approx 900 sqm) and office accommodation (approx 520 sqm) over 21 new/refurbished/extended retail units (A1/A3 mix TBA) (approx 1,300 sqm). Please note that approximately half of the retail area is to be within existing building envelopes. Relocation of sub-station.</p> <p>2. Remodelling facades of Brighton Square. New 50 bedroom hotel and reception (approx 1,500sqm) fronting Brighton Place with rooftop café/restaurant (approx 75sqm) and roof terrace and 5 new residential units (approx 500 sqm), office accommodation (approx 300 sqm) over 7 new/refurbished/extended retail units (A1/A3 mix TBA) (approx 300 sqm).</p>
30 October 2012	<b>Brighton &amp; Hove Bus Depot, Industrial House, Gill House, Tecore House &amp; The Builder Centre all on Conway Street, Units 1 – 3 Ellen Street &amp; The Agora, Ellen Street</b>	Goldsmid	Demolition of all buildings expect for The Agora, Ellen Street. Redevelopment of the site to comprise the following: A1 retail unit (food) of 3,716 square metres and an A1 retail unit (non food) of 4,650 square metres; 4 No. A1 (non food) retail units (but could also be A3/A4 restaurant/bar uses) totalling 1,716 square metres; 8 No. A3/A4 restaurants/bars totalling 2730 square metres; Exhibition space 232 metres; B1 office units totalling 8,820 square metres; 9 screen D2 cinema of

			3,875 square metres. 400 Residential units to be mainly provided at upper levels including 5 tower blocks ranging in height of between 10 and 25 storeys. Car parking for 800 vehicles.
20 November 2012	<b>City College, Pelham Street</b>	St Peters & North Laine	Demolition of all buildings. Redevelopment of the site to provide a 11,800 sqm educational building, a building accommodating 501 student units, 22 townhouses, two buildings containing 72 residential flats and a public square.

16<sup>th</sup> July request to present re: proposed re-development at Circus Street





# PLANNING COMMITTEE

**Agenda Item 23**

Brighton & Hove City Council



**Brighton & Hove  
City Council**

**INFORMATION ON HEARINGS / PUBLIC INQUIRIES  
26 JUNE 2013**

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**This is a note of the current position regarding Planning Inquiries and Hearings**

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**PLANS LIST 26 June 2013****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****BH2012/03848****Site Between Bonheur & Rocklands Braypool Lane Brighton**

Erection of 1no four bedroom detached house with cycle/bin stores and parking areas.

**Applicant:** Mr John Blankson

**Officer:** Chris Swain 292178

**Refused on 16/05/13 DELEGATED****1) UNI**

The proposed dwelling would be poorly design and detailed. The bulky, awkward, protruding side dormers would disrupt the form of the building and, in conjunction with the proposed fenestration detailing and protruding balconies to front and rear, would result in a cluttered, disjointed and incoherent appearance that would relate poorly to its surroundings and, as such, would cause harm to the character and appearance of the locality contrary to policies QD1, QD2 and NC6 of the Brighton & Hove Local Plan.

**2) UNI2**

The proposed development would not provide a level of sustainability which would adequately address the requirements of policy SU2 of the Brighton & Hove Local Plan and the guidance set out in SPD08 'Sustainable Building Design'. Sufficient justification has not been provided to demonstrate that the level of sustainability recommended in SPD08 could not reasonably be met.

**3) UNI3**

The proposed dwelling does not provide a suitable level or gently sloping access and would require significant revisions to the design to provide compliance with the Lifetimes Homes standards relating to access to the site. The proposed development is therefore contrary to policy HO13 of the Brighton & Hove Local Plan.

**4) UNI4**

The proposed development would not provide adequate protection of amenity for future occupiers of the proposed dwelling unit by virtue of a high level of noise and disturbance from the adjacent A23. Insufficient information has been submitted to adequately demonstrate that these issues could be satisfactorily mitigated. As such the proposal would be contrary to policies QD27 and SU10 of the Brighton & Hove Local Plan.

**BH2013/00205****1 Old Patcham Mews Brighton**

Replacement of existing timber front door with a wood effect composite door.

**Applicant:** Leslie Bryan

**Officer:** Louise Kent 292198

**Approved on 03/06/13 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 cill/threshold of the replacement front door hereby permitted shall match the colour of the door and shall thereafter 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 existing door furniture shall be re-used, or any replacements shall match the existing door furniture in both style and colour.

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

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
OS Site Plan			04/02/13
Door photographs			22/01/13
Door specification leaflet			22/01/13

**BH2013/00206**

**5 Old Patcham Mews Brighton**

Replacement of existing timber front door with a composite door.

**Applicant:** Alison Sampson

**Officer:** Louise Kent 292198

**Approved on 04/06/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
OS Site Plan			04/02/13
Photographs (unnumbered)			04/02/13
Door specification leaflet			22/01/13

**3) UNI**

The cill/threshold of the replacement front door hereby permitted shall match the colour of the door and shall thereafter 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.*

**4) UNI**

The existing door furniture shall be re-used, or any replacements shall match the

existing door furniture in both style and colour.

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

**BH2013/00837**

**17 Denton Drive Brighton**

Erection of two storey rear extension.

**Applicant:** Mrs K A Tye

**Officer:** Andrew Huntley 292321

**Approved on 20/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Rear Extension	JW/13/016		15/03/2013

**BH2013/00906**

**4 Brangwyn Crescent Brighton**

Erection of two storey side and rear extension.

**Applicant:** Mr & Mrs Fitzgerald

**Officer:** Jonathan Puplett 292525

**Refused on 30/05/13 DELEGATED**

**1) UNI**

The proposed development would result in an excessively bulky over-extended appearance. The character and architectural quality of the existing dwelling would be diminished to the detriment of the street scene and the outlook from neighbouring dwellings and garden areas. The proposed development is therefore contrary to the design objectives set out in policy QD14 of the Brighton & Hove Local Plan.

**BH2013/01006**

**23 Tangmere Road Brighton**

Erection of two storey and single storey rear extensions.

**Applicant:** Mr Paul Davis

**Officer:** Andrew Huntley 292321

**Refused on 23/05/13 DELEGATED**

**1) UNI**

The proposed rear extensions, by virtue of their design and size, would result in visually intrusive and bulky addition to the property, which is unsympathetic to the design of the existing property and as a result would be of detriment to the visual amenities of the parent property and the wider area. The proposal is therefore

contrary to policies contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan.

## **2) UNI2**

The proposed extensions, by reason of its height, depth and proximity to the boundary, would have a detrimental impact on the residential amenity of number 24 Tangmere Road by way of daylight/sunlight and outlook. The proposal is therefore contrary to Policy QD27 of the Brighton & Hove Local Plan.

## **BH2013/01025**

### **15 Court Close Brighton**

Erection of single storey rear extension incorporating bi-folding doors.

**Applicant:** Mr Sean Bleach

**Officer:** Chris Swain 292178

**Approved on 23/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed plans, elevations, site plan and block plan	457/01		21/05/13
Proposed Conservation Rooflight	457/022		28/03/13

### **4) UNI**

The window to the east facing side elevation of the hereby permitted extension shall not be glazed otherwise than with obscured glass and fixed shut 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.*

### **5) 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 to the hereby permitted extension 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.*

**BH2013/01100**

**34 Graham Avenue Brighton**

Erection of a single storey rear extension.

**Applicant:** Paul Dixon

**Officer:** Sonia Gillam 292265

**Refused on 28/05/13 DELEGATED**

**1) UNI**

The proposed development, by virtue of its design, size, form and massing would form a bulky and unsympathetic feature resulting in an overextended appearance to the property. Additionally, by reason of its inappropriate form and architectural detailing, the proposal would fail to demonstrate a high standard of design and make a positive contribution to the visual quality of the environment. As such, the proposal would be detrimental to the character and appearance of the property and the visual amenities enjoyed by neighbouring properties and is contrary to policy QD14 of the Brighton & Hove Local Plan.

**2) UNI2**

The proposed development, by virtue of its height, level of projection and sitting directly adjacent to the boundary would result in the extension appearing overbearing and unneighbourly to No. 36 Graham Avenue. It would result in material loss of outlook and loss of light to this dwelling. As such, the proposal would adversely impact on the residential amenity of the occupiers this property contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

**BH2013/01258**

**48 Barrhill Avenue Brighton**

Application for approval of details reserved by condition 5 of application BH2012/03830.

**Applicant:** Mr Lourens Mouton

**Officer:** Jonathan Puplett 292525

**Approved on 29/05/13 DELEGATED**

**PRESTON PARK**

**BH2012/01844**

**157-159 Preston Road Brighton**

Extension and part conversion of existing building including creation of an additional floor for the provision of 9no self contained flats and additional office space with associated works and additional car and cycle spaces.

**Applicant:** Cross Stone Securities Ltd

**Officer:** Anthony Foster 294495

**Approved after Section 106 signed on 22/05/13 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) 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.*

### **4) 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.*

### **5) 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.*

### **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) UNI**

Construction of the development shall not take place until a scheme detailing the provision of 1 additional disabled residential parking space shall be submitted to and approved by the Local Planning Authority unless otherwise agreed in writing. The scheme shall be carried out prior to occupation of the development in strict accordance with the approved details and be retained as such thereafter.

*Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.*

### **8) UNI**

No development shall commence until a scheme for sound insulation and alternative means of ventilation for the residential units within the development has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until construction has been completed in accordance with the agreed details. The development shall be retained as such thereafter.

*Reason: To safeguard the amenities of the occupiers of future occupants of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

### **9) UNI**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority



for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

*Reason: To ensure that any contamination identified during the demolition and construction phases is fully characterised and assessed and to comply with policy SU11 of the Brighton & Hove Local Plan.*

**10) UNI**

No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by the Local Planning Authority. A completed pre-estimator will not be acceptable.

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

**11) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing Site Plan	P2		19/06/2012
Existing Basement GRD & 1st Floor Plans	P3A		19/06/2012
Existing 2nd 3rd & 4th Floor Plans	P4		19/06/2012
Existing Elevations	P5		19/06/2012
Proposed Elevations North West + North East	P9G		06/09/2012
Location Plan & Block Plan	P10		19/06/2012
Combined Floorplans	11B		06/09/2012
Proposed Elevations South East & South West	P12E		06/09/2012
Proposed Site Plan	P16C		19/06/2012

**12) UNI**

None of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by the Local Planning Authority.

*Reason: To ensure 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.*

**BH2013/00222**

**70A Beaconsfield Road Brighton**

Erection of pitched roof extension at first floor level to front elevation.

**Applicant:** Channel Glazing

**Officer:** Jonathan Puplett 292525

**Refused on 29/05/13 DELEGATED**

**1) UNI**

The proposed extension would have an awkward relationship with the existing buildings (no. 70A and nos. 21/21A Springfield Road which would result in an

overly dominant alteration). It is considered that the application building should remain single storey; the proposed first floor addition would result in an awkward appearance to the detriment of the character of the buildings and the Preston Park Conservation Area. The proposed development is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

## **2) UNI2**

The proposed extension would result in increased overshadowing and would enclose the outlook from the bay window directly alongside to the north, and would overshadow and fully enclose the outlook from a smaller window alongside. The development would harm the amenity of occupiers of the rooms which these windows serve. The proposed development is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

### **BH2013/00594**

#### **7 Lucerne Road Brighton**

Erection of single storey rear extension and landscaping to rear.

**Applicant:** Mr & Mrs Kidd

**Officer:** Louise Kent 292198

**Refused on 20/05/13 DELEGATED**

## **1) UNI**

The proposed extension, by virtue of its overall design, overly bulky and dominant roof lanterns and projecting fascia detail would relate poorly to the existing property and would therefore have a harmful impact on the appearance of the building and would fail to preserve or enhance the character and appearance of the surrounding Preston Park Conservation Area. The proposed development is therefore contrary to policies QD1, QD2, QD14, QD27 and HE6 of the Brighton & Hove Local Plan.

## **2) UNI2**

The proposed extension by reason of the increased height on the boundary between 7 and 8 Lucerne Road would represent an unneighbourly form of development which would result in a loss of light and outlook leading to a sense of enclosure whilst having an overbearing impact to the adjoining neighbour number 8 Lucerne Road, contrary to policy QD27 of the Brighton & Hove Local Plan.

### **BH2013/00826**

#### **148 Preston Drove Brighton**

Display of non-illuminated ATM surround.

**Applicant:** Bank of Ireland

**Officer:** Robin K Hodgetts 292366

**Refused on 17/05/13 DELEGATED**

## **1) UNI**

The proposed sign would appear incongruous in this setting, significantly detracting from the character and appearance of the recipient property and the wider conservation area, contrary to policies QD12 and HE9 of the Brighton & Hove Local Plan 2005.

### **BH2013/00827**

#### **148 Preston Drove Brighton**

Installation of ATM cash machine to front elevation.

**Applicant:** Bank of Ireland

**Officer:** Robin K Hodgetts 292366

**Refused on 17/05/13 DELEGATED**

## **1) UNI**

The proposed ATM would unbalance the symmetry of the shopfront and harm the character and appearance of the Preston Park Conservation Area by reason of its position and design. As such it is contrary to policies QD10 and HE6 of the Brighton & Hove Local Plan.

**BH2013/00933**

**48 Florence Road Brighton**

Erection of single storey rear extension, alterations to fenestration, rear dormer window and replacement of roof tiles from concrete clay to natural slate.

**Applicant:** Mr J G Finlayson

**Officer:** Andrew Huntley 292321

**Refused on 17/05/13 DELEGATED**

**1) UNI**

The proposed dormer window, by virtue of its design, size, form and massing would result in visually intrusive and bulky addition to the property. This would be detrimental to the visual amenities of the parent property and harm the character and appearance of the wider Preston Park Conservation Area. Therefore, the proposal is contrary to Policies QD14 and HE6 of the Brighton and Hove Local Plan and SPGBH1 Roof Alterations and Extensions.

**BH2013/00946**

**48 Florence Road Brighton**

Erection of single storey ground floor extension and extension of first floor to the rear. Alterations to fenestration and replacement of roof tiles from concrete clay to natural slate.

**Applicant:** Mr J G Finlayson

**Officer:** Andrew Huntley 292321

**Refused on 20/05/13 DELEGATED**

**1) UNI**

The proposed first floor extension, by virtue of its design and roof form would result in visually intrusive and awkward addition to the property. This would be detrimental to the visual amenities of the parent property and harm the character and appearance of the wider Preston Park Conservation Area. Therefore, the proposal is contrary to Policies QD14 and HE6 of the Brighton and Hove Local Plan.

**BH2013/00951**

**11 Cleveland Road Brighton**

Installation of rooflight to front roof slope.

**Applicant:** Noelle Booth

**Officer:** Andrew Huntley 292321

**Approved on 20/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan	12/100/03		26/03/2013
Block Plan	12/100/04		26/03/2013
Existing and Proposed Elevation	12/100/02		26/03/2013
Velux 'Conservation roof window system' spec sheet			26/03/2013

### **BH2013/01036**

#### **46 Beaconsfield Villas Brighton**

Loft conversion incorporating 2no dormers to the rear, 1no rooflight to the front and raising of roof height.

**Applicant:** Mrs Jacqueline McDonald

**Officer:** Chris Swain 292178

**Approved on 29/05/13 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) 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.*

#### **4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Block and site location plans	TA700/01B		02/04/13
Existing floor plans	TA700/02A		02/04/13
Existing elevations	TA700/03		02/04/13
Existing elevations and section	TA700/04		02/04/13
Proposed floor plans	TA700/10E		23/05/13
Proposed elevations	TA700/11E		23/05/13
Proposed elevations and section	TA700/12E		23/05/13
Proposed section	TA700/13 C		02/04/13

#### **5) UNI**

Other than the cheeks and roof coverings of the dormers which shall be finished in lead as stated in the email from the agent received on 29 May 2013 the external finishes of the development hereby permitted shall match in material,

Report from: 16/05/2013 to:

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.*

**BH2013/01057**

**26 Chester Terrace Brighton**

Certificate of lawfulness for proposed erection of single storey outbuilding to rear of garden.

**Applicant:** Ms Terri Prior

**Officer:** Wayne Nee 292132

**Approved on 03/06/13 DELEGATED**

**BH2013/01171**

**14 Highcroft Villas Brighton**

Non material amendment to BH2010/03283 to lower the floor by 150mm and increase the depth of the back window which attaches to the skylight facing the garden from 600mm to 720mm.

**Applicant:** Ms Victoria Jenkins

**Officer:** Sonia Gillam 292265

**Approved on 20/05/13 DELEGATED**

**REGENCY**

**BH2012/03236**

**Royal Alexandra Hospital 57 Dyke Road Brighton**

Application for Approval of Details Reserved by Condition 16 of application BH2010/03379.

**Applicant:** Mr Richard Bateman

**Officer:** Guy Everest 293334

**Refused on 03/06/13 DELEGATED**

**1) UNI**

The PRC report titled 'Schedule of External Restoration Works to Retained Building' (dated 28th March 2012) is considered broadly acceptable in relation to the proposed approach to repair across the retained building. There is, however, a lack of detail relating to restoration works, including the specification for reinstated timber windows, the profile of replacement cast iron rainwater goods and the method and detailing for reinstatement of the exposed northern elevation of the building (at ground, first, second and roof levels) to match adjacent detail and finishes. It is not therefore possible to agree the submitted details in the absence of this information.

**BH2013/00504**

**53-54 North Street Brighton**

Change of use from retail (A1) to restaurant (A3) and take away (A5) with the installation of a new shop front and a metal extract duct to rear elevation.

**Applicant:** Mucho Burrito

**Officer:** Steven Lewis 290480

**Approved on 23/05/13 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 use hereby permitted shall not be open to customers except between the hours of 09:00 and 22:00 any day.

*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 extract ducting to the rear elevation shall be installed in accordance with the agreed details prior to commencement of the hereby approved use.

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

## 4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site and Location Plan	BN12050018/301		26/02/2013
Existing Floor Plan	BN12050018/101		26/02/2013
Existing Elevations	BN12050018/102		26/02/2013
Proposed Elevations	BN12050018/202		26/04/2013
Proposed Rear Elevation	BN12050018/202		26/04/2013
Proposed Floor Layout	BN12050018/201		13/05/2013

## 5) UNI

Notwithstanding the approved plans no development shall take place until 1:20 scale drawings of the proposed shopfront (including doors, cornices, mullions, stall riser, transom, pillars, cills, pilasters, fascia and other detailing) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in strict accordance with the approved details.

*Reason: Insufficient detail of the shopfront has been submitted to ensure satisfactory detailing to preserve the character and appearance of the conservation area and to comply with policies QD10 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 02 on Shop Front Design.*

## 6) UNI

No intoxicating liquor shall be sold or supplied within the unit hereby approved except to persons who are taking meals on the premises and who are seated at tables. 'Meals' means food that has been cooked or prepared and purchased within the premises. Any alcohol sales shall be ancillary to the approved use.

*Reason: In the interest of general amenity and public order and to comply with policies QD27 and SR12 of the Brighton & Hove Local*

## 7) UNI

Unless otherwise agreed in writing by the Local Planning Authority noise levels from the hereby approved extract ducting shall not exceed those stated in paragraph 7.3 of the Acoustic Associates Sussex Ltd report (ref: J1248/02/13) dated 11th February 2013.

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

### **BH2013/00567**

#### **24A Temple Street Brighton**

Conversion of cellar into habitable accommodation including opening of pavement light and installation of new pavement grille and sash window below

pavement to front elevation.

**Applicant:** Ms Amanda Burns  
**Officer:** Adrian Smith 290478  
**Approved on 17/05/13 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 cellar shall be used in conjunction with the property at 24A Temple Street only and shall not otherwise be occupied as a separate unit of residential accommodation.

*Reason: For the avoidance of doubt as the proposed unit would constitute sub-standard residential accommodation in its own right and to accord with policy QD27 of the Brighton & Hove Local Plan.*

**3) UNI**

The pavement grille as shown on the approved plans and hereby permitted shall be painted black 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.*

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			22/03/2013
Existing plans	PL01A		08/03/2013
Proposed plans and details	PL02		08/03/2013
	PL03		08/03/2013

**BH2013/00608**

**Rear of 50 North Street Brighton**

Change of use of rear part of ground floor from office (B1) to retail (A1) for test rooms ancillary to shop at 49 North Street.

**Applicant:** Specsavers  
**Officer:** Adrian Smith 290478  
**Approved on 21/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			24/04/2013
Existing and proposed floor plans	1455		22/02/2013
Existing and proposed floor	1456		22/02/2013

plans			
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**BH2013/00672**

**15B Prince Albert Street Brighton**

Internal and external alterations including re-orientation of staircase and alterations to shopfront. (part retrospective)

**Applicant:** Mrs Alexandra Ferguson

**Officer:** Mark Thomas 292336

**Approved on 28/05/13 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.*

**BH2013/00814**

**2 Ship Street Brighton**

Alterations to lower ground, ground and first floor restaurant (A3) to create a maisonette at ground floor, first floor and second floor levels with retention of A3 unit at lower ground level and front of ground floor. Conversion of existing upper 3 storey two bedroom maisonette into four bedroom maisonette. External alterations including partial infilling of rear first floor courtyard to create lightwell, creation of residential access door to front elevation and revised fenestration.

**Applicant:** Mr Pete Bradford

**Officer:** Guy Everest 293334

**Approved on 29/05/13 DELEGATED**

**1) UNI**

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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Details as Existing	32890/1A		13/03/2013
Details as Proposed	32890/2B		22/03/2013
Details as Proposed (Upper Floors)	32890/3B		13/03/2013
Rear Courtyard Existing Details	32890/4		03/04/2013
Location Plan	32890/5		13/03/2013
Block Plan	32890/6		13/03/2013

**3) UNI**

The hereby approved ventilation grills at first and second floor level to the northern elevation of the building shall be painted in a colour to match the external elevations of the remainder of the building and shall be retained 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**

The ground floor rear window opening to the western rear (courtyard) elevation of



the building shall be obscure glazed and non-opening and shall 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.*

**5) UNI**

The development shall not be occupied until the wall ventilation units to the northern elevation of the building have been installed in accordance with the agreed details. The development shall be retained as such thereafter.

*Reason: To safeguard the amenities of the occupiers of future occupants of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

**6) UNI**

No development shall commence until a scheme for sound insulation to the hereby approved residential unit has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until construction has been completed in accordance with the agreed details. The development shall be retained as such thereafter.

*Reason: To safeguard the amenities of the occupiers of future occupants of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

**7) 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.*

**8) UNI**

Notwithstanding the submitted plans no development shall take place 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.*

**9) UNI**

No development shall commence until 1:20 elevations and sections of the hereby approved door, and associated fanlight, cornice and pilasters, to the northern elevation of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and shall be retained as such thereafter.

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

**BH2013/00921**

**37 Western Road Brighton**

Application for Approval of Details Reserved by Conditions 6, 8, 9 and 11 of application BH2012/03933.

**Applicant:** Hoskins Ltd  
**Officer:** Jason Hawkes 292153  
**Approved on 28/05/13 DELEGATED**

**BH2013/00940**

**Flat 12 27 Bedford Place Brighton**

Replacement of timber windows with UPVC.

**Applicant:** Ms Kathy Caton  
**Officer:** Helen Hobbs 293335

**Approved on 04/06/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Window drawings			25/03/13
Existing photographs			25/03/13
Site plan			25/03/13

**BH2013/00947**

**Second & Third Floor Flat 11 Powis Road Brighton**

Removal of existing rear dormer and replacement with new dormer with a timber decked balcony and glass balustrade. Installation of rear rooflight.

**Applicant:** Miss Vanessa Sackarnd  
**Officer:** Helen Hobbs 293335

**Refused on 21/05/13 PLANNING COMMITTEE**

**1) UNI**

The proposed rear dormer and balcony, by virtue of its design, excessive size, use of materials and positioning, would form an incongruous and unsightly feature on this property. Furthermore the proposal would result in the loss of the existing dormer, and therefore part of the property's historic appearance. The proposal would significantly harm the character and appearance of the existing property and the surrounding Montpelier and Clifton Hill conservation area, contrary to policies QD14 and HE 6 of the Brighton & Hove Local Plan and SPGBH1 'Roof Alterations & Extensions'.

**2) UNI2**

The proposed balcony, by virtue of its elevated position, would result in material harm to the amenity of neighbouring properties by way of overlooking and potential noise disturbance, contrary to policy QD27 of the Brighton & Hove Local Plan.

**BH2013/01004**

**45 Dyke Road Brighton**

Removal of garage door from front elevation, insertion of new sash window and blockwork with associated external alterations.

**Applicant:** Mr Richard Horsler  
**Officer:** Chris Swain 292178

**Approved on 23/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing and proposed plans and elevations, site location plan and block plan	2012-103/02A		28/03/13
Proposed elevation and section	2012-103/04A		28/03/13

**3) UNI**

The external surfaces of the development hereby permitted shall be finished in smooth render and painted to match the finish of the existing side elevation of the building.

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

**4) UNI**

Notwithstanding the details on the proposed plans, the hereby approved timber sash window at ground floor level shall have horn details to match the existing windows to the front elevation at first and second floor level. The window shall be timber, painted white and retained as such thereafter.

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

**BH2013/01042**

**91 Upper North Street Brighton**

Replacement of existing UPVC front bay windows with timber sash windows at ground and first floor level.

**Applicant:** Miss Michelle Jenkins

**Officer:** Pete Campbell 292359

**Approved on 29/05/13 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) 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.*

**4) UNI**

The development hereby permitted shall be carried out in accordance with the

approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location and block plan	CH 544/001		02/04/2013
Existing plans and elevations	CH 544/002		02/04/2013
Proposed plans and elevations	CH 544/003		02/04/2013
Proposed bay elevations and details	CH 544/004		02/04/2013

## **ST. PETER'S & NORTH LAINE**

### **BH2012/03691**

#### **110 Queens Road Brighton**

Conversion of existing basement level ancillary retail storage (A1) to form 1no one bedroom flat and 1no studio flat with associated alterations including the erection of a single storey rear extension.

**Applicant:** Mr Christos Demetriou

**Officer:** Wayne Nee 292132

#### **Refused on 29/05/13 DELEGATED**

##### **1) UNI**

Insufficient evidence has been provided to demonstrate that the proposed residential units would benefit from sufficient natural light and ventilation. The proposed residential units would also suffer from insufficient outlook. Furthermore, the applicant has failed to demonstrate that the existing plant and extraction equipment on neighbouring buildings would not have a significant effect upon future occupiers of the residential units in terms of noise and odour issues. This would be to the detriment of future occupiers' living standards, and is therefore contrary to the requirements of policies QD27 and SU2 of the Brighton & Hove Local Plan

##### **2) UNI2**

The proposed rear extension, by virtue of its bulk, wrap around design, and its projection to the far end of the courtyard, would form an inappropriate and incongruous addition which would be to the detriment of the appearance of the existing property. The proposal is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

### **BH2012/03808**

#### **St Bartholomews C of E Primary School Ann Street Brighton**

Erection of new pitched roof to school hall and installation of photovoltaic panels to flat roof adjoining Ann Street.

**Applicant:** St Bartholomews C of E Primary School

**Officer:** Louise Kent 292198

#### **Approved on 28/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Solar panel installation	2123.15/SP1		11/05/13
Guard rail details			21/05/13
Location & block plan	2123.15/3	Rev. B	17/12/2012
Existing roof plan	2123.15/4		28/11/12
Existing elevations	2123.15/5		28/11/12
Proposed roof plan	2123.15/6		28/11/12
Proposed elevations	21123.15/7		28/11/12

### **BH2012/03831**

#### **Site of Open Market Marshalls Row Brighton**

Application for approval of details reserved by condition 28 of application BH2010/3744.

**Applicant:** Hyde Group and The Brighton Open Market CIC

**Officer:** Maria Seale 292232

**Approved on 29/05/13 DELEGATED**

### **BH2012/03989**

#### **Brighton Railway Station Queens Road Brighton**

Application for approval of condition 14(i), 14(ii), 14(iii), 14(iv), 14(xi), 14(xv), 14(xvi) of BH2012/02454.

**Applicant:** Southern Railway Ltd

**Officer:** Liz Arnold 291709

**Approved on 21/05/13 DELEGATED**

### **BH2012/04027**

#### **Site J New England Quarter Brighton**

Application for approval of condition 22A (i), (ii), (iii) and (iv) of BH2010/03999 and as amended by BH2012/01627

**Applicant:** The Hyde Group

**Officer:** Maria Seale 292232

**Approved on 24/05/13 DELEGATED**

### **BH2013/00197**

#### **Richmond House Richmond Road Brighton**

Demolition of existing 2no storey building and construction of 1no three storey building and 1no five storey building providing 144 rooms of student accommodation, with associated ancillary space, 186 cycle spaces, removal of existing trees, landscaping and other associated works.

**Applicant:** Mr Andrew Lambor

**Officer:** Liz Arnold 291709

**Refused on 16/05/13 DELEGATED**

#### **1) UNI**

The proposed purpose built student accommodation is not supported by one of the City's two Universities or other existing educational establishments within Brighton & Hove. The proposal would have an unacceptable impact upon residential amenity in the surrounding area, especially with regards to increased noise and disturbance as a result of the applicant failing to submit a management plan specific to the site. In addition part of the proposed development would occupy a site which is identified as having potential for housing provision in the Council's Strategic Housing Land Availability Assessment, and would therefore compromise the Council's ability to meet its housing need and set an unwelcome precedent for the approval of student accommodation on other housing sites across the City in the future. For these reasons the proposed development is

contrary to the National Planning Policy Framework, policy QD27 of the Brighton & Hove Local Plan and policies CP1 and CP21 of the Brighton & Hove City Plan Part One.

## **2) UNI2**

The proposed development, by virtue of its design, finish materials, excessive bulk, scale and massing would be an over-development of the site, which would relate poorly to the terraced properties in D'Aubigny Road and Richmond Road, causing a harmful impact upon the visual amenities of the Richmond Road/D'Aubigny Road street scenes and the wider area including the Round Hill Conservation Area and would fail to emphasis and enhance the positive qualities of the neighbourhood. The mass, scale and bulk of the development is substantially larger than the existing office building and would appear out of scale and overly prominent in views out of the Round Hill Conservation Area. The height of Building 1 fails to reflect the change in ground level across the site and fails to have a direct relationship with D'Aubigny Road/Richmond Road, a characteristic of the Conservation Area. In addition the actual/visual loss of the existing embankment would result in the erosion of the distinct barrier between the Conservation Area and the less cohesive streetscape located to the north of the site, which would have a harmful impact upon the distinctive layout and predominance of green space of the area seen in longer views. The proposal is therefore contrary to development plan policies QD1, QD2, QD3, QD4 and HE6 of the Brighton & Hove Local Plan.

## **3) UNI3**

The applicant has failed to demonstrate that the existing B1 office use is no longer viable and genuinely redundant by failing to market the ground floor/entire building on competitive terms for a period of at least twelve months. In the absence of such evidence, the proposal would involve the unacceptable loss of employment generating floorspace. As such the proposal is contrary to policies EM3 and EM5 of the Brighton & Hove Local Plan and policy CP3 of the Brighton & Hove City Plan Part One.

## **4) UNI4**

The applicant has failed to demonstrate that the proposed development would not have a significant impact upon the amenities of the new development located to the north of the site, between Hollingdean Road and Sainsbury's Service Road, with regards to received levels of daylight/sunlight and over-shadowing. The proposed massing, scale and bulk of Building 1 is considered to result in an unneighbourly form of development which is considered likely to have an adverse effect on the amenities of the neighbouring northern development by way of loss of daylight/sunlight, especially in respect of the single aspect flats. The proposal is also considered to give rise to adverse actual and perceived loss of privacy and overlooking to windows, balconies and terraced area on the southern elevation of this neighbouring property. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan and CP21 of the Brighton & Hove City Plan Part One.

## **5) UNI5**

Insufficient information has been provided with regards to the use of secondary entrance of Building 1 onto Richmond Road and the use of the Courtyard area and as such the applicant has failed to demonstrate that the proposed development would not have a significant adverse upon the amenities of occupiers of the neighbouring properties and future occupiers of the development, with regards to noise and disturbance. As such the proposal is contrary to policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan and policy CP21 of the Brighton & Hove City Plan Part One.

## **6) UNI6**

The south facing accommodation within Building 1, at first floor level, would be

provided with poor levels of daylight/sunlight and oppressive outlook resulting in a sense of enclosure. As such the proposal would provide a poor standard of accommodation harmful to the amenity of future occupiers. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

**7) UNI7**

The proposed development would not provide a level of sustainability which would adequately address the requirements of policy SU2 of the Brighton & Hove Local Plan and the guidance set out in SPD08 'Sustainable Building Design'. Furthermore sufficient justification has not been provided to demonstrate that the level of sustainability recommended in SPD08 could not reasonably be met. The proposal is therefore contrary to policy SU2 of the Brighton & Hove Local Plan and SPD08 on 'Sustainable Building Design'.

**8) UNI8**

The applicant has failed to demonstrate that adequate refuse and recycling provision would be provided. The proposed refuse store is not large enough for a development of the size proposed based on a weekly collection by the Council. No details of private refuse and recycling collections have been submitted as part of the application. Failure to provide adequate refuse and recycling facilities would have a harmful impact upon the amenities of future occupiers of the development and neighbouring properties. As such the proposal is contrary to policies SU9 and QD27 of the Brighton & Hove Local Plan and PAN 05 on Design Guidance for the Storage and Collection of Recyclable Materials and Waste.

**BH2013/00399**

**14 Dyke Road Brighton**

Conversion of existing D1 use into C305 2no bedroom flat with internal alterations (Retrospective).

**Applicant:** Ms Kerry Howard

**Officer:** Liz Arnold 291709

**Refused on 23/05/13 DELEGATED**

**1) UNI**

The new residential accommodation relies on limited levels of natural daylight sunlight and poor outlook, leading to a sense of enclosure. This in conjunction with the lack of external amenity space results in a conversion which provides a poor standard of accommodation harmful to the amenity of current and future occupiers. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

**2) UNI2**

A noise assessment has not been carried out, as required to demonstrate the likely impact of traffic noise upon the current and future occupiers of the new residential unit. In the absence of such a report it has not been demonstrated that the current and future occupiers would enjoy an acceptable standard of accommodation. The proposed development is therefore contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan.

**BH2013/00400**

**14 Dyke Road Brighton**

Conversion of existing D1 use into 2no bedroom flat with internal alterations incorporating alterations to layout and changes to external and internal doors (Retrospective).

**Applicant:** Ms Kerry Howard

**Officer:** Liz Arnold 291709

**Refused on 23/05/13 DELEGATED**

### 1) UNI

The installation of modern flush doors and architraves has had an adverse impact upon the architectural and historic character and appearance of the Listed Building, contrary to policy HE1 of the Brighton & Hove Local Plan, the Council's Supplementary Planning Guidance Notes, SPGBH11: Listed Building Interiors and SPGBH13: Listed Buildings - General Advice.

### **BH2013/00792**

#### **35 West Hill Road Brighton**

Demolition of existing rear lean to and erection of single storey rear extension.

**Applicant:** Mr Angus Mark

**Officer:** Pete Campbell 292359

**Approved on 20/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Block Plan	WH 005		25/03/2013
Existing and proposed plans	WH 001		25/03/2013
Existing elevations	WH 002		11/03/2013
Proposed elevations	WH 003A		13/05/2013

### **BH2013/00851**

#### **3 - 7 Preston Circus Brighton**

Display of 2no internally illuminated fascia signs, 2no internally illuminated projecting signs, 1no internally illuminated square, 1no acrylic ATM collar, 1no ATM aluminium surround, 1no externally applied letter box vinyl, 1no externally applied vinyl name plate and 1no internally applied vinyl overlay.

**Applicant:** Lloyds Banking Group

**Officer:** Sonia Gillam 292265

**Approved on 21/05/13 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.*

**BH2013/00861**

**37 & 38 Providence Place Brighton**

Erection of 4no. three storey 1 bed flats and 2no. three storey 2 bed maisonettes.(Retrospective).

**Applicant:** Bourne Property Developments Ltd

**Officer:** Sue Dubberley 293817

**Refused on 31/05/13 DELEGATED**

**1) UNI**

The applicant has failed to provide sufficient justification to demonstrate the development can only achieve Code for Sustainable Homes Level 2 rather than Code Level 3. The proposal would therefore be contrary to policy SU2 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08: Sustainable Building Design

**BH2013/00907**

**27 Queens Road Brighton**

Change of use from offices (B1) to 2no 1 bedroom flats (C305) to the lower ground floor level.

**Applicant:** Park Avenue Estates Ltd

**Officer:** Anthony Foster 294495

**Refused on 03/06/13 DELEGATED**

**1) UNI**

The proposed residential units by virtue of being substantially enclosed, would receive inadequate natural light and have a poor outlook and therefore fails to demonstrate that the location directly adjacent to a highly traffic road would not have a significant effect upon future occupiers of the residential units in terms of noise and air quality. This would be to the detriment of future occupiers' living standards, and is therefore contrary to the requirements of policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan

**2) UNI2**

The applicant has failed to demonstrate that the lawful B1(a) office use is genuinely no longer viable. In the absence of such required evidence, the proposal would involve the unacceptable loss of employment generating floorspace and as such is contrary to policy EM6 of the Brighton & Hove Local Plan.

**BH2013/00914**

**31-33 Bath Street Brighton**

Application for approval of details reserved by condition 26 of application BH2013/00069.

**Applicant:** Mr Ed Deedman

**Officer:** Wayne Nee 292132

**Approved on 17/05/13 DELEGATED**

**BH2013/00939**

**Pizza Express 16 Jubilee Street Brighton**

Display of internally illuminated fascia sign.

**Applicant:** Pizza Express

**Officer:** Pete Campbell 292359

**Approved on 20/05/13 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.*

**BH2013/00944**

**45 Stanley Road Brighton**

Erection of single storey rear extension.

**Applicant:** Mr Marc Vickers

**Officer:** Liz Arnold 291709

**Approved on 28/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing Plans	0253.EXG.001		25/03/13
Existing Sections and Rear Elevation	0253.EXG.002		25/03/13
Proposed Location and Block Plans, Floor Plans and Elevations	0253.PL.001Rev. A		17/05/13

**BH2013/00982****96 Church Street Brighton**

Conversion of basement garage and storage to office space and storage including removal of existing car entrance and ramp to facilitate new pedestrian door and associated alterations.

**Applicant:** Mr A MacFadyen

**Officer:** Andrew Huntley 292321

**Approved on 30/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan, Block Plan and Existing and Proposed Plans and Elevations	96ChSt/02		27/03/2013

**BH2013/00996****6 Shaftesbury Road Brighton**

Erection of single storey rear infill extension.

**Applicant:** Mrs Sarah Moore

**Officer:** Andrew Huntley 292321

**Approved on 21/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan	M136 - 001		26/03/2013
Proposed Ground Floor Plan	M136 - 100A		26/03/2013
Proposed Elevations and Sections	M136 - 101A		26/03/2013
Survey	M136 - 002A		26/03/2013
Existing Elevations and Block Plan	M136 - 003		26/03/2013

**BH2013/01011****15 Queen Square Brighton**

Installation of air conditioning units at ground floor and roof level.

**Applicant:** Domestic & General Group

**Officer:** Sue Dubberley 293817

**Approved on 28/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	PLAN/DAGG/B/01		28/03/2013
Block plan	PLAN/DAGG/B/02		10/04/2013
Existing floor plan and elevations	2600-R-101A		28/03/2013
Proposed floor plan and elevations	2600-R-100A		28/03/2013
Existing floor plan and elevations	2600-G-101A		28/03/2013
Proposed floor plan and elevations	2600-G-100A		28/03/2013

**BH2013/01050****41A & 41B Bond Street Brighton**

Non Material Amendment to BH2012/00577 for revised staircase from ground to first floor, ground floor rear wall of stairwell moved back to suit. Minor alterations to room layouts, refuse storage removed, operator to use commercial wheelie bins in rear by yard.

**Applicant:** Mr George Georgio

**Officer:** Anthony Foster 294495

**Approved on 29/05/13 DELEGATED**

**BH2013/01056****2 Foundry Street Brighton**

Removal of pitched roof to existing single storey rear extension and creation of enlarged single storey extension with flat roof acting as a bicycle store incorporating timber railing and frosted glazing and installation of new access door to store from rear ground floor landing.

**Applicant:** Ms Julia Wilde

**Officer:** Pete Campbell 292359

**Refused on 03/06/13 DELEGATED**

**1) UNI**

It cannot be definitively secured that the use of the platform to be created above the extension will not be used as an outdoor amenity space. The proposal therefore has the potential to cause noise disturbance and facilitate overlooking of the adjoining neighbouring property to the south at no.1 Foundry Street, resulting in a loss of privacy and harm to the amenity of the neighbouring occupants. The application is therefore contrary to policy QD27 of the Brighton &

Hove Local Plan 2005.

**2) UNI2**

The proposal by virtue of its uncomplimentary form and design, introducing a raised platform with associated railings and obscure glazed privacy screen fails to respect the traditional design of the host building and consequently would be detrimental to the appearance and character of the building and the wider conservation area. The application is considered contrary to policy QD14 and HE6 of the Brighton & Hove Local Plan 2005.

**BH2013/01072**

**Land Rear of 64 - 65 Upper Gloucester Road Brighton**

Application for Approval of Details Reserved by Conditions 5, 11 and 18ii of application BH2011/03643.

**Applicant:** Mr Kieran Treacy

**Officer:** Sue Dubberley 293817

**Approved on 29/05/13 DELEGATED**

**BH2013/01089**

**7 Fenchurch Walk Brighton**

Erection of single storey framed smoking shelter.

**Applicant:** Sarah Danhard

**Officer:** Chris Swain 292178

**Refused on 28/05/13 DELEGATED**

**1) UNI**

The proposed structure by reason of its height, design and scale would result in an overly dominant addition that relates poorly to the existing building. The unsympathetic design would be out of character with the coherent form of the building and would have a significantly detrimental impact upon the appearance and character of the building and the wider area, contrary to policy QD14 of the Brighton & Hove Local Plan.

**WITHDEAN**

**BH2013/00565**

**26A Loder Road Brighton**

Loft conversion with 1no rooflight to rear and 1no rooflight to front.

**Applicant:** Mr Iain Carter & Gemma Bradbury-Carter

**Officer:** Helen Hobbs 293335

**Approved on 23/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing plans, sections and elevations	925 01		21/02/13
Proposed plans, sections and elevations	925 02C		29/04/13

Site and block plans			21/02/13
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**BH2013/00661**

**9 Withdean Crescent Brighton**

Erection of single storey rear extension. (Part retrospective).

**Applicant:** Mr Mark Allen

**Officer:** Guy Everest 293334

**Approved on 20/05/13 DELEGATED**

**1) UNI**

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 policy QD14 of the Brighton & Hove Local Plan.*

**2) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
1:1250 Site Location Plan			04/03/2013
1:500 Block Plan			25/03/2013
As Existing & Proposed Ground Floor Plan	210102		25/03/2013
Existing & Proposed Elevations	0101		04/03/2013

**BH2013/00687**

**76 Reigate Road Brighton**

Erection of single storey extension to existing garage.

**Applicant:** Mr Dominic Smith

**Officer:** Mark Thomas 292336

**Refused on 16/05/13 DELEGATED**

**1) UNI**

The enlarged garage by virtue of its height, bulk, positioning and proximity to the shared boundary would have an unneighbourly form of development which would have an overbearing impact on the occupiers of no. 97 Compton Road, resulting in an increased sense of enclosure which is further exacerbated by the differing site levels. As such, the proposed development would be contrary to policy QD27 of the Brighton & Hove Local Plan.

**2) UNI2**

The proposed enlarged garage, by virtue of its scale would represent a bulky and overly extended addition which in combination with the existing structures would result in overdevelopment of the rear garden area, thereby causing harm to the character and appearance of the recipient property contrary to policy QD14 of the Brighton & Hove Local Plan.

**BH2013/00845**

**Flat 1 25 Harrington Road Brighton**

Demolition of existing dining room and erection of new rear extension.

**Applicant:** Ms Hicks

**Officer:** Robert McNicol 292322

**Approved on 24/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			18/03/13
Block plan			18/03/13
Existing and proposed plans and elevations	2742/001B		15/05/13

**BH2013/00886**

**72 Bramble Rise Brighton**

Erection of detached log cabin in rear garden. (Retrospective)

**Applicant:** Mrs Aude Masera

**Officer:** Mark Thomas 292336

**Approved on 29/05/13 DELEGATED**

**BH2013/00918**

**4 Clermont Terrace Brighton**

Erection of single storey rear extension and alterations to existing rear ground floor extension.

**Applicant:** Mr & Mrs Tzabar

**Officer:** Andrew Huntley 292321

**Approved on 28/05/13 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 two conservation 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.*

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Location and Block Plan	001		22/03/2013
Existing Floor Plans	100A		22/03/2013
Existing Floor Plan - Ground Floor	101A		22/03/2013



Existing Floor Plan - Roof Plan	102		22/03/2013
Existing Sectional Elevations	120A		22/03/2013
Existing North Elevation	121A		05/04/2013
Existing West Elevation	122A		05/04/2013
Proposed Floor Plans	200		22/03/2013
Proposed Ground Floor Plan	201		22/03/2013
Proposed Roof Plan	202		22/03/2013
Proposed Sectional Elevations	220		22/03/2013
Proposed Sectional North Elevation	221A		05/04/2013
Proposed West Elevation	222 A		05/04/2013
Proposed North Elevation	223A		05/04/2013

**BH2013/00943**

**66 Loder Road Brighton**

Erection of single storey rear extension.

**Applicant:** Miss Christine Berry

**Officer:** Helen Hobbs 293335

**Refused on 20/05/13 DELEGATED**

**1) UNI**

The proposed extension by reason of its siting, bulk, height and excessive depth would represent an unneighbourly form of development which would have an overbearing impact and would result in loss of outlook leading to an increased sense of enclosure and in the absence of evidence to the contrary would result in adverse loss of light to the east facing windows in the rear outrigger of number 64 Loder Road. As such the application is contrary with the requirements of policies QD14 and QD27 of the Brighton & Hove Local Plan.

**2) UNI2**

The proposed extension, by reason of its excessive depth and footprint wrapping around the original outrigger of the host building, combined with the excessive number and overly bulky rooflights, relates poorly and causes harm to the form and character of the recipient building resulting in an overextended appearance in conflict with the requirements of policy QD14 of the Brighton & Hove Local Plan.

**BH2013/00974**

**25 Redhill Drive Brighton**

Erection of part one part two storey rear extension.

**Applicant:** Mr & Mrs C. M Derrett

**Officer:** Mark Thomas 292336

**Approved on 03/06/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Existing plans and elevations			25/03/13
Proposed plans and elevations			25/03/13

**BH2013/00993**

**1 Glen Rise Close Brighton**

Demolition of existing garage and erection of part one part two storey side extension incorporating new front gable. Erection of two storey rear extension with associated external alterations including creation of a front entrance lobby.

**Applicant:** Mr & Mrs Eve

**Officer:** Steven Lewis 290480

**Refused on 04/06/13 DELEGATED**

**1) UNI**

The proposed two-storey side extension, by reason of its siting, scale, height and close proximity to the boundary would form an un-neighbourly and overbearing addition which would result in a harmful loss of outlook and material detriment to the residential amenities of the occupiers of 9 Glen Rise, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

**2) UNI2**

The two-storey side extension, by reason of its form, siting, scale and detailing, is considered inappropriately designed and would result in a dominant form that would not reflect the positive qualities of the character and appearance of the building to be extended. Furthermore, the additional front gable would form an incompatible detail to the property and wider street scene and harm the visual amenity of the area. The proposals are thereby contrary to policies QD1, QD2 and QD14 of the Brighton and Hove Local Plan

**BH2013/00999**

**1-18 Sceptre Tower Gate Brighton**

Replacement of existing timber windows and doors with UPVC windows and doors.

**Applicant:** Sceptre Brighton Leaseholders RTM Co Ltd.

**Officer:** Robert McNicol 292322

**Approved on 21/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location plan	T80PW/FP/01		27/03/13
Proposed window elevation	T80PW/FP/02 A		8/05/13
Proposed window elevation	T80PW/FP/03A		8/05/13
Proposed window elevation	T80PW/FP/04A		8/05/13
Proposed window elevation	T80PW/FP/05A		8/05/13

Report from: 16/05/2013 to:

Proposed window elevation	T80PW/FP/06A		8/05/13
Proposed window elevation	T80PW/FP/07A		8/05/13
Proposed window elevation	T80PW/FP/08A		8/05/13
Proposed window elevation	T80PW/FP/08A		8/05/13
Proposed window elevation	T80PW/FP/09A		8/05/13
Proposed window elevation	T80PW/FP/11A		8/05/13
Proposed window elevation	T80PW/FP/12A		8/05/13
Proposed window elevation	T80PW/FP/13A		8/05/13
Proposed window elevation	T80PW/FP/14A		8/05/13
Proposed window elevation	T80PW/FP/15A		8/05/13
Proposed window elevation	T80PW/FP/16A		8/05/13
Proposed door elevation	T80PW/FP/17A		8/05/13
Proposed door elevation	T80PW/FP/18A		8/05/13
Existing and proposed south elevation	T80PW/FP/19		27/03/13
Existing and proposed north elevation	T80PW/FP/20		27/03/13
Existing and proposed east elevation	T80PW/FP/21		27/03/13
Existing and proposed west elevation	T80PW/FP/22		27/03/13
Schedule of photographs			27/03/13
Window specification guide			27/03/13

**BH2013/01067**

**Upper Dene Court 4 Westdene Drive Brighton**

Non material amendment to BH2011/00992 to enlarge proposed lounge windows.

**Applicant:** Anstone Properties Ltd

**Officer:** Jason Hawkes 292153

**Approved on 16/05/13 DELEGATED**

**BH2013/01068**

**8 Bates Road Brighton**

Erection of single storey rear extension.

**Applicant:** Mr Paul Belcher

**Officer:** Mark Thomas 292336

**Approved on 29/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing plans and elevations	457/02		03/05/13
Proposed plans and elevations	457/01		03/05/13

**BH2013/01081**

**50 Valley Drive Brighton**

Erection of two storey rear extension and loft conversion incorporating roof extension and rooflights to rear and side elevations and associated alterations.

**Applicant:** Mr & Mrs N Knight

**Officer:** Helen Hobbs 293335

**Refused on 30/05/13 DELEGATED**

### 1) UNI

The proposed extension, by virtue of its overall size, level of projection, height and proximity to the boundary would represent an overbearing and un-neighbourly form of development that would result in material overshadowing and loss of light and outlook, particularly in relation to the side facing window at first floor level within the west elevation of No.48 Valley Drive. The proposed development is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

### **BH2013/01125**

#### **14 Tongdean Lane Brighton**

Erection of detached garage and alterations to front boundary wall.

**Applicant:** Mr Paul Gargan

**Officer:** Jason Hawkes 292153

**Approved on 03/06/13 DELEGATED**

### 1) UNI

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 listed below.

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

Plan Type	Reference	Version	Date Received
Existing & Proposed Floor, Block & Site Plans	(21) 100C		08/04/13
Existing & Proposed Elevations	(31) 100D		29/05/13
Proposed Section	(41) 000		08/04/13

### 3) UNI

No development shall take place until details of the construction of the green roof have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roof shall be constructed in accordance with the approved details and shall be retained as such thereafter.

*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.*

### 4) UNI

No development shall commence until full details of existing land levels in the vicinity of the site of the garage building hereby permitted and the proposed finished floor level of the garage and spot levels along the associated driveway and surrounding land have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the agreed levels details.

*Reason: To safeguard visual amenity and the amenities of the occupiers of nearby properties to comply with policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.*

**5) UNI**

No development shall commence until an Arboricultural Statement has been submitted which indicates how the trees to be retained on site shall be protected on site. The works shall be implemented in accordance with the agreed scheme set out in the Statement during the construction of the development and the trees retained thereafter.

*Reason: To protect the trees which are to be retained on 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.*

**6) UNI**

No development shall take place until a written Waste Minimisation Statement, in accordance with Supplementary Planning Document 03: Construction and Demolition Waste, 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 to landfill is reduced and to comply with policies WLP11 of the East Sussex and Brighton & Hove Waste Local Plan and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.*

**7) UNI**

Prior to the garage hereby permitted first being brought into use the applicant shall reinstate the redundant vehicle crossover fronting Tongdean Lane (serving the western vehicular access that would be blocked up under this scheme) back to footway level, by raising the existing kerb and footway. The works shall be completed prior to the first use of the garage hereby permitted and shall thereafter be so retained.

*Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.*

**EAST BRIGHTON**

**BH2013/00777**

**1 Kemp Town Place Brighton**

Replacement of existing external doors to utility room. Formation of front entry step, raising and replacement of main entrance door. Replacement of single glazing with slimlite glazed units.

**Applicant:** Mr W. Dusseldorp & Mr D. Morris

**Officer:** Liz Arnold 291709

**Approved on 22/05/13 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 1:20 scale details of the proposed new entrance step and a brick sample 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.*

**3) UNI**

Notwithstanding the information submitted, the proposed floor within the current door well should match exactly the appearance of the existing floor. 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 1:1 scale joinery profiles of the utility room doors 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.*

**BH2013/00802**

**Top Flat, 158 Eastern Road Brighton**

Replacement of existing single glazed softwood sliding sash with double glazed softwood sliding sash windows to front, double glazed white U.P.V.C to rear and double glazed white U.P.V.C to side return elevation.

**Applicant:** Mr Chimon Gil

**Officer:** Andrew Huntley 292321

**Approved on 21/05/13 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**

All new windows on the front elevation 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Elevations as Existing	01		14/03/13
Block and Location plan	03		14/03/13
Front Windows as Proposed	OD128-2_04		27/03/13
Rear Windows as Proposed	OD128-2_05A		14/05/13
Elevations as Proposed	OD128-2_02A		14/05/13

**BH2013/00854**

**Chichester House Chichester Terrace Brighton**

Internal alterations and refurbishment associated with conversion of first and second floor flats into single unit via insertion of spiral staircase.

**Applicant:** Mrs Gala Wright

**Officer:** Andrew Huntley 292321

**Approved on 21/05/13 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 parquet floor and sound insulation measures has 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.*

### **3) UNI**

No works shall take place until a structural engineers report for the insertion of the staircase showing all necessary works required for its insertion has 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.*

### **4) UNI**

No works shall take place until full details of the proposed new windows 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**

No works shall take place until full details of the proposed cornices, picture rails, skirting boards, architraves, doors, paneling and shutters including 1:20 scale sample elevations and 1:1 scale profiles of the above 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.*

## **BH2013/00855**

### **Chichester House Chichester Terrace Brighton**

Certificate of lawfulness for proposed conversion of first and second floor flats into single unit.

**Applicant:** Mrs Gala Wright

**Officer:** Andrew Huntley 292321

**Approved on 21/05/13 DELEGATED**

### **1) UNI**

The works necessary to facilitate the conversion affect only the interior and do not materially affect the external appearance of the building. The conversion of 2 no. flats into a single flat does not constitute a material change of use. The proposal does not constitute development as outlined by Section 55 of the Town and

Country Planning Act 1990 and as amended by Section 49 of the Planning and Compulsory Purchase Act 2004.

**BH2013/00901**

**45 Bennett Road Brighton**

Erection of two storey rear extension.

**Applicant:** Mrs Annabelle Nicoll

**Officer:** Wayne Nee 292132

**Refused on 29/05/13 DELEGATED**

**1) UNI**

The proposed first floor rear extension, by virtue of its form, bulk and design, in conjunction with the existing roof extension and proposed full width ground floor extension would form an inappropriate addition which would result in the overextended appearance of the property. The proposal would therefore be detrimental to the character and appearance of the existing building, and the visual amenities of the surrounding area, which is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan

**BH2013/00962**

**4 Bennett Road Brighton**

Formation of enlarged rear porch to replace existing incorporating external steps and timber decking (Part Retrospective).

**Applicant:** Mrs Helen Lyons

**Officer:** Wayne Nee 292132

**Refused on 21/05/13 DELEGATED**

**1) UNI**

The proposed replacement rear porch with steps and decking, due to its elevated height, bulk, massing and its design, would represent an un-neighbourly and overbearing addition for nearby residents by reason of an increased sense of overlooking, a loss of privacy and a loss of outlook, which is to the detriment of residential amenity. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

**BH2013/01114**

**St Marys Hall Eastern Road Brighton**

Display of commemorative plaque to boundary wall at entrance.

**Applicant:** St Marys Hall Association

**Officer:** Robin K Hodgetts 292366

**Approved on 04/06/13 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.*

**HANOVER & ELM GROVE**

**BH2012/04001**

**14 Richmond Terrace Brighton**

Internal alterations and installation of vents and pipework to rear elevation (part-retrospective).

**Applicant:** Rabbi Pesach Efune

**Officer:** Jonathan Puplett 292525

**Approved on 22/05/13 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.*

### **BH2013/00207**

#### **Ground and first floor maisonette 46 Gladstone Place Brighton**

Loft conversion incorporating the installation of 1no rooflight to the front roof slope and 1no rooflight to the rear roof slope. New rear side ground floor window and new front first floor timber sash window replacing and existing blind window.

**Applicant:** Mr M Mitchell

**Officer:** Pete Campbell 292359

**Approved on 29/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Existing and proposed plans	2012/03A		16/04/13

### 3) UNI

The front first floor window hereby approved shall be a painted softwood, vertical sliding timber sash, with joinery details and profiles to match the windows in place within the front bay projection, and shall be retained as such.

*Reason: To ensure the satisfactory appearance of the building and to comply with policy QD14 of the Brighton & Hove Local Plan 2005.*

### **BH2013/00230**

#### **14 Bentham Road Brighton**

Erection of single storey rear extension.

**Applicant:** Miss K Tinsley

**Officer:** Pete Campbell 292359

**Approved on 04/06/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			31/01/13
Existing and proposed plans	531 - 01		25/01/13

### **BH2013/00283**

#### **Former Covers Yard Melbourne Street Brighton**

Application for variation of condition 7 of application BH2009/00655 Appeal Decision (Demolition of existing yard buildings and erection of 3 storey terrace along eastern boundary of site, and 4 and 7 storey apartment building along northern boundary of the site, providing a total of 39 residential units, cycle and car parking to rear) to allow revised external lighting layout and levels.

**Applicant:** Denne Construction

**Officer:** Jonathan Puplett 292525

**Approved after Section 106 signed on 23/05/13 DELEGATED**

#### **1) UNI**

Regulatory Conditions:

1. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
EXISTING SITE PLAN	3020.EXG.01		18/03/2009
EXISTING ELEVATIONS	3020.EXG.02	Rev A	14/04/2009
LOCATION PLAN	3020.EXG.03		18/03/2009
EXISTING PLANS	3020.EXG.04		14/04/2009
PROPOSED PLANS	3020.PL.001	Rev C	18/03/2013
PROPOSED SITE AND ROOF PLAN	3020.PL.002	Rev D	14/04/2009
PROPOSED PLANS	3020.PL.100	Rev F	18/03/2009
PROPOSED PLANS	3020.PL.101	Rev D	18/03/2009
PROPOSED PLANS	3020.PL.102	Rev D	18/03/2009
PROPOSED PLANS	3020.PL.103	Rev D	18/03/2009
PROPOSED PLANS	3020.PL.104	Rev D	18/03/2009
PROPOSED PLANS	3020.PL.105	Rev D	18/03/2009
PROPOSED PLANS	3020.PL.106	Rev D	18/03/2009
PROPOSED SECTIONS	3020.PL.200	Rev D	18/03/2009
PROPOSED SECTIONS	3020.PL.201	Rev B	18/03/2009
PROPOSED ELEVATIONS	3020.PL.300	Rev C	18/03/2009

PROPOSED ELEVATIONS	3020.PL.301	Rev C	18/03/2009
PROPOSED ELEVATIONS	3020.PL.303	Rev B	18/03/2009
PV PANELS PLAN AND ELEVATIONS	3020.PL.304		18/03/2009
PROPOSED STREET SCENE ELEVATIONS	3020.PL.350	Rev A	18/03/2009
PROPOSED STREET SCENE ELEVATIONS	3020.PL.351	Rev A	18/03/2009
PROPOSED VISUAL AND SECTION	3020.PL.400	Rev A	18/03/2009
PROPOSED VISUAL AND SECTION	3020.PL.401	Rev A	18/03/2009

PROPOSED STUDY	MATERIALS	3020.PL.402	Rev A	18/03/2009
FLAT LAYOUT		3020.PL.700	Rev B	18/03/2009
FLAT LAYOUT		3020.PL.701	Rev B	18/03/2013
LOCATION PLAN		11620/WD/S/01 C2		21/02/2013
LIGHTING LEVELS PLAN		1614/6320P2		
SOUTH AND WEST EVEVATIONS		16620/WD/F/14 C2C		01/05/2013
LIGHTING LAYOUT PLAN		1614/6321AB2		02/05/2013
NORTH AND EAST ELEVATIONS		16620/WD/F/13 C2D		15/05/2013
WALL BRACJET LIGHTING FITTING SPECIFICATION				21/02/2013
LIGHT FITTING SPECIFICATION		DW400		21/02/2013
BALCONY LIGHTING SPECIFICATION				21/02/2013
EXTERNAL LIGHTING SPECIFICATION				30/01/2013
THORN LEOPOLD LIGHT FITTING SPECIFICATION				21/02/2013
STRIP LIGHT SPECIFICATION RENO				21/02/2013

## 2) UNI

The refuse storage facilities shown on drawing no. 3020.PL.100F shall be 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) UNI

All planting, seeding or turfing comprised in the scheme of landscaping approved under application BH2011/01600 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.

*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.*

## 4) UNI

The cycle parking facilities shown on drawing no. 3020.PL.100F shall be implemented and made available for use. These 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

No external lighting other than that shown in the approved drawings (refs. 1614/6320 Rev. P2, 1614/6321 Rev. AB2 and 16620/WD/F/13 Rev. C2D) shall be installed without formal planning permission being sought from and granted by

Report from: 16/05/2013 to:

the Local Planning Authority prior to its installation.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.*

**6) UNI**

The remediation monitoring and maintenance scheme required by condition 12 of planning permission BH2009/00655 and the details subsequently approved under application BH2011/02192 shall be implemented as approved.

*Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.*

**7) UNI**

The vehicle parking area shown on drawing no. 3020.PL.100F 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.*

**BH2013/00332**

**23B Hartington Road Brighton**

Replacement of existing rear single glazed sash window with UPVC double glazed window, replacement of existing rear patio/kitchen door with UPVC double glazed glass and panel door and replacement of existing front door with black GRP door with obscured glass panels.

**Applicant:** Miss Petra Lazar

**Officer:** Sonia Gillam 292265

**Approved on 22/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site location plan			04/02/2013
Block plan			04/02/2013
Schedule of works			02/04/2013

**BH2013/00437**

**Gladstone Court Hartington Road Brighton**

Conversion of existing common room and guest rooms into 1no one bedroom and 1no four bedroom flats.

**Applicant:** Hardwick Hartley Partnership

**Officer:** Anthony Foster 294495

**Approved on 24/05/13 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 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 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site Plan			12/2/2013
Block Plan			12/2/2013
Existing Layout	612/04		12/2/2013
Proposed Conversion of Common Rooms to self-contained flats	612/03		12/2/2013

**BH2013/00892**

**187 Lewes Road Brighton**

Change of Use from car sale and garage to garage and storage use (B8). (Retrospective)

**Applicant:** Dignity Funerals

**Officer:** Sue Dubberley 293817

**Approved on 16/05/13 DELEGATED**

**1) UNI**

Within 3 months from the date of the approval of this development, details of secure cycle parking facilities for staff employed on the premises shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented within 3 months of the approval of details 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.*

**2) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Floor plans and site plan	D161/01		20/03/13

**BH2013/00929**

**Woodvale Crematorium Brighton**

Alterations and refurbishment works within crematorium including installation of

new power cabinet, external fans, chiller unit and outdoor units to the roof with safety guarding. Existing rooflights to have the sides rebuilt with external louvres and replacement of cast iron ogee gutter and downpipes.

**Applicant:** Mr Paul Holloway

**Officer:** Liz Arnold 291709

**Approved on 17/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location Plan	262/100	P1	22/03/13
Block Plan	262/101	P1	22/03/13
Existing and Proposed Floor Plans	262/102	P1	22/03/13
Existing Elevations and Section a-a	262/103	P1	22/03/13
Proposed Elevations and Section a-a	262/104	P1	22/03/13
Existing and Proposed Section b-b	262/105	P1	22/03/13
Existing Rainwater Goods Details	262/107	P2	10/05/13
Common OG Gutter 125mm	6COG5		12/05/13
3" Eared Rainwater Pipe HF6RWP3ED1			02/05/13

**BH2013/00930**

**Woodvale Crematorium Brighton**

Internal and external alterations including removal of existing 3no cremators and associated equipment and installation of 2no new cremators, associated equipment and flue gas treatment plant. Installation of new power cabinet and external fans, chiller unit and outdoor units to the roof with safety guarding. Existing rooflights to have the sides rebuilt with external louvres. Replacement of existing electronic panel convector heaters within north and south chapels, tower and crematorium with new column radiators and replacement of cast iron ogee gutter and downpipes. (Part-Retrospective)

**Applicant:** Mr Paul Holloway

**Officer:** Liz Arnold 291709

**Approved Secretary of State on 29/05/13 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.*

**HOLLINGDEAN & STANMER**

**BH2013/00008****Cockcroft Building University of Brighton Lewes Road Brighton**

Formation of new maintenance access staircase to upper roof level, installation of louvers to replace existing, new satellite dish, revised glass balustrading and fenestration and associated roof alterations.

**Applicant:** University of Brighton

**Officer:** Wayne Nee 292132

**Approved on 22/05/13 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**

No lighting protection system works shall be carried out until full details of these have been submitted to and been approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

*Reason: To ensure a satisfactory appearance to the development and to accord 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 listed below.

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

Plan Type	Reference	Version	Date Received
Proposed elevations	MOMC-A-EL-AL-0210		03/01/13
Eighth floor existing plan	MOMC-A-GA-0018		03/01/13
Existing ninth floor plan	MOMC-A-GA-09-0019		03/01/13
Existing north east elevation	MOMC-A-EL-AL-0031		03/01/13
Existing south east and north west elevation	MOMC-A-EL-AL-0032		03/01/13
Existing south west elevation	MOMC-A-EL-AL-0030		03/01/13
Proposed eighth floor and roof plans	MOMC-A-GA-0111		03/01/13
Proposed elevation extracts - Upper Floors	MOMC-A-EL-AL-0211		03/01/13
Section 1-1 of 7th-9th floor and roof	MOMC-A-SE-AL-0390		03/01/13
Site plan	MOMC-A-GA-0G-0002		03/01/13
Block plan	MOMC-A-GA-AL-0003		03/01/13

## **BH2013/00818**

### **55 Park Road Brighton**

Change of Use from dwelling house (C3) to either dwelling house (C3) or House in Multiple Occupation (C4).

**Applicant:** Mr Richard Baynes

**Officer:** Sue Dubberley 293817

**Refused on 16/05/13 DELEGATED**

#### **1) UNI**

The proposed change of use from dwellinghouse (Class C3) to a small house in multiple occupation (Class C4) would fail to support a mixed and balanced community and result in the area becoming further imbalanced by the level of similar such uses. The proposal is therefore contrary to policy CP21 of the Brighton & Hove City Plan Part One (submission document).

## **MOULSECOOMB & BEVENDEAN**

## **BH2012/03818**

### **Willow Surgery 50 Heath Hill Avenue Brighton**

Demolition of existing surgery and residential accommodation and erection of new surgery and student accommodation comprising of 19 rooms.

**Applicant:** WP Properties Ltd

**Officer:** Anthony Foster 294495

**Refused on 24/05/13 DELEGATED**

#### **1) UNI**

The proposal for purpose built student accommodation on a site which has an extant permission for housing, and which is identified for housing provision in the Council's Strategic Housing Land Availability Assessment, would compromise the Council's ability to meet its housing targets, and would set an unwelcome precedent for the approval of student accommodation on other housing sites across the city in the future. For this reason the proposed development is contrary to the policies of the NPPF and the Brighton & Hove Local Plan which identify the delivery of new housing as a priority, and contrary to policy CP21 of Proposed Submission City Plan (Part 1) which states that purpose built student accommodation will not be granted on housing sites.

#### **2) UNI2**

In the absence of a management plan the applicant has failed to demonstrate that the proposed development would not have a detrimental impact upon the amenity of the adjoining occupiers and as such is contrary to Local Plan Policy QD27 and policy CP21 of the Proposed Submission City Plan (Part 1).

#### **3) UNI3**

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, TR7, TR19, and QD28 of the Brighton & Hove Local Plan and Supplementary Planning Guidance 04 Parking Standards.

#### **4) UNI4**

The proposal fails to secure a temporary surgery within the local vicinity within the interim period of development. The Local Planning Authority would expect a legal agreement to secure such a facility. In the absence of such an agreement, the scheme is contrary to policies HO20 and HO21 of the Brighton & Hove Local Plan.

## **BH2013/00359**



## 140 Norwich Drive Brighton

Demolition of existing single storey side extension and erection of 2 storey side extension with pitched roof.

**Applicant:** Hornbeam Housing Co-operative Ltd

**Officer:** Chris Swain 292178

**Approved on 23/05/13 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 extension, enlargement or other alteration to the hereby permitted extension 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.*

### 4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site and block plan			14/05/13
Existing plans and elevations	1035/0		15/02/13
Proposed plans and elevations	1035/02B		14/05/13

## **BH2013/00750**

### 48 Widdicombe Way Brighton

Erection of single storey rear extension, loft conversion incorporating hip to gable roof extension, rear dormer and front rooflight and associated alterations.

**Applicant:** Mr Robert Dunphy

**Officer:** Andrew Huntley 292321

**Refused on 16/05/13 DELEGATED**

### 1) UNI

The proposed roof extensions, by virtue of its design, size, form and massing would result in visually intrusive and bulky additions to the property, which is unsympathetic to the design of the existing property and as a result would be of detriment to the visual amenities of the parent property and the wider area. The proposal is therefore contrary to policies contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and SPGBH1 Roof Alterations and Extensions.

**BH2013/00762**

**83 Ashurst Road Brighton**

Change of Use from dwelling house (C3) to either dwelling house (C3) or House in Multiple Occupation (C4).

**Applicant:** Mr Daniel Church

**Officer:** Andrew Huntley 292321

**Refused on 20/05/13 DELEGATED**

**1) UNI**

The proposed change of use from dwellinghouse (Class C3) to purposes falling within Class C3 (dwellinghouse) or Class C4 (small house in multiple occupation) would fail to support a mixed and balanced community and could result in the area becoming imbalanced by the level of similar such uses, to the detriment of local amenity. The proposal is therefore contrary to policy CP21 of the Brighton & Hove City Plan Part One (submission document and to policy QD27 of the Brighton & Hove Local Plan.

**BH2013/00806**

**110 The Highway Brighton**

Change of use from dwelling house (C3) to either dwelling house (C3) or House in Multiple Occupation (C4).

**Applicant:** Mr Peter Howard

**Officer:** Anthony Foster 294495

**Approved on 17/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			15/03/2013
Block plan			15/03/2013

Existing & Proposed Ground Floor Plan	110H/01		22/03/2013
Existing & Proposed First Floor Plan	110H/02		22/03/2013

### 5) 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 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.*

### **BH2013/01149**

#### **3 Norwich Drive Brighton**

Erection of single storey and two storey rear extension with associated alterations.

**Applicant:** Mr & Mrs B Heycke-Njie

**Officer:** Wayne Nee 292132

**Approved on 04/06/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing	512/027/00		10/04/2013
Proposed	512/027/01D		10/04/2013

### **QUEEN'S PARK**

### **BH2012/03697**

#### **Ground Floor Flat 40 Devonshire Place Brighton**

Application for Approval of Details Reserved by Condition 10i, 10ii, 10iii and 10iv of application BH2011/00382.

**Applicant:** Andrew Robb

**Officer:** Chris Swain 292178

**Split Decision on 23/05/13 DELEGATED**

**1) UNI**

The details pursuant to condition 10 i), 10 iii) and 10 iv) and subject to full compliance with the submitted details.

**1) UNI**

The details submitted pursuant to condition 10 ii) are NOT APPROVED for the following reason

The applicant has failed to submit full details, including 1:5 scale sample plans/elevations and 1:1 sectional profiles of the proposed new cornices. Accordingly, the local planning authority is unable to assess the impact of this element of the works on the Grade II listed building and Condition 10 ii) cannot be discharged at this time.

**BH2012/04023**

**First, Second and Third Floor Flats, 7 Dorset Gardens Brighton**

Replacement timber windows and new rooflight to front elevation. (Part Retrospective)

**Applicant:** Mr John Summers

**Officer:** Pete Campbell 292359

**Approved on 29/05/13 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) BH13.10A**

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 the satisfactory preservation of this listed building and to comply with policy HE1 of of the Brighton & Hove Local Plan*

**3) UNI**

3. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site & location plan	OE-124 02	02	19/12/2012
3rd floor plan, cross section & front elevation as existing	OE-124 01		19/12/2012
Sash window details	OE-124 04		18/01/2013
3rd floor plan, cross section & front elevation as proposed	OE-124 03A		19/03/2013
Design and access statement	OE124-B		19/03/2013

**BH2012/04024**

**First, Second and Third Floor Flats, 7 Dorset Gardens Brighton**

Replacement timber windows and new rooflight to front elevation. (Part Retrospective)

**Applicant:** Mr John Summers

**Officer:** Pete Campbell 292359

**Approved on 29/05/13 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) BH13.10A**

The rooflight 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 the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan*

**BH2012/04087**

**33 Mighell Street and 70a Carlton Hill Brighton**

Demolition of existing building and flint wall.

**Applicant:** Seinwood Investments Ltd

**Officer:** Sue Dubberley 293817

**Approved on 23/05/13 PLANNING COMMITTEE**

**1) UNI**

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

*Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.*

**2) UNI**

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.*

**BH2013/00325**

**25-28 St. James's Street Brighton**

Application for approval of details reserved by condition 7 of application BH2010/02012.

**Applicant:** Mr Gil Jackson

**Officer:** Jonathan Puplett 292525

**Approved on 21/05/13 DELEGATED**

**BH2013/00531**

**27 Richmond Place Brighton**

Change of use of ground floor and mezzanine from offices (B1) to clinic (D1).

**Applicant:** Dr Bartosz Wojciech Swiech

**Officer:** Jonathan Puplett 292525

**Approved on 28/05/13 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 premises hereby approved shall be used as a medical clinic (D1 Use Class) only, and for no other use which falls within the D1 Use Class.

*Reason: To protect neighbouring amenity, to comply with policies DQ27 and SU10 of the Brighton & Hove Local Plan, and to allow the Local Planning*

*Authority to consider the impacts of any alternative use which may be proposed in the future.*

**3) UNI**

The proposed use shall not operate at any time other than between the hours of 09.00 and 18.00 Monday to Saturday, and shall not operate at any time on Sundays and Bank/Public Holidays.

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
LOCATION PLAN			19/02/2013
EXISTING FLOOR PLANS	1038 01		19/02/2013
PROPOSED FLOOR PLANS	1038 02		19/02/2013
MARKETING REPORT			19/02/2013

**BH2013/00763**

**9-10 St James's Street Brighton**

Change of use from dental surgery (D1) to licensed betting office (A2) at ground floor level.

**Applicant:** William Hill Organisation Ltd

**Officer:** Wayne Nee 292132

**Approved on 29/05/13 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 use hereby permitted shall not be open to customers except between the hours of 07.00 and 22.00 on Monday to Saturday and 08.00 and 21.30 on Sunday, Bank and 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**

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.*

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site plan			13/05/13
Existing and proposed	FINAL/E/NL/700/504		03/04/13
Existing and proposed section	FINAL/E/NL/700/505		03/04/13

**BH2013/00764**

**9-10 St James's Street Brighton**

Internal alterations to layout to facilitate change of use from dental surgery (D1) to licensed betting office (A2) at ground floor level.

**Applicant:** William Hill Organisation Ltd

**Officer:** Wayne Nee 292132

**Approved on 29/05/13 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**

Notwithstanding the submitted drawings, no works shall take place until details of the internal doors 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.*

**BH2013/00768**

**Cavendish House Dorset Place Brighton**

Installation of air handling equipment.

**Applicant:** University of Brighton

**Officer:** Pete Campbell 292359

**Approved on 16/05/13 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 plant hereby approved shall only be used at the premises between the hours of 08:00 and 21:00 on Mondays to Fridays and 08:00 and 16:00 on Saturdays and not at anytime on Sundays, Bank or Public Holidays.

*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.*

**3) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
External stair location plan	21800-50sk1		19/03/2013
Location plan	21800-50sk2		19/03/2013
Existing roof plan	21882-02 ROOF PLAN EXTG		14/05/2013
Proposed ventilation layout second floor plan	1101/M103B		19/03/2013
Acoustic Assessment Report	13238/001/pm		29/04/2013
Air handling unit technical specification			21/03/2013

#### 4) 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. In addition, there should be no significant low frequency tones present.

*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.*

#### **BH2013/00795**

##### **St James House High Street Brighton**

Replacement of timber doors and windows with UPVC doors and windows on roof. Installation of new insulated roof covering, infilling of roof parapet corner wall openings with rain screen panels and associated external maintenance works. (Part Retrospective)

**Applicant:** Mear Group PLC

**Officer:** Chris Swain 292178

**Approved on 23/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site location plan	13112/P/01		28/03/2013
Existing north and south elevations	13112/P/10A		28/03/2013
Existing west elevation	13112/P/11A		28/03/2013
Existing east elevation	13112/P/12A		28/03/2013
Existing section A-A	13112/P/13A		28/03/2013
Existing roof plan	13112/P/14A		28/03/2013
Proposed north and south elevations	13112/P/20A		28/03/2013
Proposed west elevation	13112/P/21A		28/03/2013
Proposed east elevation	13112/P/22 A		28/03/2013
Proposed section A-A	13112/P/23A		28/03/2013
Proposed roof plan	13112/P/24A		28/03/2013
Photograph showing repainted concrete façade. A			11/04/2013
Window specification details document			28/03/2013
Flat roofing system details document			28/03/2013

#### **BH2013/00822**

##### **14 New Steine Brighton**

Reinstatement of rear fire escape.



**Applicant:** Sapphire Property Management

**Officer:** Chris Swain 292178

**Approved on 17/05/13 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 fire escape shall be painted black and retained as such thereafter.

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

**3) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing elevations	120266/04		15/05/2013
Proposed plans, elevations and location plans.	120266/01B		22/03/2013

**4) UNI**

After the fire escape has been reinstated the external finishes of the rear elevation shall be made good to match exactly the existing rear elevation and 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.*

**BH2013/00832**

**Brighton College Eastern Road Brighton**

Non Material Amendment to BH2012/01992 to minor detailing changes to the elevations to enhance the building appearance and improve its build ability and efficiency, including energy performance and natural ventilation. Improvements to pedestrian footpaths and vehicular access into and around the building and increase in the amount of ecological planting to the west of building.

**Applicant:** Brighton College

**Officer:** Anthony Foster 294495

**Approved on 24/05/13 DELEGATED**

**ROTTINGDEAN COASTAL**

**BH2012/00580**

**40-40A Bristol Gardens Brighton**

Application for variation of condition 2 of application BH2010/03333 (Demolition of existing building and erection of 5no three storey, three bedroom houses and detached two storey office building with lower ground floor) to state the development hereby permitted shall be carried out in accordance with the approved drawings no. TA 632/01, 02, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16 and 17.

**Applicant:** Cross Construction

**Officer:** Anthony Foster 294495

**Approved on 29/05/13 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) BH05.02B**

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.*

**4) BH05.05A**

Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development shall commence 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 an BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development have been submitted to the Local Planning Authority; and b) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for all non-residential development 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.*

**5) BH05.06A**

Unless otherwise agreed in writing by the Local Planning Authority, none of the non-residential development hereby approved shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 50% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' 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.*

**6) 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.*

**7) BH12.06**

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 for this reason would wish to control any future development proposals to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.*

**8) UNI**

The development hereby approved shall be commenced in strict accordance with the submitted levels, sections and constructional details of the pavements treatments, surface water drainage, outfall disposal of the pavement adjacent to the site approved under application BH2011/03043. The approved details shall be retained as such thereafter.

*Reason: In the interest of highway safety and for the benefit and convenience of the public at larger and to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.*

**9) UNI**

The development hereby approved shall be commenced in strict accordance with the details of the proposed green walling, timetable for implementation and maintenance programme approved under application BH2011/03043. The approved details shall be retained as such thereafter.

*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.*

**10) UNI**

The development hereby approved shall be commenced in strict accordance with the details of the treatment to all boundaries to the site including details of any retained walling approved under application BH2011/03043. The approved details shall be retained 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.*

**11) UNI**

The development hereby approved shall be commenced in strict accordance with the details of the scheme to enhance the nature conservation interest of the site approved under application BH2011/03043. The approved details shall be retained as such thereafter.

*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.*

**12) UNI**

The development hereby approved shall be commenced in strict accordance with the details of the contaminated land report as approved under application BH2011/03043. The approved details shall be retained as such thereafter.

*Reason: To prevent pollution of controlled waters and to comply with policy SU3 of the Brighton & Hove Local Plan.*

**13) UNI**

The development hereby approved shall be commenced in strict accordance with the Arboricultural Method Statement for the protection of trees adjacent to the site as approved under application BH2011/03043.

*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.*

**14) UNI**

The development hereby approved shall be commenced in strict accordance with the scheme for the storage of refuse and recycling approved under application BH2011/03067 on 24 February 2012. 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.*

**15) UNI**

The development shall be carried out in accordance with joinery details, sectional profiles, samples of materials approved under application BH2011/03043. The approved details shall be retained as such thereafter.

*Reason: To ensure a satisfactory appearance to the development and conservation area and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan.*

**16) UNI**

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

*Reason: To prevent pollution of controlled waters and to comply with policy SU3 of the Brighton & Hove Local Plan.*

**17) UNI**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

*Reason: To prevent pollution of controlled waters and to comply with policy SU3 of the Brighton & Hove Local Plan.*

**18) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, no demolition of the building shall take place during the bird nesting season (1 March - 31 July inclusive).

*Reason: To ensure that nesting birds are not disturbed and to comply with policy QD18 of the Brighton & Hove Local Plan.*

**19) UNI**

Access to the flat roof over the ground floor rear projection on the most easterly residential unit 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.

## 20) UNI

The windows servicing the bathrooms 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.

## 21) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Location & Block Plans	TA631/01		23/02/12
Existing Site Survey	TA631/02		23/02/12
Existing contextual elevations	TA631/03		23/02/12
Existing contextual elevation	TA631/04		23/02/12
Proposed site plan	TA631/05		23/02/12
Proposed Ground Floor Plan	TA631/06		23/02/12
Proposed First Floor Plan	TA631/07		23/02/12
Proposed Second Floor Plan	TA631/08		23/02/12
Proposed Office Plans	TA631/09		23/02/12
Elevation to Bristol Gardens	TA631/10	F	23/02/12
Elevation to Bristol Place	TA631/11	G	23/02/12
Rear Elevation to new houses	TA631/12		23/02/12
Proposed North office elevation	TA631/14		23/02/12
Proposed Cross Section	TA631/13		23/02/12
Proposed Office Elevation	TA631/15		23/02/12

## **BH2012/04048**

### **Land at Brighton Marina comprising Outer Harbour West Quay and adjoining land**

Application for variation of condition 70 of application BH2006/01124 as amended by BH2012/00042 (Major mixed use development comprising new engineered basement structure to create platform on Spending Beach and West Quay, 853 residential units in 11 buildings ranging from 6-40 storeys, Class A, D1, D2 and B1 uses, Lifeboat Station, 496 parking spaces, alterations to pontoons and moorings, new bridges, informal and formal recreation space and alterations to access arrangements) to allow revisions to basement structures over Spending Beach and West Quay with associated landscaping and engineering works to accommodate revised car parking layout. Total number of car parking spaces and main access point to remain unchanged.

**Applicant:** Brunswick Developments Group plc

**Officer:** Maria Seale 292232

**Approved after Section 106 signed on 23/05/13 DELEGATED**

### 1) UNI

Landscape

353P/906/P3 1:100 Café Space

353/P/909 P4 1:100 West Entrance details

353P/910/P4 1:100 Eastern Promenade Detail (received 14/1/13)

353P/911/P4 1:100 Central Promenade and Green Space Detail (received 14/1/13)

353/P/160/P4 1:500 Landscape and Surface treatment Plan (and protective pile locations)

Report from: 16/05/2013 to:

## Misc. Details

353/P/800/P4 1:200 Marina Bridge Plan, Elevation & Cross Section

353/P/801/P4 1:200 Marina Bridge Detail Cross Section and Perspective Views (received 14/1/13)

353/P/802/P3 1:200 Black Rock Beach Bridge Plan & Elevation

353/P/803/P4 1:25 Black Rock Beach Bridge Detail Elevation, Cross Section and Perspective (received 14/1/13)

353/P/907/P3 1:100 RNLI Station Plans and Elevations

353/P/908 P5 1:200 RNLI – context plan and elevations (received 14/1/13)

353/P/238/P4 1:500 Building Storey Height Plan

353/P/156/P4 1:1000 Site Plan – Outer Harbour Pedestrian/Cyclist Circulation

353/P/157/P4 1:1250 East Breakwater access/ uses (received 14/1/13)

SL501 Ground Promenade/Circulation Plan (received 14/3/13)

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

### **2) UNI**

No development shall take place until a Phasing Plan for the whole development, including the basement car parks hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Phasing Plan unless any variation or amendment is agreed in writing with the Local Planning Authority.

*Reason: To ensure that key objectives in the Brighton & Hove Local Plan are delivered and to meet the demands of occupiers of the development and regeneration of the wider area, including the delivery of high quality landmark buildings and bridges, associated infrastructure and affordable housing, in accordance with policies QD1, QD2, QD3, QD4, QD6, HO2, HO3, HO4, TR1, TR8, TR13, TR15, HE3 and HE6 of the Brighton & Hove Local Plan.*

### **3) UNI**

Construction of the buildings above the level of basement car parking structures within each respective phase of the development

(as agreed by condition 2) shall not take place until details of the concept design of roads and footpaths forming part of the development have been submitted to and approved in writing by the Local Planning Authority. All roads and footways and ancillary works shall be constructed to a standard to the satisfaction of the Local Planning Authority which broadly accords with the principles within the Estate Roads. The development shall be carried out in accordance with the agreed layout and the approved Phasing Plan (as agreed by condition 2) unless any variation or amendment is agreed in writing with the Local Planning Authority.

*Reason: To ensure a satisfactory highway provision within the development, to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.*

### **4) UNI**

No development of each respective phase of the development (as agreed by condition 2) shall take place above the level of basement car parking structures until the number, location and size of the affordable housing units within the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with details agreed and the approved Phasing Plan unless any variation or amendment is agreed in writing with the Local Planning Authority.

*Reason: To ensure a satisfactory mix and location of affordable units to ensure sufficient housing opportunity and choice, and to ensure sufficient numbers of affordable units are proposed within each phase of development, in accordance with policies HO2 and HO3 of the Brighton & Hove Local Plan.*

### **5) UNI**

The vehicle parking areas hereby approved shall not be used otherwise than for the parking of private vehicles and motorcycles belonging to the occupants of and

visitors to the residential and commercial development hereby approved. The car parking area shall be clearly laid out and signed for residents, disabled users, visitors and the car club.

*Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.*

#### **6) UNI**

The RNLI building hereby approved shall not be first brought into use until the emergency RNLI parking area located within building F2 (as shown on drawing no. 4191 PL 103 Rev P1) has been implemented and is ready for use, unless it is agreed in writing with the Local Planning Authority that temporary parking has been provided elsewhere to the satisfaction of the RNLI.

*Reason: To ensure satisfactory parking provision to serve the RNLI to comply with policies TR1 and TR19 of the Brighton & Hove Local Plan.*

#### **7) UNI**

Each respective phase of the development (in accordance with the Phasing Plan agreed by condition 2) shall not be first occupied until the cycle parking facilities associated with that particular phase have been implemented and made available for use. The cycle parking facilities 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 the private car, in accordance with policies TR1 and TR14 of the Brighton & Hove Local Plan.*

#### **8) UNI**

Notwithstanding the cycle parking facilities for visitors indicated on the submitted plans, a scheme for monitoring the need for additional cycle parking for visitors within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each respective phase of the development (of the Phasing Plan agreed by condition 2). If required, the scheme shall include details of the number, location and design of any additional cycle parking facilities and shall be implemented to the satisfaction of the Local Planning Authority within an agreed timeframe.

*Reason: The scheme is considered to potentially have the capacity to accommodate a number of additional visitor cycle spaces, in the interests of encouraging sustainability through the use of non-car modes of travel, in accordance with policies TR1 and TR14 of the Brighton & Hove Local Plan.*

#### **9) UNI**

No respective building above the level of the basement car parking structures shall be first occupied until a loading/unloading scheme for the relevant building has been submitted to and approved in writing by the Local Planning Authority. This shall include details of proposed designated loading/unloading areas to serve the residential and non-residential elements of the relevant phase (of the Phasing Plan agreed by condition 2) and shall identify measures to ensure conflict with pedestrians is minimised, such as through the provision of hard landscaping or hatched areas with appropriate signage. The scheme shall be implemented in accordance with the agreed details before first occupation of the particular building(s) to which it relates to. Loading/unloading shall thereafter not occur outside the designated areas.

*Reason: To ensure there is satisfactory loading/unloading provision to serve the development and to prevent pedestrian/vehicular conflict, to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.*

#### **10) UNI**

No car parking (other than loading/unloading and dropping off/setting down) shall occur within the application site except within the designated parking spaces hereby approved as indicated on the submitted plans. The applicant shall submit details of a Parking Strategy which will ensure that parking restrictions are clearly

conveyed to residents and visitors, and the agreed Strategy and any measures therein, shall be implemented to the satisfaction of the Local Planning Authority. The Strategy should explore measures including the provision of yellow lines, signage and bollards and identify them on a plan. The agreed measures shall be implemented to an agreed timescale, in accordance with the Phasing Plan agreed by condition 2.

*Reason: To ensure parking does not occur haphazardly across the site and to ensure the sustainability of the scheme is not undermined, and in the interests of highway safety, to comply with policies TR1, TR4, TR7, TR8 and TR19 of the Brighton & Hove Local Plan.*

#### **11) UNI**

The underground residential car parks hereby permitted shall not be first brought into use until the associated actuated signalling system has been installed to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

*Reason: In the interests of highway safety, to comply with policy TR7 of the Brighton & Hove Local Plan.*

#### **12) UNI**

No buildings hereby approved shall be first occupied until details of a Waste Storage and Collection Strategy for the residential and retail/commercial units have been submitted to and approved in writing by the Local Planning Authority. The approved Strategy shall include details of the following: access arrangements, including ensuring measures are in place to ensure communal refuse is placed at agreed collection points that can be accessed by council vehicles; types and sizes of containers and frequency of collection. Measures identified within the agreed Strategy shall be implemented to the satisfaction of the Local Planning Authority before first occupation of the buildings within each respective phase of the development (of the Phasing Plan agreed by condition 2).

*Reason: To ensure that satisfactory measures for refuse and recycling storage and collection are in place that are compatible with the council's waste service, to comply with policy SU2 of the Brighton & Hove Local Plan.*

#### **13) UNI**

All the communal refuse areas serving residents shall provide recycling provision and separated storage for a minimum of two separated waste streams. Sufficient space should also be provided within the development to enable the incorporation of communal composting facilities for use by residents and others, such as landscape contractors.

*Reason: To ensure provision of satisfactory facilities for the storage of refuse and recycling to comply with policy SU2 of the Brighton & Hove Local Plan.*

#### **14) UNI**

Each respective building above the level of the basement car parking structures shall not be first occupied until the refuse and recycling storage facilities indicated on the approved plans serving each building (within the particular phase agreed as part of the Phasing Plan required by condition 2) have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

*Reason: To ensure provision of satisfactory facilities for the storage of refuse and recycling to comply with policy SU2 of the Brighton & Hove Local Plan.*

#### **15) UNI**

The premises for Use Class A (A1, A2, A3, A4 and A5) hereby permitted shall not be open or in use except between the hours of 07.00 and 23.30 hours Mondays to Fridays, and between 07.30 and 23.30 hours on Saturdays and between 08.00 hours and 23.00 hours on Sundays or Bank Holidays.

*Reason: To safeguard the amenities of the locality and the amenities of occupiers of nearby residential properties and to prevent crime, to comply with policy QD27*



of the Brighton & Hove Local Plan.

**16) UNI**

The yacht club/divers office premises shall not be open or in use except between the hours of 07.00 and 23.30 hours Mondays to Fridays, and between 07.30 and 23.30 hours on Saturdays and between 08.00 hours and 23.00 hours on Sundays or Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

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

**17) UNI**

The community uses in block J, Block F1, crèche in Block A (excluding outside play), visitor centre, educational premises and public viewing gallery in block K and 'public amenity Class D1' facility on the first floor in Block F1 as shown on drawing no. 353/P/559 Rev P3 and 353/P/201 Rev P4 shall not be open to the public except between the hours of 07.00 and 21.00 hours Mondays to Fridays, and between 07.30 and 21.00 hours on Saturdays and between 08.00 hours and 19.00 hours on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

*Reason: To safeguard the amenities of occupiers of adjacent residential properties, to comply with policy QD27 of the Brighton & Hove Local Plan.*

**18) UNI**

The outside children's play area directly associated with the crèche in Block A and multi-use court located between Blocks A and B as both indicated on drawing no. 353/P/201 Rev P4 shall be used only between the hours of 08.00 and 19.00 hours Monday to Saturdays and 09.00 and 18.00 hours on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To safeguard the amenities of occupiers of adjacent residential properties, to comply with policy QD27 of the Brighton & Hove Local Plan.*

**19) UNI**

Block A shall not be first occupied until details of the proposed multi-use court/play area located between blocks A and B, including details of surfacing, layout and boundary treatment, have been submitted to and approved in writing by the Local Planning Authority. The court shall be implemented in accordance with the agreed details and made available for use before first occupation of Block A unless otherwise agreed in writing by the Local Planning Authority. The facility shall thereafter be retained for such use at all times.

*Reason: To ensure the demand created by the development for outdoor recreation space is satisfactorily met, to comply with policy HO6 of the Brighton & Hove Local Plan.*

**20) UNI**

Blocks A, J and K shall not be first occupied until details of the boules pitch and bowling green located between Block F1 and Block A, including their proposed surfacing and layout, have been submitted to and approved in writing by the Local Planning Authority and the facilities implemented in accordance with the agreed details. The facilities shall thereafter be retained for such use at all times.

*Reason: To ensure the demand created by the development for outdoor recreation space is satisfactorily met, to comply with policy HO6 of the Brighton & Hove Local Plan.*

**21) UNI**

The residential properties within Block J shall not be first occupied until the community room and youth space located within the block have been completed and ready for occupation.

*Reason: To ensure the demand created by the development for community*

*spaces is satisfactorily met, to comply with policy HO21 of the Brighton & Hove Local Plan.*

**22) UNI**

The residential properties within Block F1 shall not be first occupied until the 'public amenity space Class D1' located within the block has been completed and ready for occupation.

*Reason: To ensure the demand created by the development for community/health facilities is satisfactorily met, to comply with policies HO21 and QD28 of the Brighton & Hove Local Plan.*

**23) UNI**

The residential properties within building F2 shall not be first occupied until the shell and core of the yacht club has been completed and transferred to the Yacht Club and the harbour offices have been completed and ready for occupation.

*Reason: To ensure these facilities are satisfactorily replaced within the development, to comply with policies HO21 and QD28 of the Brighton & Hove Local Plan.*

**24) UNI**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or amendments thereto, the Community Hall and Youth Space in Block J and educational facility and visitor gallery in Block K and crèche in Block A, and as shown on plan ref. no. 353/P/201 Rev P4 and 353/P/559 Rev P3, shall not respectively be used for any other uses within Use Class D1.

*Reason: The Local Planning Authority would wish to control future changes of use in the interests of safeguarding the amenities of occupiers of nearby residential properties and the amenities of the locality and to ensure the demand created by the development for community uses is met, to comply with policies QD27 and HO21 of the Brighton & Hove Local Plan.*

**25) UNI**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or amendments thereto, the yacht club as shown in Block F2 on plan ref. no. 4191 PL103 Rev P1 shall be a mixed D1/D2 used for yacht club/divers premises only and no other use within Use Class D1/D2.

*Reason: The Local Planning Authority would wish to control future changes of use in the interests of safeguarding the amenities of occupiers of nearby residential properties and the amenities of the locality and to ensure the demand created by the development for community uses is met, to comply with policies QD27 and HO21 of the Brighton & Hove Local Plan.*

**26) UNI**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or amendments thereto, the 'Class D1 public amenity space' in Block F1 as shown on plan ref. no. 353/P/581 Rev P3 shall be used as a D1 (a) use Medical or Health facility (excluding animal treatment) only and for no other use within Use Class D1.

*Reason: The Local Planning Authority would wish to control future changes of use in the interests of safeguarding the amenities of occupiers of nearby residential properties and the amenities of the locality and to ensure the demand created by the development for health facilities is met, to comply with policies QD27, HO21 and QD28 of the Brighton & Hove Local Plan.*

**27) UNI**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or amendments thereto, the harbour office premises shown on plan ref. no. 4191 PL103 Rev P1 shall be only used as a harbour administration/control/security office in connection with activities within the Marina, and shall not be occupied by an alternative office/light industrial use

within Use Class B1.

*Reason: Unrestricted hours of use have been allowed exceptionally for the use given its role within the marina and need for 24 hour use for security purposes, and the Local Planning Authority would wish to control future changes of use in the interests of safeguarding the amenities of occupiers of nearby residential properties and the amenities of the locality, to comply with policy QD27 of the Brighton & Hove Local Plan.*

**28) UNI**

The offices (Use Class B1) located on the first floor of building F2 shall not be open except between the hours of 07.00 and 23.00 hours Mondays to Fridays, and between 07.30 and 23.00 hours on Saturdays and between 08.00 hours and 22.30 hours on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

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

**29) UNI**

Loading or unloading of vehicles in connection with the non-residential uses hereby approved (excluding the RNLI use) shall only take place between the hours of 07.00 and 19.00 hours Monday to Fridays, 07.30 and 19.00 hours on Saturdays and not at anytime on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

**30) UNI**

Occupation of the Class A floorspace within the development hereby permitted for uses within use Class A4 shall not exceed a net internal floor area of more than 150 square metres per individual unit.

*Reason: To safeguard the amenities of occupiers of nearby residential properties and in the interests of crime prevention, to comply with policies SR12 and QD27 of the Brighton & Hove Local Plan.*

**31) UNI**

Occupation of the Class A floorspace within the development hereby permitted for uses within use Class A4 shall not in total comprise more than 50% of the shopping frontage or floor area of the total Class A floorspace hereby permitted. Buildings F1 and F2 are taken as one combined stretch of frontage.

*Reason: To safeguard the amenities of occupiers of nearby residential properties and to avoid concentrations of A4 uses in the interests of crime prevention, to comply with the aims of policies SR12 and QD27 of the Brighton & Hove Local Plan.*

**32) UNI**

Within any units used for purposes within Use Class A3 and exceeding 150 square metres in net internal floor area, alcohol shall only be sold or supplied to persons who are taking meals on the premises and who are seated at tables.

*Reason: To safeguard the amenities of the locality and the amenities of occupiers of nearby residential properties and in the interests of crime prevention, to comply with policies SR12 and QD27 of the Brighton & Hove Local Plan.*

**33) UNI**

The development hereby permitted shall incorporate measures to ensure the development meets 'Secured by Design' standards and includes crime prevention measures indicated in the letter dated 11th February 2013 from Sussex Police and measures to control the access to the car park from both vehicles and pedestrians. Evidence shall be submitted to demonstrate the development meets Secured by Design standards such as a Developers Award Certificate. The agreed measures shall be implemented within each respective phase of the

development (as agreed as part of the Phasing Plan by condition 2) before that phase is first brought into use/occupied. Details of any CCTV cameras that are not mounted on buildings shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interests of crime prevention and visual amenity, to comply with policies QD7 and QD1 of the Brighton & Hove Local Plan.*

#### **34) UNI**

A scheme indicating measures taken to insulate the units from the transmission of noise (such measures shall include the sound insulation of all units within the development, whether residential or non-residential, from noise transmitted between them) shall be submitted to and approved in writing by the Local Planning Authority before first occupation of any buildings constructed above the level of the basement car parking structures within each respective phase of the Phasing Plan agreed by condition 2. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority before first occupation of the respective buildings.

*Reason: To safeguard the amenity of occupiers of the development from noise arising within and/or from the scheme, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.*

#### **35) UNI**

No plant or machinery associated with the development (not including during construction) shall be first brought into use until a scheme to insulate the plant/machinery against the transmission of sound/or vibration has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority before any buildings within which the plant/machinery are proposed are first occupied. The mechanical plant associated with the development shall not give rise to an increase in noise levels above -5dB LAeq in respect of the background levels expressed as LA90 measured 1m from the facade of the nearest residential premises. Measurement periods and conditions are to be agreed with the Local Planning Authority.

*Reason: To safeguard the amenity of occupiers of the development from noise arising within or from the scheme, to comply with policy QD27 and SU10 of the Brighton & Hove Local Plan.*

#### **36) UNI**

A scheme for the fitting of odour control equipment to the non-residential buildings shall be submitted to and approved in writing by the Local Planning Authority where commercial kitchen facilities, or similar, are proposed. The agreed odour control works shall be implemented to the satisfaction of the Local Planning Authority before the premises it relates to is brought into use.

*Reason: To safeguard the amenity of occupiers of the development from odours arising within or from the scheme, to comply with policy QD27 and SU9 of the Brighton & Hove Local Plan.*

#### **37) UNI**

A scheme for the sound insulation of the odour control equipment referred to in the condition above (no.36) shall be submitted to and approved in writing by the Local Planning Authority before the premises it relates to are brought into use. The sound insulation works agreed shall be implemented to the satisfaction of the Local Planning Authority before the premises it relates to are brought into use.

*Reason: To safeguard the amenity of occupiers of the development from noise arising within or from the scheme, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.*

#### **38) UNI**

Details of any changes to the proposed gas CHP with regard to future fuel use

shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented.

*Reason: To ensure the continuing protection of the environment and human health, to comply with policies SU9 and QD27 of the Brighton & Hove Local Plan.*

#### **39) UNI**

Amplified music or other entertainment noise within any of the non-residential units shall have its volume controlled by the installation of a tamper-proof noise limiting device of a type to be agreed with the Local Planning Authority and its level shall be set at a volume to be agreed with the Local Planning Authority before it is first brought into use.

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

#### **40) UNI**

No development shall take place until details of the materials, construction methodology and maintenance of the basement parking structures hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. The agreed details and measures shall be implemented.

*Reason: To ensure that the development is of high quality and adequately maintained, in the interests of coastal management, safety, ecology and visual amenity, to comply with policies SU7, QD27, QD17 and QD1 of the Brighton & Hove Local Plan*

#### **41) UNI**

No respective phase of the development (in accordance with the agreed Phasing Plan required by condition 2) above the level of the basement car parking structures including the proposed bridges, shall commence until details of the proposed materials to be used within the exterior of all buildings and structures within that phase, have been submitted to and approved in writing by the Local Planning Authority. These details shall include large scale drawings and/or constructional details and samples if required, of the balustrading, roof parapet and eaves design, balcony design, surface cladding systems, windows, entrances, roof plant, wind screens, shop fronts and bridges. The development shall be carried out in accordance with these details.

*Reason: To ensure a very high quality development, to comply with policies QD1, QD4, HE3 and HE6 of the Brighton & Hove Local Plan.*

#### **42) UNI**

No respective phase of the development as agreed in the Phasing Plan required by condition 2 above the level of the basement car parking structures shall commence until details and samples of the proposed materials to be used for the hard landscaping, highways, street furniture and amenity and outdoor recreation areas of each respective phase of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The details will include the following:

- (i) paving and building materials, including details of colour and texture;
- (ii) boundary walls, gates, seating, fencing, refuse stores, steps, hand rails, raised planters, seating, pergolas and screens;
- (iii) street paving plans, to include size, direction and pattern of paving;
- (iv) siting and design of all external dishes, antennae, flues and utilities cabinets;
- (v) external lighting
- (vi) details showing how the materials are sustainable.
- (vii) Details of ventilation structures and car park intake grilles

*Reason: To ensure the Local Planning Authority has sufficient detail to ensure that the resulting appearance of the development is of a high quality and is*

*sustainable to comply with policies QD1, QD4, QD15, SU2, HE3 and HE6 of the Brighton & Hove Local Plan.*

**43) UNI**

No respective phase of the development (as agreed by condition 2) shall take place until details have been submitted to and agreed in writing by the Local Planning Authority relating to a Management Plan for the long term maintenance and replacement of materials within the development, including basement car parking areas, platform decks, hard landscaping and both bridges hereby approved. The maintenance of the development shall thereafter be implemented in accordance with the details of the Management Plan.

*Reason: To ensure the development retains the quality of its appearance in this exposed location, to comply with policies QD1, QD4, QD15, HE3 and HE6 of the Brighton & Hove Local Plan.*

**44) UNI**

No respective phase of the development (agreed by condition 2), including car parks, bridges, outdoor recreation areas, public landscaped areas and highway areas, shall not be first occupied or brought into use until details of the external lighting within the relevant phase of the development have been submitted to and agreed in writing by the Local Planning Authority. This shall include the proposed number, type, siting, spacing and levels of luminance and details of street lighting. The agreed details shall be implemented before first occupation/use.

*Reason: To mitigate against the potential for light pollution within the development to safeguard the amenities of the locality and residents, and for ecological reasons, to comply with policies QD1, QD27, QD17 and QD25 of the Brighton & Hove Local Plan.*

**45) UNI**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any amendments thereto, no satellite dishes or aerials other than those shown on the submitted plans shall be installed unless otherwise agreed in writing with the Local Planning Authority.

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

**46) UNI**

No buildings above the level of the basement car parking structures shall be first occupied until details of a Design Strategy for pedestrian, cycling and general informative signage throughout the site have been submitted to and approved in writing by the Local Planning Authority and have been implemented in accordance with each respective phase of the development (of the Phasing Plan agreed by condition 2). Any signage proposed within the site shall be in accordance with the broad principles contained in the agreed Strategy.

*Reason: To ensure that the resulting appearance of the development will be acceptable and to ensure a cohesive appearance to the development, to comply with policy QD1 of the Brighton & Hove Local Plan.*

**47) UNI**

Within 6 months of the commencement of each of buildings F1 and F2 above the level of the basement car park structures, a Design Strategy for shop frontages, including shop signage, shall be submitted to and approved in writing by the Local Planning Authority. The shopfronts and signage shall be implemented in accordance with the agreed details. Any shopfronts and signage proposed within the site shall be in accordance with the broad principles contained in the agreed Strategy.

*Reason: To ensure that the resulting appearance of the development will be of high quality and acceptable, and to ensure a cohesive appearance to the development, to comply with policies QD1 and QD10 of the Brighton & Hove*

*Local Plan.*

**48) UNI**

48. No development of the buildings above the level of the basement car parking structures shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for soft landscaping and planting in the development. All planting, seeding or turfing agreed as part of the approved landscaping scheme shall be carried out in the first planting and seeding seasons following occupation of the buildings in the particular phase (of the Phasing Plan agreed as a requirement of condition 2) that the landscaping is located within. Any plants or trees that die or become seriously damaged between planting and up to 5 years after completion of the development, shall be replaced with others of a similar size and species unless otherwise agreed in writing with the Local Planning Authority. The landscaping scheme shall include plants to enhance biodiversity.

*Reason: To enhance the appearance of the development, to comply with policies QD15, QD16 and QD17 of the Brighton & Hove Local Plan.*

**49) UNI**

The development shall incorporate the measures within the Nature Conservation Plan (titled Mitigation/Enhancement Scheme and Ecology Management Plan July 2008 by EPAL) received on 9th July 2008 and agreed on 15th July 2008, including measures to enhance the bio-diversity of the site and prevent damage to existing habitats during construction and include provision of shingle roofs (see condition 50 below), introduction of appropriate planting in the amenity areas with interpretation boards, installation of interpretation boards on the Black Rock bridge and the installation of 35 nesting boxes within the site and 1 peregrine nesting box. The agreed measures shall be implemented on a pro-rata basis where relevant, based on each respective phase of the development (as agreed by condition 2), and shall be maintained in perpetuity.

*Reason: To enhance and integrate nature conservation features within the site, in accordance with policy QD17 of the Brighton & Hove Local Plan.*

**50) UNI**

The development of the buildings above the level above the basement car parking structures shall not commence until construction and maintenance details have been submitted to and approved in writing by the Local Planning Authority of the proposed shingle roofs and vegetated planters proposed within the relevant phase of the development (as agreed by condition 2) as shown on drawing nos. 353/P2/238 Rev P4, 353/P/550 Rev P4, 353/P/561 Rev P3, 353/P/909 Rev P4, 4191 PL 103 Rev P1, 353/P/586 Rev P4, 353/P/160 Rev P4, 353/P/910 Rev P3, 353/P/911 Rev P3, 353/P/569 Rev P4, 353/P/585 Rev P4, 353/P/566 Rev P3 and 353/P/567 Rev P3. The aim of the shingle roofs shall be to recreate coastal vegetated shingle habitat and shall incorporate appropriate native vegetated shingle communities. At least 75% (by area) of the planters shall be planted with native vegetated shingle communities, and the species to be used and cultivation details for the roofs and planters shall be agreed prior to commencement of buildings in the relevant phase of the development. The agreed scheme shall be implemented to the satisfaction of the Local Planning Authority by the first planting season following first occupation of the building upon which they are located (shingle roofs) and completion of the phase within which they are located (planters).

*Reason: To enhance and integrate nature conservation features within the site, in accordance with policy QD17 of the Brighton & Hove Local Plan.*

**51) UNI**

The secure fencing around all vegetated areas within the Black Rock Beach SNCI as detailed in the DP9 letter and enclosures received on 9th July shall be

implemented during construction. No storage of plant or equipment shall be permitted at any time within any area within the SNCI during construction, and no other use shall take place within the SNCI area other than carrying out the construction of the Black Rock Bridge and the Black Rock enhancement works.  
*Reason: To ensure damage to the vegetated shingle is prevented, in accordance with policies NC4 and QD17 of the Brighton & Hove Local Plan.*

**52) UNI**

The Black Rock Bridge shall not be constructed during the period 1st March - 31st July.

*Reason: To avoid disturbing nesting birds in the SNCI to comply with policies NC4, QD17 and QD18 of the Brighton & Hove Local Plan.*

**53) UNI**

53. All the new dwellings hereby approved shall be constructed to Lifetime Homes standards as referred to in Policy HO13 of the Brighton & Hove Local Plan 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.*

**54) UNI**

A minimum of 50 of the residential units within the overall scheme shall be built to a wheelchair accessible standard. Included within the 50, 10% of the affordable housing units (equating to 35 units) shall be built to wheelchair accessible standard. Details, including plans, of how the units have been built to a wheelchair accessible standard on a pro-rata basis within each phase of the development agreed as part of the Phasing Plan (agreed by condition 2) shall be submitted to and approved in writing by the Local Planning Authority before 50% of the total units within a particular phase have been first occupied.

*Reason: To ensure satisfactory provision of homes for people with disabilities to comply with policy HO13 of the Brighton & Hove Local Plan which seeks a 5% provision of wheelchair accessible units in schemes overall, including a 10% provision within the affordable element.*

**55) UNI**

All the non-residential uses and car park lift lobbies hereby permitted shall incorporate measures to ensure they are fully accessible to the disabled, including the provision of flush entrance thresholds and sufficient clear space at the leading edge of lobby doors, details of which shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented before first occupation/use of the respective phase of the development (as agreed by condition 2).

*Reason: To satisfactory access for people with disabilities, to comply with policies HO19 and QD10 of the Brighton & Hove Local Plan.*

**56) UNI**

Prior to the first occupation of buildings A, B, C, and D (as shown on drawing no. 353/P/238 Rev P3) a scheme for the provision of screening landscaping and/or a trellis structure to be installed over (and/or adjacent to) the access road into the residents' car park over the Spending Beach that runs along the northern boundary of the site and details of the proposed planting area between the residents access road and the northern boundary of the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented to the satisfaction of the Local Planning Authority by the first planting season following completion of the last of the aforementioned buildings within the Phasing Plan agreed as a requirement of condition 2. Any plants or trees that die or become seriously damaged between planting and up to 5 years after completion of the development, shall be replaced with others of a similar



size and species unless otherwise agreed in writing with the Local Planning Authority.

*Reason: To improve the outlook and living conditions enjoyed by residential properties immediately adjacent to the access road, to comply with policies QD15 and QD27 of the Brighton & Hove Local Plan.*

**57) UNI**

No buildings above the level of the basement car parking structures shall be first occupied until details of the windbreak/screens referred to in Section 10 of the Environmental Statement and identified on the plans contained in this Section and a scheme for the monitoring of the impact of the screens, have been submitted to and approved in writing by the Local Planning Authority. The wind breaks shall be provided in accordance with the approved details prior to the first occupation of, or public access is first provided to, the relevant phase of the development (of the Phasing Plan agreed as a requirement of condition 2). Wind tunnel modelling of the mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. If wind speeds in the pedestrian areas are expected, by the wind tunnel modelling, to exceed 10 m/s, or 5 m/s in areas with café seating (based on mean-hourly wind speeds which are not exceeded by more than 5% of each season), modifications will be required. Details of further or modified mitigation measures will need to be agreed in writing by the Local Planning Authority, and to be tested in the same way by wind tunnel modelling.

*Reason: To ensure a satisfactory micro-climate for users of the development, to comply with policy QD27 of the Brighton & Hove Local Plan and SPGBH15: Tall Buildings.*

**58) UNI**

No development shall take place until the developer has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan.*

**59) UNI**

The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 58 to the satisfaction of the Local Planning Authority.

*Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with policy HE12 of the Brighton & Hove Local Plan.*

**60) UNI**

No development shall take place details of a scheme of steel submarine netting or other suitable material to be installed between the protective piles of the development and linked mesh or other suitable material shall be installed around the outer piles of the development shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme implemented by completion of the basement car park structures. The scheme shall identify temporary openings within the nets.

*Reason: In order to enhance the protection provided against vessels that could potentially collide with the proposed development, in the interests of safety, to comply with policy QD27 of the Brighton & Hove Local Plan.*

**61) UNI**

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water from parking areas and hard standings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor. Ongoing maintenance of the interceptor shall be provided in accordance with the manufacturer's instructions.

*Reason: To prevent pollution of the water environment and in accordance with the policy SU3 of the Brighton & Hove Local Plan.*

**62) UNI**

No development shall commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The approved details shall be implemented.

*Reason: To prevent pollution of the water environment and in accordance with the policy SU3 of the Brighton & Hove Local Plan.*

**63) UNI**

No development shall commence until a scheme of drainage controls and protective systems to prevent contamination (include saline pollution) and extensive vertical migration of groundwater has been submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved measures.

*Reason: To mitigate against the potential impact on groundwater in accordance with the policy SU3 of the Brighton & Hove Local Plan.*

**64) UNI**

No respective phase of the development (in accordance with the agreed Phasing Plan required by condition 2) above the level of the basement car parking structures, shall commence until a feasibility study which identifies the most appropriate form of renewable energy generation for the development has been submitted to and approved in writing by the Local Planning Authority. Photovoltaic panels shall be used to power the street and car park lighting as a minimum. Should renewable energy additional to the photovoltaic's prove to be feasible and reasonable in all other respects, it shall be implemented within the development in accordance with the agreed details.

*Reason: To ensure a sustainable development, to comply with policy SU2 of the Brighton & Hove Local Plan.*

**65) UNI**

The sustainability measures contained in chapter 13 of the Environmental Statement shall be implemented within the development. The development shall achieve a Code for Sustainable Homes Level 3 rating as a minimum, with a minimum overall percentage rating of 60% score for residential buildings; and the wheelchair accessible units within each respective phase of the scheme shall achieve a Code for Sustainable Homes Level 4 as a minimum (equating to approximately 10% of units). The non-residential units shall achieve a 'very good' BREEAM rating with a minimum 50% rating in energy and water sections of relevant BREEAM assessment. Insulation used for all units shall be 15% better than Part L of current Building Regulations.

(a) No respective phase of the development above the level of the basement car parking structures, shall commence until evidence of how these standards will be met and sustainability measures incorporated within the development 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

(b) No respective phase of the development above the level of the basement car parking structures, shall commence until evidence is submitted and approved in writing that: the residential units are registered with an accreditation body or

Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage/Interim Certificate for each unit submitted demonstrating that a minimum of Level 3 and an overall score of at least 60% has been achieved in all units; a Design Stage/Interim Certificate for each wheelchair accessible unit within each respective phase of the scheme shall achieve a Code for Sustainable Homes Level 4 as a minimum.

(c) No respective phase of the development above the level of the basement car parking structures, shall commence until evidence is submitted and approved in writing that: the non residential units and

#### **66) UNI**

No development shall take place above the level of the basement car parking structures until a Sustainable Energy Scheme which demonstrates that the development will achieve a minimum of 20% carbon reduction in annual energy use from low and zero carbon technologies within the development has been submitted to and agreed in writing by the Local Planning Authority. No building which would incorporate any of the measures set out in the Sustainable Energy Scheme shall be constructed until the Scheme has been approved in writing by the Local Planning Authority. The approved Scheme shall thereafter be implemented in accordance with its provisions, unless otherwise agreed in writing with 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.*

#### **67) UNI**

No development shall take place above the level of the basement car parking structures until:

(a) Evidence of energy efficient design resulting in energy and carbon emission savings delivering a minimum of 5% carbon reduction improvement over compliance with current Building Regulations will be achieved has been submitted to and approved in writing by the Local Planning Authority. The development shall incorporate the measures required to achieve the savings agreed.

(b) A management plan for monitoring energy performance shall be submitted to the Local Planning Authority for written approval following which evidence should be submitted once the development is operating within a timescale to be agreed with the Local Planning Authority to demonstrate that the agreed energy performance targets are being achieved. The assessment of initial targets, and subsequent details submitted if targets are not met, shall be carried out by a third party such as an independent consultant, employed at the applicant's expense. Should the development fall below the agreed targets, details of further measures that will be introduced to meet the target shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented.

*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.*

#### **68) UNI**

No development of the basement car park ventilation system shall take place until details of the appearance (including structures on the West Quay promenade), noise and odour controls of the system have been submitted to and agreed in writing by the Local Planning Authority. The agreed ventilation system shall be implemented before the basement car parks are first brought into use.

*Reason: In the interests of visual and general amenity, to comply with policies QD1, QD27, SU9, SU10 and SU11 of the Brighton & Hove Local Plan.*

**69) UNI**

No development of the CHP and plant hereby approved shall take place until details of associated noise, odour and emission control and have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the plant is first brought into use.

*Reason: In the interests of amenity, to comply with policies QD27, SU9, SU10 and SU11 of the Brighton & Hove Local Plan.*

**70) UNI**

Within 6 months of the commencement of the basement car parks hereby approved, technical details for the proposed energy centre and district heating network (DHN) which shall serve the site-wide development in phases, and should also include electrical vehicle charging points, shall be submitted to and approved in writing by the Local Planning Authority. Submitted information should include:

- a) Technical Specification of the energy centre and DHN: boilers and CHP plant specification; heat loads and energy demands; operating temperatures distribution losses; pipe sizes; pipe-work routes; heat storage; energy centre size and location with facility for expansion to serve later phases of OHD.
- b) Future proofing plans: phasing plans for extending plant and network to the Outer Harbour scheme; facility to incorporate renewable fuels in future; facility for future connection to a wider scheme; and
- c) Electrical charging points. The agreed energy centre, electrical points, connections and measures shall be implemented prior to the car park floors are finished and the car parks first brought into use.

*Reason: To enable the future use of alternative fuels, in the interests of air quality and sustainability, to comply with policy SU2 and SU9 of the Brighton & Hove Local Plan.*

**71) UNI**

The development shall be carried out in accordance with the approved drawings listed below received on 8th May 2013 unless otherwise stated.

Existing Site:

353/050/P1 1:3000@A3 Planning Application Site Plan (received 20/12/12)

353/P/100/P3 1:2500 Existing Site Plan (received 20/12/12)

Proposed Development:

353/P/400/P3 1:1500 South & East Context Elevations

PL001/A 1:2500 Site Plan (received 14/1/13)

353/P/240/P4 1:500 Plan of Principal Pile Locations

353/P/152/P4 1:1000 Site Plan/Circulation

Site Elevations/ Elevational Sections:

353/P/300/P3 1:500 West Elevation

353/P/303/P4 1:500 North Elevation

PL0120/P1 1:500 South Elevation

PL0121/P1 1:500 East Elevation

PL0122 1:500 North elevation (received 20/12/12)

PL0123/P1 1:500 Site Section Through Entrance Ramp

PL0124 1:500 Site Section Through Promenade Looking North

PL0125 1:500 Site Section Through Promenade Looking West

PL0126 1:500 Site Section Through Promenade Looking South

PL0127 1:500 Site Section Through Promenade Looking West

PL0128 1:500 Cross Section Through Promenade (East)

Floor Plans/Site Plans:

353/P/201/P4 1:500 Level 0 Plan (+10.0 to 13.0)

353/P/203/P4 1:500 Level 1 Plan (Levels 2-5 similar)  
 353/P/204/P4 1:500 Level 7 Floor Plan  
 PL100/P2 1:500 Level -1 Plan (+5.0m to +10.5m)  
 PL102/P1 1:500 Level -1, -2 and -3 Car Park Plans  
 Detailed Floor Plans  
 353/P/550/P4 1:200 West Tower (K, J&A) Ground Floor Plan  
 353/P/551/P4 1:200 West Tower (Block K,J&A) First Floor Plan  
 353/P/552/P3 1:200 West Buildings (Block K+J+A) Typical (2nd-4th)Floor Layout  
 353/P/553/P4 1:200 Western Buildings (Block K+J+A) 5th Floor Plan  
 353/P/554/P4 1:200 Western Buildings (Block K+J+A) 6th-7th Floor Plan (typical)  
 353/P/555/P3 1:200 West Buildings (Block K+J+A) 8th Floor Layout  
 353/P/556/P3 1:200 West Buildings (Block K+J+A) 9th Floor Layout  
 353/P/557/P3 1:200 West Buildings (Block K+J+A) 17th Floor Plan/Roof Plan  
 353/P/558/P3 1:200 West Tower (Block K) 25th-33rd Floor Layout  
 353/P/559/P3 1:200 West Tower (Block K) 34th-39th Floor Layout & Roof plan  
 353/P/561/P3 1:200 Podium Buildings (BlockH2+C) Ground Floor Layout  
 353/P/562/P3 1:200 Podium Buildings (BlockH2+C) 3rd Floor Layout  
 353/P/563/P3 1:200 Podium Buildings (BlockH2+C) 6th Floor Layout  
 353/P/564/P3 1:200 Podium Buildings (BlockH2+C) 7th Floor Layout  
 353/P/565/P3 1:200 Podium Buildings (BlockH2+C) 8th Floor Layout  
 353/P/566/P3 1:200 Podium Buildings (BlockH2+C) 9th and 10th Floor Layout  
 353/P/567/P3 1:200 Podium Buildings (BlockH2+C) 11th Floor Layout  
 353/P/568/P3 1:200 Podium Buildings (BlockH2+C) 12th Floor Layout  
 353/P/569/P4 1:200 Podium Buildings (BlockH2+C) Roof Layout  
 353/P/580/P3 1:200 West Quay Building (Block F1+F2) Minus 1 Floor Layout  
 353/P/581/P3 1:200 West Quay Building (Block F1+F2) Ground Floor Layout  
 353/P/582/P3 1:200 West Quay Building (Block F1+F2) 1st-4th Floor Layout  
 353/P/583/P3 1:200 West Quay Building (Block F1+F2) 5th Floor Layout  
 353/P/584/P3 1:200 West Quay Building (Block F1+F2) 6thFloor Layout  
 353/P/585/P4 1:200 West Quay Building (Block F1+F2) Level 7 Floor Layout  
 353/P/586/P4 1:200 West Quay Building (Block F1+F2) Level 8 Floor Layout and  
 Roof Plan  
 PL0103/P1 1:200 Floor Layout (Level Minus One)  
 Detailed Building Elevations and Sections  
 353/P/600/P4 1:200 Detailed West Elevation (Block A+J)  
 353/P/601/P4 1:200 Detailed East Elevation (Block K+J)  
 353/P/603/P4 1:200 Detailed Long Section West Tower (Block K+J)  
 353/P/605/P4 1:200 Detailed Podium Section Looking East (Block C+H)  
 353/P/606/P4 1:200 Detailed Section Podium Building (Block C)  
 353/P/607/P5 1:200 Detailed Section Promenade Tower and Podium Building  
 353/P/608/P4 1:200 Detailed Podium Section Looking West (Block C+H)  
 353/P/609/P3 1:200 Detailed Cross Section Promenade Towers and West Pier  
 (Blocks J+H2+H3)  
 353/P/651/P4 1:200 Detailed West & South Elevations West Tower (Block K)  
 353/P/652/P4 1:200 Detailed East & North Elevations West Tower (Block K)  
 353/P/658/P4 1:200 Detailed Elevations Podium Building (Block B)  
 353/P/653/P4 1:200 Detailed Elevations Podium Building (Block C)  
 353/P/659/P4 1:200 Detailed Elevations Podium Building (Block D)  
 353/P/654/P4 1:200 Detailed Elevations Promenade Tower (Block H2)  
 PL0130/P1 1:200 Detailed Section Through West Quay Promenade  
 PL0131 1:200 West Quay Building  
 PL0132 1:200 Detailed Long Section – Entrance Ramp  
 PL0133 1:200 Building Elevations – West Quay North (Block F1)  
 PL0134 1:200 Building Elevations – West Quay North (Block F2)

353/P/657/P4 1:200 Detailed Building Elevations Podium Building (Block A)  
Detailed Plans  
353/P/700/P3 1:50 Detailed Typical Plan West Tower (Block K)  
353/P/701/P3 1:50 Detailed Typical Plan (Block J)  
353/P/702/P3 1:50 Detailed Typical Plan Promenade Tower (Block H2)  
353/P/703/P3 1:50 Detailed Typical Plan Podium Building (Block C2)  
353/P/705/P3 1:50 Detailed Typical Plan West Quay Building (Block F)  
353/P/706/P3 1:50 Detailed Typical Plan Podium Building (Block A)  
Module/Bay Study  
353/P/750/P3 01:50 Bay Study Elevation & Section West Tower (Block K)  
353/P/751/P3 01:50 Bay Study Elevation & Section (Block J)  
353/P/752/P3 01:50 East Bay Study Elevation & Section Podium Building (Block C2)  
353/P/753/P3 01:50 North Bay Study Elevation & Section Podium Building (Block C 1)  
353/P/754/P3 01:50 East Bay Study Elevation & Section Promenade Tower (Block H2)  
353/P/755/P3 01:50 West Bay Study Elevation & Section Promenade Tower (Block H2)  
353/P/756/P3 01:50 East Bay Study Elevation & Section West Quay Building (Block F)  
353/P/757/P3 01:50 Upper Level Bay Study Elevation & Section West Quay Building (Block F)

#### **BH2013/00454**

#### **32 - 34 Arundel Road Brighton**

Demolition of existing shop and flat above and erection of three storey building with basement creating 4no two bedroom maisonettes.

**Applicant:** Richards Properties Ltd  
**Officer:** Jonathan Puplett 292525

#### **Refused on 29/05/13 DELEGATED**

##### **1) UNI**

The Health and Safety Executive have advised against the proposed development due to the density and scale of the development proposed and the proximity of the site to a Major Hazardous Installation in the form of the Black Rock gas holder site. The proposal is therefore contrary to policy SU12 of the Brighton & Hove Local Plan.

##### **2) UNI2**

The proposed building would have an incongruous and excessively prominent appearance when viewed in conjunction with the buildings to either side and the wider street scene. The proposal fails to demonstrate a high standard of design and architecture and fails to pay respect to the context of the site. The development is therefore contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

##### **3) UNI3**

The proposed residential units would provide an unacceptably poor standard of accommodation due to their cramped layouts and small room sizes. The proposed kitchen areas are particularly small in relation to the two-bedroom units proposed. The proposed development is therefore contrary to policy QD27 of the Brighton & Hove Local Plan which seeks to ensure an acceptable standard of amenity for future residents.

##### **4) UNI4**

The submitted details fail to demonstrate that the proposed development would, or could contain appropriate provision for cycle storage without significant

alterations to the internal ground floor layouts proposed. The development is therefore contrary to policies TR1 and TR19 of the Brighton & Hove Local Plan.

**BH2013/00587**

**Garages 53 & 54 14 Church Place Brighton**

Application for approval of details reserved by conditions 13, 18 and 20 of application BH2012/00903.

**Applicant:** Hoptonacre Homes LLP

**Officer:** Liz Arnold 291709

**Refused on 28/05/13 DELEGATED**

**1) UNI**

Details not approved Reasons:

1. The applicant has failed to provide a satisfactory sample of flint work, in accordance with condition 13 of approved application BH2012/00903.
2. The applicant has failed to provide sufficient details of the proposed vents to the front elevation, in accordance with condition 18 of approved application BH2012/00903.
3. The applicant has failed to provide sufficient details, including 1:1 joinery details and 1:20 sample elevational details of the proposed external doors, dormers, eaves and gate, in accordance with condition 20 of approved application BH2012/00903.

**BH2013/00674**

**Beacon Mill Nevill Road Rottingdean Brighton**

Remodelling of existing bungalow to create a two storey four bedroom house.

**Applicant:** Ms Helen Byrne

**Officer:** Liz Arnold 291709

**Refused on 30/05/13 DELEGATED**

**1) UNI**

The proposed extended dwelling by reason of its massing, bulk, height, form and design would appear overly prominent and an incongruous structure in what is effectively a backland location. The proposal would be of detriment to the visual amenities of the Sheep Walk and Nevill Road street scenes and the wider area especially the setting of the Rottingdean Conservation Area and the South Downs National Park and would result in the extended dwelling being unduly prominent in strategic views into and out of these important neighbouring areas. As such the proposal is therefore contrary to policies QD1, QD2, QD4, QD14, NC7, NC8 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Guidance note 1 on Roof Alterations and Extensions (SPGBH1).

**2) UNI2**

The proposal would represent an un-neighbourly form of development by virtue of resulting in the loss of privacy and overlooking from windows within the new first floor level, which would allow elevated views towards the southern and south-western neighbouring properties and gardens. The development would therefore be of detriment to the amenities of the neighbouring properties, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

**BH2013/00693**

**Highdown House 26 Bazehill Road Rottingdean Brighton**

Erection of two storey side extension.

**Applicant:** Mr Richard Bowskill

**Officer:** Jonathan Puplett 292525

**Approved on 30/05/13 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**

No development shall take place until full details of the proposed doors, windows and large glazed panel in the flank (east) elevation of the extension hereby permitted, including 1:20 elevation drawings which include details of any cills proposed, joinery sections, details of opening methods and details of frame materials and finishes, have been submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved details and shall be retained as such.

*Reason: In the interests of the visual amenities of the locality and to comply with policies QD14 and NC8 of the Brighton & Hove Local Plan.*

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
LOCATION PLAN	12132 050		22/03/2013
SITE LAYOUT PLAN	12132 051		22/03/2013
PROPOSED FLOORPLANS AND ELEVATIONS	12132 100		22/03/2013
EXISTING FLOORPLANS	12132 102P		04/04/2013
EXISTING ELEVATIONS	12132 103P		04/04/2013

**BH2013/00719**

**9 Saxon Close (71 Lustrells Crescent) Saltdean Brighton**

Application for approval of details reserved by conditions 8, 9, 10, 11, 12, 13, 14, 15 and 17 of application BH2012/02168.

**Applicant:** Mr John Sheehan

**Officer:** Anthony Foster 294495

**Split Decision on 29/05/13 DELEGATED**

**1) UNI**

The details pursuant to conditions 8, 9a, 10, 11, 12, 14, and 15 are considered acceptable.

**1) UNI**

Insufficient information in relation to the required Design Stage/Interim Code for Sustainable Homes Certificate in order for the details pursuant to condition 9b of the consent to be approved.

**2) UNI2**

Insufficient information in relation to the required Archaeological Watching Brief in order for the details pursuant to condition 13 of the consent to be approved.

**3) UNI3**

Insufficient information in relation to the required Final/Post Construction Code Certificate in order for the details pursuant to condition 17 of the consent to be approved.



#### **4) UNI4**

The details provided pursuant to conditions 9b, 13 and 17 are not acceptable.

#### **BH2013/00727**

##### **Rear Basement Flat 7 Arundel Terrace Brighton**

Internal alterations to layout of flat.

**Applicant:** Miss L Pearce

**Officer:** Sonia Gillam 292265

**Approved on 29/05/13 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.*

#### **BH2013/00797**

##### **48A Sussex Square Brighton**

Alterations to layout and replacement of doors and windows. (Retrospective).

**Applicant:** Ms Kate Hunt

**Officer:** Chris Swain 292178

**Refused on 21/05/13 DELEGATED**

#### **1) UNI**

The installed window to the front elevation (marked as on the plans as elevation A) is considered to be inappropriately detailed with overly chunky joinery profiles that significantly detract from the historic appearance and character of the listed building and the Kemp Town Conservation Area, contrary to policies HE1 and HE6 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Architectural Features (SPD09).

#### **2) UNI2**

The installed window to the rear elevation (marked as on the plans as elevation B) is considered to be poorly detailed with overly chunky joinery profiles and inappropriate horn detailing that significantly detract from the historic appearance and character of the listed building and the Kemp Town Conservation Area, contrary to policies HE1 and HE6 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Architectural Features (SPD09).

#### **BH2013/00798**

##### **48A Sussex Square Brighton**

Alterations to layout and replacement of external doors and windows. (Retrospective).

**Applicant:** Ms Kate Hunt

**Officer:** Chris Swain 292178

**Refused on 21/05/13 DELEGATED**

#### **1) UNI**

The installed window to the front elevation (marked as on the plans as elevation A) is considered to be inappropriately detailed with overly chunky joinery profiles that significantly detract from the historic appearance and character of the listed building, contrary to policy HE1 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Architectural Features (SPD09).

#### **2) UNI2**

The installed window to the rear elevation (marked as on the plans as elevation B) is considered to be poorly detailed with overly chunky joinery profiles and inappropriate horn detailing that significantly detract from the historic appearance and character of the listed building, contrary to policy HE1 of the Brighton & Hove

**BH2013/00799**

**Land at Brighton Marina comprising Outer Harbour, West Quay and adjoining land**

Non Material Amendment to BH2006/01124 and BH2012/04048 to the proposal consented in respect to the RNLI station.

**Applicant:** Brunswick Developments Group plc

**Officer:** Maria Seale 292232

**Approved on 04/06/13 DELEGATED**

**BH2013/00872**

**6 Westmeston Avenue Brighton**

Alterations to rear elevation including erection of raised terrace and roof alterations to existing rear extension.

**Applicant:** Mrs Penny Courtney-Bishop

**Officer:** Wayne Nee 292132

**Approved on 23/05/13 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 north elevation glazed screen to the terrace hereby approved shall consist of obscured glass and shall be fully installed before the new raised terrace is brought into use. The screen shall be permanently retained 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.*

**3) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing ground floor	153WA6/01		19/03/2013
Existing roof plan	153WA6/02		19/03/2013
Existing rear elevation	153WA6/03		19/03/2013
Existing side elevations	153WA6/04		19/03/2013
Proposed ground floor	153WA6/05		19/03/2013
Proposed roof plan	153WA6/06		19/03/2013
Proposed rear elevation	153WA6/07		19/03/2013
Proposed side elevations	153WA6/08		19/03/2013
Existing and proposed front elevation	153WA6/09		19/03/2013

**BH2013/00909**

**4 New Barn Road Rottingdean Brighton**

Part change of use of ground floor from house to dental surgery (D1) with associated erection of single storey side extension.

**Applicant:** Mr Marios Kakos

**Officer:** Liz Arnold 291709

**Refused on 29/05/13 DELEGATED**

### **1) UNI**

The proposed extension, by virtue of its design, form, excessive bulk and footprint, would result in a visually intrusive and bulky addition to the property which would be unsympathetic to the design of the existing dwelling. As such the proposed development would be of detriment to the character and appearance of the existing dwelling, the New Barn Road and Falmer Road street scenes and the wider area. As such the proposal is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

### **2) UNI2**

The proposed development would provide an inadequate amount of private amenity space being retained for the existing dwelling, which would be uncharacteristically small for the area and harmful to the amenities of the current and future occupiers. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

### **3) UNI3**

The proposed development, by virtue of the inclusion of windows within the northern and north-west elevations would create in the provision of an unneighbourly development for the current and future occupiers of the parent property which is contrary to policy QD27 of the Brighton & Hove Local Plan.

## **BH2013/00913**

### **Old Farm House The Green Rottingdean Brighton**

Application for approval of details reserved by conditions 4, 5 and 6 of application BH2012/02785.

**Applicant:** Mr Parfitt & Ms Stidston

**Officer:** Pete Campbell 292359

**Approved on 16/05/13 DELEGATED**

## **BH2013/00976**

### **2A Longhill Road Brighton**

Non material amendment to BH2006/02525 to change all windows and glazed doors from timber framed double glazed units to velfac powder coated aluminium double glazed units (RAL 7016).

**Applicant:** Mr Derek Thompson

**Officer:** Chris Swain 292178

**Approved on 31/05/13 DELEGATED**

## **BH2013/01046**

### **Adjoining Ovingdean Village green Greenways Brighton**

Display of non illuminated timber display cabinet.

**Applicant:** Rev Peter Wolfenden

**Officer:** Chris Swain 292178

**Approved on 23/05/13 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.*

**BH2013/01082**

**25 Withyham Avenue Saltdean Brighton**

Erection of rear extension to lower ground and ground floor including a conservatory.

**Applicant:** Mr Richard Thompson

**Officer:** Sonia Gillam 292265

**Refused on 28/05/13 DELEGATED**

**1) UNI**

The proposed development, by virtue of its design, size and form would create a bulky and unsympathetic structure which relates poorly to the existing form and design features of the property and results in an overextended appearance to the building. Additionally, by reason of its inappropriate roof form, architectural detailing and materials, the proposal would fail to demonstrate a high standard of design and make a positive contribution to the property or the visual quality of the environment. As such the proposal would be detrimental to the character and appearance of the property and the visual amenities enjoyed by neighbouring properties and is contrary to policy QD14 of the Brighton & Hove Local Plan.

**BH2013/01115**

**26 Lustrells Crescent Saltdean Brighton**

Certificate of Lawfulness for proposed loft conversion incorporating hip to barn

end side roof extensions, rooflights to front and rear elevations and windows to side elevations.

**Applicant:** Mr & Mrs Graham  
**Officer:** Sonia Gillam 292265  
**Approved on 28/05/13 DELEGATED**

**BH2013/01118**

**6 Chiltington Way Saltdean Brighton**

Certificate of Lawfulness for proposed single storey rear extension, loft conversion incorporating rear dormer, erection of cabin and conversion of existing garage into a study.

**Applicant:** Mr & Mrs Whitely  
**Officer:** Pete Campbell 292359  
**Approved on 30/05/13 DELEGATED**

**BH2013/01129**

**16A Nevill Road Rottingdean**

Replacement of existing metal windows and doors with UPVC windows and doors.

**Applicant:** Miss Diane Levy  
**Officer:** Liz Arnold 291709  
**Approved on 23/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site Plan 1:1250			17/04/2013
Safe Style UK Window Product Sheet			4/04/2013
Photographs of Existing Windows			4/04/2013
Photographs of Existing Windows			17/04/2013

**BH2013/01355**

**Land rear of Eagles Steyning Road Rottingdean Brighton**

Application for Approval of Details Reserved by Condition 2 of application BH2007/01912 (appeal ref APP/Q1445/A/07/2059824).

**Applicant:** Ms Karron Stephen-Martin  
**Officer:** Liz Arnold 291709  
**Approved on 21/05/13 DELEGATED**

**BH2013/01391**

**Land Adjacent to 10 Ainsworth Avenue Brighton**

Non Material Amendment to BH2009/01058 to add drawing numbers as a condition to the previous approval.

**Applicant:** Mrs Elaine Tyler

**Officer:** Andrew Huntley 292321

**Approved on 03/06/13 DELEGATED**

**1) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Tree Survey	0387/001		10/11/2009
New Dwelling House Proposed Tree Layout	0387/002		10/11/2009
Floor and Roof Plan Layout	0387/003		10/11/2009
Proposed Elevations and Ground Levels	0387/004		10/11/2009
Proposed Contextual Elevation	0387/005		10/11/2009
Dwelling House Existing	0387/006		10/11/2009
Site Plan	0387/007		10/11/2009
Site Location	0387/008		10/11/2009

**WOODINGDEAN**

**BH2012/03580**

**Elmhurst Warren Road Brighton**

Display of 2 internally illuminated totem signs and one non-illuminated totem sign.

**Applicant:** BUPA Care Services UK

**Officer:** Anthony Foster 294495

**Approved on 29/05/13 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) 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.*

### **BH2013/00502**

#### **78-84 Warren Road Brighton**

Conversion of building from financial and professional services (A2) with associated offices to 2no retail units (A1/A2) and 1no two bedroom live/work unit (sui generis) on ground floor and 2no two bedroom flats on first floor including ground floor extension to the rear and bicycle shelter.

**Applicant:** Downsview Developments Ltd

**Officer:** Anthony Foster 294495

**Approved on 03/06/13 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 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 commercial floorspace hereby approved shall be made available for use prior to first occupation of the C3 residential use.

*Reason: To ensure that the development retains a healthy mix of uses and to comply policy SR7 of the Brighton & Hove Local Plan.*

#### **4) UNI**

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.*

#### **5) UNI**

No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM

Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by the Local Planning Authority. A completed pre-estimator will not be acceptable.

*Reason: To ensure 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.*

**6) UNI**

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.*

**7) UNI**

None of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by the Local Planning Authority.

*Reason: To ensure 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) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	01		15/02/2013
Block Plan	02		15/02/2013
Existing Floor Plans & Elevations	03		15/02/2013
Proposed Floor Plans & Elevations	04		15/02/2013

**9) UNI**

No outside working or storage shall be permitted at any time.

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

**BH2013/00970**

**74 Crescent Drive North Brighton**

Conversion of roof space above garage incorporating rear dormer with Juliette balcony. Erection of single storey rear extension with associated external alterations.

**Applicant:** Mr Ken Sinar

**Officer:** Chris Swain 292178

**Approved on 30/05/13 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 guardrail to the doors on the dormer shown on the approved drawings shall be fitted flush to the external walls to the dormer and thereafter retained as such, and no part of the flat roof to the extended garage shall be used as a balcony, roof garden or similar amenity area.

*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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing floor plans and elevations, location Plan and block plan	1382007/01		21/03/13
Proposed floor plans, sections and elevations	1382007/02		21/03/13
Proposed side elevation	1382007/04		4/01/13

**BH2013/00971**

**74 Crescent Drive North Brighton**

Erection of single storey rear conservatory extension. Loft conversion incorporating rooflights to rear roof slope.

**Applicant:** Mr Ken Sinar

**Officer:** Chris Swain 292178

**Approved on 16/05/13 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**

All windows to the side elevations of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

*Reason: To safeguard the privacy of the occupiers of the adjoining property and*

to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing floor plans and elevations, locations plan and block plan			21/03/13
Proposed floor plans, section a-a and elevations			21/03/13

**BRUNSWICK AND ADELAIDE**

**BH2013/00510**

**Flat 53 Embassy Court Kings Road Brighton**

Internal alterations including removal of airing cupboard from bathroom, moving door to master bedroom, formation of double doors between drawing room and living and drawing room and kitchen.

**Applicant:** Paul Dennison

**Officer:** Christopher Wright 292097

**Approved on 04/06/13 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 new joinery work hereby permitted shall be painted and 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) UNI**

No works shall take place until full details of the proposed works including 1:20 scale elevation drawings of the new doors and cupboards 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.*

**4) UNI**

All new doors, cupboards, skirting boards, architraves and door furniture shall match the originals in materials and detail and be thereafter retained as such thereafter.

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

**BH2013/00548**

**Flat 5 44 Brunswick Road Hove**

Internal alterations to layout incorporating relocation of kitchen to living room and insertion of new door to proposed bedroom.

**Applicant:** Mr Andrew Smith  
**Officer:** Mark Thomas 292336  
**Approved on 23/05/13 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**

Notwithstanding the submitted drawings, the proposed bedroom door shall be a painted four panelled door. No works shall take place until full details of the proposed door 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.*

**BH2013/00744**

**Intergen House 65-67 Western Road Hove**

Replacement of existing 6no antennas with 6no new upgraded antennas and replacement of 2no existing cabinets with 4no new cabinets.

**Applicant:** CTIL  
**Officer:** Christopher Wright 292097

**Approved on 03/06/13 DELEGATED**

**1) UNI**

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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location Maps	100A		20/05/13
Site Plan Existing	200A0		20/05/13
Site Plan Proposed	201B		20/05/13
Site Elevation Existing	300A		20/05/13
Site Elevation B Proposed	301B		20/05/13
Front Elevation C Proposed	302A		20/05/13
Side Elevation D Proposed	303A		20/05/13
Side Elevation E Proposed	304A		20/05/13
Existing Antenna/Equipment Layout	400A		20/05/13
Proposed Antenna/Equipment Layout	401A		20/05/13

**3) UNI**

Within three months of the installation of the antennas and cabinets hereby permitted, the existing antennas and associated equipment which they are

intended to replace, together with their associated fixtures and fittings, shall be permanently removed.

*Reason: To avoid overproliferation of telecommunications equipment at the site and to ensure a satisfactory appearance of the building and surrounding conservation area to comply with policy HE6 of the Brighton & Hove Local Plan 2005.*

#### **4) UNI**

Notwithstanding the submitted plans, the antennas and fittings shall match in colour the existing building and be maintained as such thereafter.

*Reason: For the avoidance of doubt, to ensure a satisfactory appearance to the development and to protect the character of the surrounding conservation areas to comply with policy HE6 of the Brighton & Hove Local Plan 2005.*

#### **5) UNI**

The telecommunications equipment hereby approved shall be removed if at any time in the future the equipment becomes obsolete or no longer required for the purpose for which it was erected.

*Reason: To protect the appearance of the building and the surrounding conservation area in accordance with policies QD23, QD24 and HE6 of the Brighton & Hove Local Plan 2005.*

### **BH2013/00805**

#### **6-10 and 10A St Johns Road Hove**

Creation of new entrance door to first floor flat and installation of 1no rooflight.

**Applicant:** Coulson Motors

**Officer:** Helen Hobbs 293335

**Approved on 23/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing GF plan	01		27/03/13
Proposed GF plan	02		27/03/13
Existing FF plan	03		27/03/13
Proposed FF plan	04		27/03/13
Existing roof plan	05		27/03/13
Proposed roof plan	06		27/03/13
Existing elevations	07		27/03/13
Proposed elevations	08		27/03/13
Location plan	09		27/03/13

**BH2013/00916**

**8 Brunswick Square Hove**

Application for approval of details reserved by conditions 2 and 3 of application BH2012/02695.

**Applicant:** Mr Steve Farquharson

**Officer:** Mark Thomas 292336

**Approved on 16/05/13 DELEGATED**

**BH2013/01059**

**Flat 1 3 First Avenue Hove**

Internal and external alterations to flat including removal of external staircase to rear bedroom and relocation at back of garden with new French doors to rear outrigger. Existing back door and adjacent window to be reduced in size to high level windows.

**Applicant:** Mr Frank Bouette

**Officer:** Adrian Smith 290478

**Approved on 04/06/13 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 new external staircase shown on the approved plans shall be painted black prior to first use and shall be retained as such thereafter.

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

**3) UNI**

Notwithstanding the details set out in the application form received 10 April 2013, all new windows hereby approved shall be white painted timber windows set back from the outer face of the building and recessed into the reveals to the same depth as the existing windows, and the windows shall be retained 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**

The French doors hereby approved shall be white painted timber doors set back from the outer face of the building and recessed into the reveals to match exactly the existing original windows to the building, and shall be retained 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site plan and block plan	CH528/001	-	03/04/2013
Existing plans and elevations	CH528/002	-	03/04/2013
Proposed plans and	CH528/003	-	03/04/2013

elevations			
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**6) UNI**

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.*

**CENTRAL HOVE**

**BH2013/00173**

**19 and 21 Norton Close Hove**

Application for variation of conditions 2, 4, 9 & 10 of BH2011/01057 (Demolition of garages and conversion of single storey extension to existing coach house to form 1no two bedroom dwelling and erection of 1no detached single storey two bedroom dwelling) Condition 2 to include additional and revised fenestration, condition 4 to amend approved gutters, condition 9 to amend the permeable paving type and condition 10 to vary approved brick type.

**Applicant:** JCS Enterprises

**Officer:** Guy Everest 293334

**Approved on 20/05/13 DELEGATED**

**1) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Site Block Plan			24/01/2013
Proposed Plans, Sections and Elevations (as seen from Hova Road)	719 PA 102		24/01/2013
Proposed Plans, Sections and Elevations (as seen from Norton Road)	719 PA 102	C	22/01/2013
Proposed Elevations within Internal Courtyard	719 PA 105	A	22/01/2013

**2) UNI**

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.*

**3) UNI**

All new and replacement rainwater goods, soil and other waste pipes on the coach house building shall be in cast iron or exact aluminium replicas of cast iron and painted in a colour that shall be approved in writing by the Local Planning Authority prior to the commencement of works.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 & HE6 of the Brighton & Hove Local Plan.*

**4) UNI**

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved

drawings, without the prior consent in writing of the local planning authority.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 & HE6 of the Brighton & Hove*

*Local Plan.*

**5) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

*Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.*

**6) UNI**

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.*

**7) UNI**

The development hereby approved shall be implemented in accordance with the extract vent and flue details approved under application BH2012/00593 on 19th June 2012.

*Reason: To ensure a satisfactory appearance to the development and to safeguard the amenity of the occupiers of the adjoining property and to comply with policies SU10, QD14 & QD27 of the Brighton & Hove Local Plan.*

**8) UNI**

The development hereby approved shall be implemented in accordance with the external lighting details approved under application BH2012/00593 on 19th June 2012.

*Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies QD25 and QD27 of the Brighton & Hove Local Plan.*

**9) UNI**

The development hereby approved shall be implemented in accordance with the eaves and coping details approved under application BH2012/00593 on 19th June 2012.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 & HE6 of the Brighton & Hove Local Plan.*

**10) UNI**

With the exception of the coach house extension and northernmost unit, which shall comprise IBSTOCK Throckley Smooth Buff, and communal courtyard areas, which shall comprise Jewsons "Indian Sandstone" grey multi, the development hereby approved shall be implemented in accordance with the material samples and details approved under application BH2012/00593 on 19th June 2012.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 & HE6 of the Brighton & Hove Local Plan.*

**11) UNI**

The development hereby approved, with the exception of the internal courtyard of the northernmost unit, shall be implemented in accordance with the window and door details approved under application BH2012/00593 on 19th June 2012.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 & HE6 of the Brighton & Hove Local Plan.*

**12) UNI**

The hard landscaping, paving and level changes of the development hereby approved shall be implemented in accordance with drawing no. 719 PA 102 C and shall be retained as such thereafter.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 & HE6 of the Brighton & Hove Local Plan.*

### **13) UNI**

The development hereby approved shall be implemented in accordance with the nature conservation details approved under application BH2012/00593 on 19th June 2012.

*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.*

### **14) UNI**

The development hereby permitted shall not be occupied until details of remediation works and measures undertaken to avoid risk from contaminants and / or gases has been submitted to and approved in writing by the Local Planning Authority. The details shall include a verification report confirming that any required remediation has been fully implemented. The site shall thereafter be maintained in accordance with the approved details.

*Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.*

### **15) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, the new-build residential unit 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.*

### **16) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, the converted coach house shall not 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.*

### **17) 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) 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.

**BH2013/00765**

**Top Flat 35 Clarendon Villas Hove**

Conversion of existing maisonette into 1no two bedroom first floor flat and 1no one bedroom second floor flat with the installation of 2no rooflights to side elevation.

**Applicant:** Baron Management

**Officer:** Adrian Smith 290478

**Approved on 29/05/13 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**

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 Sustainability Checklist received on 11 March 2013 have been implemented, and such measures shall thereafter be retained.

*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.*

**3) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

*Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.*

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site plan and block plan	1280 A.01	-	20/03/2013
Existing plans	1280 A.05	-	20/03/2013
Proposed plans	1280 D.11	A	13/05/2013
Existing and proposed elevations	1280 D.12	A	13/05/2013

**BH2013/00847**

**Flats 1, 2 and 4 31 Tisbury Road Hove**

Replacement of existing timber windows and doors with UPVC sash windows and UPVC doors to rear elevation.

**Applicant:** 31 Tisbury Road Hove Ltd

**Officer:** Helen Hobbs 293335

**Approved on 22/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site plan	/	/	18/03/2013
Block plan	/	/	18/03/2013
Window and door details	/	/	18/03/2013
Window technical summary brochure	/	/	18/03/2013
Synerjy Specification guide	/	/	18/03/2013
Photos of window/door locations	/	/	18/03/2013

### **BH2013/00866**

#### **13 Blatchington Road Hove**

Application for Approval of Details Reserved by Conditions 5, 6, and 7 of application BH2013/00007

**Applicant:** Lan Estates

**Officer:** Jason Hawkes 292153

**Approved on 29/05/13 DELEGATED**

### **BH2013/00931**

#### **9 George Street Hove**

Display of internally illuminated fascia sign and projecting sign (retrospective)

**Applicant:** Paddy Power

**Officer:** Helen Hobbs 293335

**Approved on 04/06/13 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.*

**BH2013/00932**

**9 George Street Hove**

Installation of new shopfront, removal of existing window and repositioning of door to rear at ground floor level (part retrospective)

**Applicant:** Paddy Power

**Officer:** Helen Hobbs 293335

**Approved on 04/06/13 DELEGATED**

**1) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing GF, FF, Roof plans, site and block plan and elevations	12404-05		22/03/2013
Proposed ground and first floor plans	12404-06		22/03/2013
Proposed front elevation A and section A	12404-07		22/03/2013
Proposed elevations and section A	12404-08		22/03/2013

**BH2013/01298**

**31 Clarendon Villas Hove**

Conversion of existing 4 bedroom maisonette to 1no two bedroom and 1no one bedroom flats to the first and second floors incorporating new rooflights to front and side roof slopes.

**Applicant:** Mr Michael Blencowe

**Officer:** Adrian Smith 290478

**Approved on 03/06/13 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**

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 Sustainability Checklist received on 24 April 2013 have been implemented, and such measures shall thereafter be retained.

*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.*

**3) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime Homes standards prior to their first occupation and shall be retained as such thereafter.

*Reason: To ensure satisfactory provision of homes for people with disabilities and to meet the changing needs of households and to comply with policy HO13 of the Brighton & Hove Local Plan.*

**4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site plan and block plan	1290 A.03	-	24/04/2013
Existing plans and elevations	1290 A.01		
1290 A.02	-		
-	24/04/2013		
24/04/2013			
Proposed plans and elevations	1290 D.01		
1290 D.02	-		
-	24/04/2013		
24/04/2013			

**GOLDSMID**

**BH2013/00254**

**Land to the South of 32 Cambridge Grove Hove**

Erection of 1no 3 bedroom dwelling.

**Applicant:** Mr John Cramer

**Officer:** Helen Hobbs 293335

**Refused on 21/05/13 PLANNING COMMITTEE**

**1) UNI**

The development would result in a harmful loss of openness between the Grade II Listed properties on The Drive/Cromwell Road and the mews buildings in

Cambridge Grove, to the detriment of the prevailing character and appearance of the Willett Estate Conservation Area, contrary to policies QD2, HE3 and HE6 of the Brighton & Hove Local Plan.

**2) UNI2**

The development, by reason of its siting and scale as well as the increased height to the boundaries, would appear overly dominant and overbearing, particularly from the neighbouring gardens of Cromwell Road and constitutes a cramped form of development. The proposal would therefore fail to respect or enhance the local context and the positive qualities of the local neighbourhood and would have a negative impact upon the amenity of the adjoining properties, contrary to policies QD1, QD2, QD3 and QD27 of the Brighton & Hove Local Plan.

**3) UNI3**

The proposed dwelling, by reason of its design, materials and detailing would appear incongruous within the historic mews setting, to the detriment of the Willett Estate Conservation Area, contrary to policies QD1, QD2, QD3, QD5 and HE6 of the Brighton and Hove Local Plan.

**4) UNI4**

The rear windows would result in an unacceptable loss of privacy and overlooking to the adjoining gardens in Cambridge Grove and Cromwell Road. These windows would also provide unacceptable views into the side windows of No. 32 Cambridge Grove. The proposal would therefore have a harmful impact upon the amenity of these adjoining properties, contrary to QD27 of the Brighton & Hove Local Plan.

**5) UNI5**

The applicant is reliant on the 'green wall' to screen the front of the proposed dwelling. Insufficient information has been submitted with the application regarding the space required for the planting of the ivy as well as how long it would take to establish and how it is proposed to maintain the planting, and therefore would not demonstrate that the proposal would not have harmful impact upon the street scene and surrounding Willett Estate Conservation Area, contrary to policies QD15 and HE6 of the Brighton & Hove Local Plan.

**6) UNI6**

The applicant has failed to demonstrate that Level 5 of the Code for Sustainable Homes can reasonably be achieved without significant alterations to the design and appearance of the dwelling. The proposal is therefore contrary to policy SU2 of the Brighton & Hove Local Plan, and Supplementary Planning Document 08, Sustainable Building Design.

**BH2013/00666**

**Wick Hall Furze Hill Hove**

Erection of handrails to the entrances of blocks 2, 3 and 4.

**Applicant:** Dorrington

**Officer:** Mark Thomas 292336

**Approved on 23/05/13 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 works shall take place until full details of the proposed handrails including 1:20 scale elevations and 1:1 scale sectional 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 locally listed building and to comply with policies QD14 and HE10 of the Brighton & Hove Local Plan.*

### **3) UNI**

The handrails shown on the approved plans shall be painted black within 1 month of installation and shall be retained as such.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE10 of the Brighton & Hove Local Plan.*

### **4) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing and proposed plans	01	Rev A	15 March 2013

## **BH2013/00831**

### **4-6 Montefiore Road Hove**

Change of use from mortuary (SG08) to 4no 2 bedroom flats and 2no studio flats (C305) incorporating cycle store, waste/recycling store, communal garden and 8no off street parking spaces.

**Applicant:** Mr Richard Hunnisett

**Officer:** Guy Everest 293334

**Approved on 17/05/13 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 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 4-6 Montefiore Road.

*Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.*

#### **3) UNI**

The boundary wall enclosure to the communal garden, as identified on drawing no. 13-003-200-B, shall comprise brick to match the colour, texture and bonding 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 policy QD14 of the Brighton & Hove Local Plan.*

#### **4) UNI**

If during development any visibly contaminated or odorous material is found, no further development shall take place until a method statement to identify, risk assess, and deal with the contaminant(s) has been submitted to and approved in writing by the Local Planning Authority. No further development shall take place except in accordance with the approved method statement.

*Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.*

#### **5) UNI**

No development shall commence until elevations of the boundary wall enclosure to Montefiore Road have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and shall be maintained as such thereafter.

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

#### **6) UNI**

No development shall commence until a scheme for sound insulation and alternative means of ventilation for the residential units has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until construction has been completed in accordance with the agreed details. The development shall be retained as such thereafter.

*Reason: To safeguard the amenities of the occupiers of future occupants of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **7) UNI**

No residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

#### **8) UNI**

No development shall commence until a scheme for sound insulation and alternative means of ventilation to the hereby approved residential units has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until construction has been completed in accordance with the agreed details. The development shall be retained as such thereafter.

*Reason: To safeguard the amenities of the occupiers of future occupants of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **9) UNI**

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 a BREEAM Domestic 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.*

#### **10) UNI**

The development hereby permitted shall not be occupied until the communal garden, as identified on drawing no. 13-003-200-B, has been laid out and made available for use in connection with the residential use of 4-6 Montefiore Road.

*Reason: To ensure the provision of outdoor amenity space and to comply with*

*policies QD27 and HO5 of the Brighton & Hove Local Plan.*

**11) UNI**

Prior to the occupation of the development the applicant shall reinstate the redundant parts of the northernmost vehicle crossover back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

*Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.*

**12) UNI**

The development hereby permitted shall not be occupied 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.*

**13) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location Plan	DXM01		15/03/2013
Basement (Existing)	13-003-101-A		22/03/2013
Ground Floor (Existing)	13-003-102-A		22/03/2013
First + Second Floor (Existing)	13-003-103-A		22/03/2013
North + East Elevation	13-003-104-A		22/03/2013
South + East Elevation	13-003-105-A		22/03/2013
Site Plan (Proposed)	13-003-200-A		22/03/2013
Basement (Proposed)	13-003-201-A		22/03/2013
Ground Floor (Proposed)	13-003-202-A		22/03/2013
First + Second Floor (Proposed)	13-003-203-A		22/03/2013

**14) UNI**

Notwithstanding the submitted plans no development shall commence until details of Lifetime Homes standards to be incorporated in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

*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.*

**BH2013/00870**

**28A Wilbury Villas Hove**

Demolition of existing conservatory and sheds and erection of new conservatory and shed to the rear of the property.

**Applicant:** Mr Andrew Cato

**Officer:** Helen Hobbs 293335

**Approved on 20/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Existing floor plan	1		15th March 2013
Existing rear elevation	2		15th March 2013
Existing side elevation	3		15th March 2013
Existing side elevation south	4		15th March 2013
Proposed ground floor	5		15th March 2013
Proposed rear elevation	6		15th March 2013
Proposed side elevation north	7		15th March 2013
Proposed side elevation south	8		15th March 2013
Tree plan	9		15th March 2013
Neighbours view north	10		15th March 2013
Neighbours view south	11		15th March 2013
Site plan	/		15th March 2013
Block plan existing	/		15th March 2013
Block plan proposed	/		15th March 2013

**BH2013/00960**

**114A Livingstone Road Hove**

Erection of bicycle store at front of property. (Part Retrospective).

**Applicant:** Mr Andy Nicholls

**Officer:** Guy Everest 293334

**Approved on 21/05/13 DELEGATED**

**1) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

Plan Type	Reference	Version	Date Received
Plans and Elevations As Existing and Proposed (incl. Location Plan and Block Plan)	9584/03	A	26/03/2013

**2) UNI**

The hereby approved cycle store shall not be used other than for purposes incidental to enjoyment of the residential use within 114 & 114A Livingstone Road.

*Reason: In order to protect the amenities of adjacent properties and in*

Report from: 16/05/2013 to:

accordance with policy QD27 of the Brighton & Hove Local Plan.

### 3) UNI

The external (render) finish of the development hereby permitted shall match the material and colour of the directly abutting building to the west.

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

### **BH2013/00973**

#### **3 Derby Court 49 Davigdor Road Hove**

Removal of existing extract fan from window and pipe work and addition of boiler flue and extract fans.

**Applicant:** Mr John Cullen

**Officer:** Mark Thomas 292336

**Approved on 30/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan	-	-	22 March 2013
Existing and proposed plans and elevations	3DC/PL/01	-	22 March 2013

### **BH2013/01022**

#### **5 Furzedene Furze Hill Hove**

Erection of two storey front extension.

**Applicant:** Mr Fred Gray

**Officer:** Mark Thomas 292336

**Approved on 22/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Existing and proposed floor plans and proposed elevations	No. 1	-	27 March 2013

### **BH2013/01030**

#### **99 The Drive Hove**

Conversion of existing basement into habitable floor space and connection to

ground floor to create maisonette, including additional and replacement windows and doors and new light wells to front and side elevations.

**Applicant:** Ms Emma Mills-Sheffield

**Officer:** Robert McNicol 292322

**Approved on 28/05/13 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 external metal security grilles to the proposed lightwells shall be painted black within 1 month of their installation and shall thereafter be so retained.

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

**3) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site location, block plan, existing plans	123/S01		2/04/2013
Proposed ground and lower ground floor plans	123/P01		2/04/2013
Existing and proposed elevations	123/P02		2/04/2013

**4) UNI**

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 QD14 of the Brighton & Hove Local Plan.*

**BH2013/01049**

**9 Cambridge Grove Hove**

Application for approval of details reserved by conditions 3 and 5 of application BH2012/03915.

**Applicant:** Kingpin Autoservices

**Officer:** Jason Hawkes 292153

**Approved on 16/05/13 DELEGATED**

**BH2013/01088**

**Flat 2 26 Cromwell Road Hove**

Internal alterations to layout of flat including relocation of kitchen, removal of false ceiling and re-instatement of original ceiling height. Relocation of waste pipe at rear of property.

**Applicant:** Mrs Louise Heath

**Officer:** Robert McNicol 292322

**Approved on 04/06/13 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 external pipe detailed on the approved annotated photograph 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) UNI**

The part of the bathroom wall above the false ceiling shall be removed and 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) UNI**

The new kitchen units shall be scribed around all existing features including any skirting boards, dado rails, picture rails and cornices, and the existing features shall not be cut into or damaged.

*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 ceiling cornice in the bedroom shall be fully repaired and reinstated and shall match exactly the original in materials and detail.

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

**BH2013/01138**

**77 The Drive Hove**

Application for Approval of Details Reserved by Condition 5 of application BH2012/04053.

**Applicant:** Mr & Mrs E Denapoli

**Officer:** Helen Hobbs 293335

**Approved on 04/06/13 DELEGATED**

**BH2013/01285**

**58 Palmeira Avenue Hove**

Non material amendment to BH2012/01178 to omit the green roof and the obelisk at the front of the building and make changes to the basement layout and the Western elevation windows.

**Applicant:** Owen Property

**Officer:** Adrian Smith 290478

**Approved on 21/05/13 DELEGATED**

**HANGLETON & KNOLL**

**BH2013/00835**

**74 Sunninghill Avenue Hove**

Erection of single storey rear extension.

**Applicant:** Mr S & Mrs P Jones

**Officer:** Steven Lewis 290480

**Approved on 21/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Ground Floor Extension	-	-	15/03/2013

## **BH2013/00922**

### **The Downs Christian Nursing Home Laburnum Avenue Hove**

Installation of lift to rear of building and replacement of windows with doors on ground and lower ground floor levels.

**Applicant:** Sussex Partnership NHS Trust

**Officer:** Steven Lewis 290480

**Approved on 29/05/13 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 listed below.

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

Plan Type	Reference	Version	Date Received
Location Plan	12135-012	-	22/03/2013
Block Plan	12135-012	-	08/04/2013
Existing Lower Ground Floor Plan	12135-101	-	22/03/2013
Proposed Ground Floor Plan	12135-110	B	08/04/2013
Proposed First Floor	12135-111	B	08/04/2013
Proposed Ground Floor (Area C)	12135-113	A	08/04/2013
Proposed Lift to Brunswick Ward	12135-117	-	22/03/2013
Additional Door Openings	12135-120	-	08/04/2013

## 3) UNI

Unless otherwise agreed in writing by the local planning authority, the timber cladding to the exterior of the lift extension hereby permitted shall be stained dark brown in colour to match the colour of the existing windows within the building.

*Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.*

## **SOUTH PORTSLADE**

## **BH2013/00791**

### **1 Wellington Road Portslade**

Demolition of existing building and erection of part five, part four, part three and part two storey building comprising commercial units on basement and ground floor and 9no one and two bedroom residential units on floors above.

**Applicant:** Urban Mosaics & Citespace Developments Ltd

**Officer:** Guy Everest 293334

**Refused on 04/06/13 DELEGATED**

#### **1) UNI**

The proposed development, by reason of its form and massing, would not emphasise and enhance the positive qualities of the local neighbourhood and would fail to make a positive contribution to the visual quality of the environment. The building would appear excessively out of scale and create a visually overbearing relationship with adjoining development to the north on Boundary Road/Station Road to the detriment of the character and appearance of the locality. The proposal is therefore contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan.

#### **2) UNI2**

The proposed development would, by reason of its height and massing, further enclose a busy junction where poor air quality has been monitored over a prolonged period of time. The proposed building mass and design would risk exposing residents to high levels of airborne pollution to the detriment of health and amenity. The proposal is therefore contrary to the aims of local plan policies SU9 and QD27.

## **BH2013/00919**

### **Gardeners Arms 103 - 105 Abinger Road Brighton**

Demolition of existing rear extensions and erection of a rear and side extension and other alterations to facilitate change of use from public house (A4) to a convenience store (A1). Creation of 1no one bedroom flat with roof terrace at first floor and alterations to the existing 1st floor flat including a new roof terrace.

**Applicant:** Mr Alan Bull

**Officer:** Adrian Smith 290478

**Approved on 20/05/13 DELEGATED**

#### **1) UNI**

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 all screening to the east and west sides of the front roof terrace 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 safeguard the amenities of the occupiers of the development and adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **3) UNI**

The use hereby permitted shall not be open to customers except between the hours of 08:00 and 22:00 on Mondays to Sundays, including Bank or Public Holidays. No other activity within the site shall take place between the hours of 22.30 and 07.30 daily.

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

#### **4) UNI**

No servicing (i.e. deliveries to or from either premises) shall occur except between the hours of 08.00 and 19.00 Monday to Saturday, and 10.00 to 16.00 Sundays (including Bank or Public Holidays).

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

#### **5) UNI**

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.*

#### **6) UNI**

All new hard surfaces to the access and parking areas 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 site.

*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.*

#### **7) 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 the occupiers of neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.*

#### **8) UNI**

The air-conditioning units hereby permitted shall be switched off between the hours of 22:00 and 08:00 daily.

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

#### **9) UNI**

The retail unit hereby permitted shall be retained as a single unit at all times and the sales floor areas therein shall be as shown on the approved drawings and thereafter retained at all times. The retail unit shall not be subsequently sub-divided into smaller units without the prior consent of the Local Planning Authority.

*Reason: To ensure that the retail element does not prejudice the vitality and viability of the existing shopping centres and to comply with policies SR1 and SR2 of the Brighton & Hove Local Plan and policy CP4 of the submission City Plan Part One.*

#### **10) UNI**

The door to the rear/western elevation shall not be used other than for emergency use only.

*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.*

#### **11) 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 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.*

**12) UNI**

No vehicles exceeding 12m in length shall provide deliveries to the site.

*Reason: In the interests of highway safety and to restrict the size of vehicles which can safely access the site and to comply with policy TR7 of the Brighton & Hove Local Plan.*

**13) UNI**

No development shall commence until a scheme for the soundproofing of the proposed one-bedroom residential unit (including details of any necessary ventilation as recommended in the Planning Noise Assessment dated 21 March 2013) 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.*

**14) UNI**

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.*

**15) UNI**

No development shall commence until a Delivery & Service Management Plan, which includes details of the types of vehicles, how deliveries will take place and the frequency of deliveries has been submitted to and approved in writing by the Local Planning Authority. All deliveries shall thereafter be carried out in accordance with the approved plan and unless otherwise agreed in the approved plan no deliveries shall take place from the public highway. For the avoidance of doubt servicing includes all deliveries and collections.

*Reason: To safeguard pedestrian and highway safety and the protection of the amenity of nearby residents in accordance with policies S10, QD27, TR1 and TR7 of the Brighton & Hove Local Plan.*

**16) UNI**

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 all hard surfacing, means of enclosure and planting of the development.

*Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1, QD15 and HE6 of the Brighton & Hove Local Plan.*

**17) UNI**

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.*

**18) UNI**

No residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the new build residential unit achieves Code level 3 as a minimum 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.*

**19) UNI**

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.*

**20) UNI**

The new build residential unit hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that it has achieved a Code for Sustainable Homes rating of Code level 3 as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

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

**21) UNI**

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Planning Statement received on 22 March 2013 have, in the opinion of the Local planning Authority, 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.*

**22) UNI**

The parking facilities and layout detailed on drawing no.TA620/50 rev B received on 22 March 2013 (including disabled parking bays) 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 the development provides for the needs of disabled staff and visitors to the site and to comply with policies TR1, TR7 & TR18 of the Brighton & Hove Local Plan.*

**23) UNI**

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.*

**24) UNI**

The development and use hereby permitted shall be carried out in its entirety prior to first occupation and shall thereafter be retained as such.

*Reason: To avoid the potential for a large A4 use on the site and to safeguard the amenities of nearby residents in accordance with policies SU10 & QD27 of the Brighton & Hove Local Plan.*

**25) UNI**

Other than the areas specifically designated as terraces as detailed on drawing no.TA620/52 rev C received on the 22 March 2013, access to the flat roofs over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roofs 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.*

**26) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site and block plan	TA620/01	-	22/03/2013
Existing plans and elevations	TA620/03	-	22/03/2013
	TA620/04	-	22/03/2013
	TA620/05	-	22/03/2013
	TA620/06	-	22/03/2013
	TA620/07	-	22/03/2013
	TA620/08	-	22/03/2013
	TA620/09	-	22/03/2013
	TA620/10	-	22/03/2013
	TA620/11	-	22/03/2013
Proposed site plan, block plan, plans and elevations	TA620/02	D	22/03/2013
	TA620/50	B	22/03/2013
	TA620/51	A	22/03/2013
	TA620/52	C	22/03/2013
	TA620/53	B	22/03/2013
	TA620/54	A	22/03/2013
	TA620/55	C	22/03/2013
	TA620/56	C	22/03/2013
	TA620/57	C	22/03/2013

**BH2013/01032**

**Portslade County Infant School Locks Hill Brighton**

Creation of new entrance door and provision of DDA access ramp to existing Portslade Infants School.

**Applicant:** Mr Martin Hucker

**Officer:** Guy Everest 293334

**Approved on 21/05/13 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 a scheme for landscaping to the frontage of

the site, as indicated on approved drawing no. 006, has been submitted to and approved in writing by the Local Planning Authority.

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

### **3) UNI**

The brick finish of the hereby approved access ramp shall match in material, colour, style, bonding and texture of the existing boundary wall of the site to Locks Hill.

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

### **4) UNI**

All planting in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development; 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 policy QD15 of the Brighton & Hove Local Plan.*

### **5) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location & Site Layout Plans	ED 220-001	A	09/04/2013
Existing Site Layout	002		02/04/2013
Proposed Site Layout	003		02/04/2013
Existing Elevations	ED 220-004		02/04/2013
Proposed West Elevation	ED 220-005		02/04/2013
Proposed DDA Ramp Details	006		02/04/2013

### **6) UNI**

The quoins to the hereby approved entrance door shall match the design and material of quoins to the existing window opening at upper ground floor level.

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

## **BH2013/01039**

### **Telephone Exchange rear of 19-25 Carlton Terrace**

Installation of ventilation grilles within existing window openings to front and rear elevations.

**Applicant:** Mr Graham Barnard

**Officer:** Robert McNicol 292322

**Approved on 24/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site location plan			12 April 2013
Existing and proposed elevations	212-2202-12-01		2 April 2013

**HOVE PARK**

**BH2013/00135**

**British Engineerium The Droveaway Hove**

Erection of temporary ice rink within the Engineerium grounds from October to February for a five year period commencing October 2013. Ancillary structures to include skate hire and shop and associated plant.

**Applicant:** The British Engineerium Ltd

**Officer:** Guy Everest 293334

**Refused on 16/05/13 DELEGATED**

**1) UNI**

The marquee structures by reason of their scale, siting and form would fail to preserve or enhance the character or appearance of the Engineerium Conservation Area, and would have an adverse effect on the architectural and historical character and appearance of the grade II\* listed Engine Rooms and Boiler House and grade II listed workshop and former coal store. The proposal is therefore contrary to policies HE1, HE3 and HE6 of the Brighton & Hove Local Plan.

**2) UNI2**

The development has potential to create a significant and harmful demand for travel. No information has been submitted on the forecast daily trip generation to and from the site; the likely modal split of visitors; or an assessment on the demand for car parking, which could generate significant levels of overspill parking on the local highway network. In the absence of such information the proposal is therefore contrary to policies TR1, TR2 and TR7 of the Brighton & Hove Local Plan.

**BH2013/00453**

**Land rear of 39-73 Queen Victoria Avenue Hove**

Erection of 2no single storey one bedroom dwellings.

**Applicant:** Cook Brighton Ltd

**Officer:** Christopher Wright 292097

**Refused on 17/05/13 PLANNING COMMITTEE**

**1) UNI**

The proposed development would have a cramped appearance due to the limited size of the plot and the design, scale and appearance of the dwellings would be incongruous with the predominant form and layout of development in the area and would fail to enhance the positive characteristics of the locality. The proposal would result in the loss of open space which is important to the character of the area and the loss of areas of outdoor amenity space used by existing adjoining residents. As such the proposal would be detrimental to visual amenity and contrary to policies HO4, HO5, QD1, QD2, QD3 and QD27 of the Brighton &

Hove Local Plan 2005.

**2) UNI2**

For reasons including the raised level of the site, the proximity of the dwellings against the boundaries of the plot and the siting of parking and cycle storage facilities, the development would have a significant adverse impact on neighbour amenity by way of loss of privacy, overlooking, overbearing impact and noise disturbance and intrusion. For these reasons the proposal would be contrary to policy QD27 of the Brighton & Hove Local Plan 2005.

**3) UNI3**

The proposed development, by reason of the design and absence of windows at eye level (notwithstanding views into the enclosed terraces of each property), would not provide a satisfactory standard of accommodation for future occupiers due to the limited outlook provided from within. As such the proposal conflicts with policy QD27 of the Brighton & Hove Local Plan 2005.

**4) UNI4**

The application proposes to achieve Level 3 of the Code for Sustainable Homes for the development. This is not a satisfactory level of sustainability for the development because the plot constitutes a Greenfield site which is not previously developed and as such a minimum of Level 5 of the Code for Sustainable Homes should be achieved in accordance with policy SU2 of the Brighton & Hove Local Plan 2005 and Supplementary Planning Document SPD08: Sustainable Building Design.

**5) UNI5**

The proposed footway in front of the two dwelling units would not connect with the public footway outside of the site and as such would not provide for a safe and attractive pedestrian route to and from the development, contrary to the requirements of policies TR7 and TR8 of the Brighton & Hove Local Plan 2005.

**BH2013/00471**

**4 Radinden Drive Hove**

Erection of garden room/office to front garden elevation incorporating associated landscaping.

**Applicant:** Mr Sam Taylor

**Officer:** Robert McNicol 292322

**Approved on 29/05/13 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 outbuilding hereby permitted shall only be used for purposes ancillary to, or incidental to, the enjoyment of 4 Radinden Drive as a residential dwellinghouse and shall not be occupied as a separate dwelling or for separate commercial or business use.

*Reason: To safeguard the amenities of the occupiers of adjoining 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 listed below.

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

Plan Type	Reference	Version	Date Received
Site location plan			28 February 2013

Block plan			28 February 2013
Tree location plan			28 February 2013
Garden room elevations and plan			28 February 2013
Structural plans	4430 01		5 May 2013
Structural plans	4430 02		5 May 2013
Structural plans	4430 03		5 May 2013

#### 4) UNI

No development shall commence until an arboricultural method statement has 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 protect the beech tree in the front garden of 2 Radinden Drive which is to be retained in the interest of the visual amenities of the area and to comply with policy QD16 of the Brighton & Hove Local Plan.*

### **BH2013/00538**

#### **32 Hill Brow Hove**

Remodelling of house including erection of two storey side extensions, front and rear gables, rear balconies, creation of basement level and associated external alterations.

**Applicant:** Mr & Mrs Maggs

**Officer:** Jason Hawkes 292153

**Refused on 30/05/13 DELEGATED**

#### 1) UNI

The scheme would create an excessively large and overextended dwelling which would be one of the largest houses on Hill Brow. The proposals would result in a large, two-storey addition in close proximity to the northern boundary which would stand out in contrast to the adjacent bungalow (34 Hill Brow) and would appear unduly visually prominent to the detriment of the street scene and the character and appearance of the locality. Furthermore, the proposed front dormer is deemed excessive in size and would form an inappropriate and unattractive addition to the dwelling. The proposed development is thereby contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 1: Roof Alterations & Extensions.

### **BH2013/00584**

#### **Park House Old Shoreham Road Hove**

Application for removal of condition 14 of application BH2012/00114 (Demolition of former residential language school and erection of 5 storey block of 71 flats incorporating basement car park and surface car parking to provide 71 parking spaces, including landscaping and other associated works) which states that no development shall take place until the precise details of the canopy shelters including materials, scale and design, over the surface disabled parking spaces hereby approved, have been submitted to and approved in writing by the Local Planning Authority.

**Applicant:** Denne Construction

**Officer:** Christopher Wright 292097

**Approved after Section 106 signed on 24/05/13 DELEGATED**

#### 1) UNI

The development hereby permitted shall be commenced on or before 18 April 2015.

*Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.*

#### 2) UNI

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.*

**3) UNI**

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.*

**4) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime Home 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.*

**5) UNI**

The hard surfaces 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) UNI**

The vehicle parking areas 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.*

**7) UNI**

Notwithstanding the drawings submitted, the development shall provide for a minimum of 7 disabled accessible parking spaces and these 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 adequate parking provision is retained and to comply with policy TR19 of the Brighton & Hove Local Plan.*

**8) UNI**

The windows and other openings to the rooms fronting Goldstone Crescent, Old Shoreham Road and Hove Park Gardens within the development hereby permitted, shall not be glazed other than with glazing which meets or exceeds the standard required for satisfactory attenuation of external noise cited in the approved PPG24 Noise Assessment Final Report received on 17 January 2012.

*Reason: In order to safeguard the amenities and living conditions of future occupiers of the development and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

**9) UNI**

The development shall be implemented in accordance with the programme of archaeological work and the written scheme of investigation approved by the

Local Planning Authority on 27 December 2012 under application ref. BH2012/03510.

*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 policy HE12 of the Brighton & Hove Local Plan.*

**10) UNI**

The development hereby permitted shall be implemented in accordance with the Arboricultural Method Statement approved on 20 December 2012 under application ref. BH2012/03518.

*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.*

**11) UNI**

The development hereby permitted shall be implemented in accordance with the recommendations as set out in the Badger Method Statement Report approved on 7 January 2013 under application ref. BH2012/03519.

*Reason: In the interests of nature conservation and the safeguarding of a protected species and their habitat and in order to comply with policies QD17 and QD18 of the Brighton & Hove Local Plan.*

**12) UNI**

The development hereby permitted shall be implemented in accordance with the Drainage Strategy Layout approved on 16 January 2013 under application ref. BH2012/03671.

*Reason: To ensure that the proposed surface water drainage scheme does not cause the mobilisation or introduction of pollutants into the ground and to comply with policies SU3, SU4 and SU11 of the Brighton & Hove Local Plan.*

**13) UNI**

The development hereby permitted shall be implemented in accordance with the details as set out in the External Building Fabric Assessment by RBA Acoustics approved on 4 February 2013 under application ref. BH2012/04090.

*Reason: In order to safeguard the amenities and living conditions of future occupiers of the development and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.*

**14) UNI**

The piling of the development hereby permitted shall be implemented in accordance with the details set out in the CFA Piling Technique Statement approved on 16 April 2013 under application ref. BH2013/00102.

*Reason: To ensure that the method of foundation construction does not result in the deterioration of groundwater quality and in order to comply with policies SU3 and SU11 of the Brighton & Hove Local Plan.*

**15) UNI**

The development hereby permitted shall be implemented in accordance with the external materials samples approved on 14 March 2013 under application ref. BH2013/00112 and shall thereafter be retained as such.

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

**16) UNI**

The development hereby permitted shall meet the Code for Sustainable Homes Code Level 4 in accordance with the Interim Certificates issued at Design Stage by STROMA Certification x 71, approved on 25 February 2013 under application ref. BH2013/00216.

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



*Building Design.*

**17) UNI**

The development hereby permitted and visibility splays shall be implemented in accordance with the Vehicle Crossover Licence Plan Access Road ref. C1131, approved on 24 January 2013 under application ref. BH2012/03778) and the visibility splays shall thereafter be maintained as such for the lifetime of the development.

*Reason: In order to safeguard inter-visibility between motorists and pedestrians, in the interests of highway safety and to comply with policy TR7 of the Brighton & Hove Local Plan.*

**18) UNI**

No development shall commence until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority, which shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers/densities and an implementation programme. The development shall be implemented in accordance with the approved details.

*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.*

**19) UNI**

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.*

**20) UNI**

(i) The development hereby permitted shall be carried out in accordance with the details in the contaminated land remediation scheme submitted to and approved by the Local Planning Authority on 15 March 2013 under application ref. BH2012/03511.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning

Authority verification by the competent person approved under the provisions of (i) above that any remediation scheme required and approved under the provisions of (i) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) as built drawings of the implemented scheme;
- b) photographs of the remediation works in progress; and
- c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i). If during development contamination not previously identified is found to be present at the site, no further development, unless

otherwise agreed in writing by the local planning authority, shall be carried out until the developer has submitted, and obtained written approval from the local planning authority, for a method statement to identify, risk assess and address the unidentified contaminants.

*Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.*

**21) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 or higher 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.*

**22) UNI**

Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall not be occupied until 4 x bird and 4 x bat roosting boxes, which should be made from 'Woodcrete' or equivalent, and fixed securely to the external walls of the building, have been provided.

*Reason: In the interests of nature conservation and enhancement of the biodiversity of the site and in order to comply with policy QD17 of the Brighton & Hove Local Plan.*

**23) UNI**

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.*

**24) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location	Y023-001		17/01/2012
Site Location Plan	Y023-001	A	17/01/2012
-1 Level Floor Plan	Y023-010	F	17/01/2012
01 Level Floor Plan	Y023-012	D	17/01/2012
02 Level Floor Plan	Y023-013	D	17/01/2012
03 Level Floor Plan	Y023-014	E	17/01/2012
04 Level Floor Plan	Y023-015	E	17/01/2012
06 Roof Plan	Y023-017	B	17/01/2012
Proposed Elevations 1	Y023-020	E	17/01/2012
Proposed Lighting Plan	Y023-050		17/01/2012
Landscape Plan	OHP-ND-001		17/01/2012
Landscape Plan	OHP-ND-002		17/01/2012
Landscape Plan	OHP-ND-003		17/01/2012
Landscape Plan	OHP-ND-004		17/01/2012
Arboricultural Drawings	J37.82/01	B	17/01/2012
Tree Removal & Protection	J37.82/03		17/01/2012

Plan			
00 Level Floor Plan	Y023-011	G	20/03/2012
05 Level Floor Plan	Y023-016	F	20/03/2012
Proposed Elevations 2	Y023-021	E	20/03/2012

**BH2013/00950**

**239 Dyke Road Hove**

Display of non illuminated fascia signs, externally illuminated fascia signs and internally illuminated fascia sign. Display of internally illuminated projecting sign, internally illuminated gantry signs, non illuminated vinyl graphics, non illuminated ATM surround and non illuminated lettering graphics with background.

**Applicant:** Tesco Stores Ltd

**Officer:** Mark Thomas 292336

**Split Decision on 04/06/13 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.*

**8) UNI**

GRANT advertisement consent for the fascia signs, projecting ATM sign and totem sign shown on drawing nos. 2696ELE2B, 2696SIGN1AB, 2696SIGN1AC, 2696SIGN1AA and 2696SIGN1A subject to Conditions and Informatives set out in section 11.

**1) UNI**

REFUSE advertisement consent for the window vinyl signs to the eastern elevation as shown on drawing nos. 2696ELE2B, 2696SIGN1AB and 2696SIGN1AC for the reason and Informatives set out in section 11.

The proposed window vinyl advertisements to the eastern side elevation facing Dyke Road, by virtue of their positioning, design, excessive size and coverage would be unduly prominent, significantly detracting from the character and appearance of the recipient building and the wider street scene. As such, they would be contrary to policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document (SPD) 07: Advertisements.

**BH2013/01048**

**31 Woodruff Avenue Hove**

Erection of ground and lower ground floor rear extension.

**Applicant:** Mr Jay Sethi

**Officer:** Robert McNicol 292322

**Refused on 23/05/13 DELEGATED**

**1) UNI**

The proposed development would be a large two storey extension at basement and ground floor level with additional light wells. This would result in a bulky addition which would relate poorly to the recipient house, giving the appearance of a distinct structure that would dominate the appearance of the rear of the building. The depth of the extension would also give the house an overextended appearance, which would fail to respect the residential scale and domestic character of the built form in the area. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

**BH2013/01102**

**16 Orchard Avenue Hove**

Erection of first floor side extension and associated works.

**Applicant:** Mr J McFarlane

**Officer:** Mark Thomas 292336

**Approved on 29/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing plans and elevations	-	-	3 April 2013
Proposed plans and elevations	-	-	3 April 2013

**BH2013/01108**

**39 The Martlet Hove**

Erection of conservatory to rear.

**Applicant:** Mr Robinson

**Officer:** Mark Thomas 292336

**Approved on 30/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Existing elevation and floor plan	5565/01	-	5/04/2013
Proposed elevations and floor plan	5565/02	-	5/04/2013
Site location and block plan	5565/03	-	5/04/2013

**BH2013/01126**

**25 The Droveaway Hove**

Installation of glass balustrade at second floor level.

**Applicant:** Mr A Standing

**Officer:** Adrian Smith 290478

**Refused on 04/06/13 DELEGATED**

**1) UNI**

The proposed second floor terrace would result in a use and likely placing of domestic items on the roof of the building that would be harmful to the appearance of the building and the character and appearance of the area, contrary to policy QD14 of the Brighton & Hove Local Plan.

**2) UNI2**

The proposed second floor roof terrace would result in a significant loss of

amenity for the residents of the adjacent property at No.27 The Drove way by way of direct overlooking and loss of privacy, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

**BH2013/01145**

**23 Tongdean Road Hove**

Erection of detached two storey building to side of existing house incorporating double garage to ground floor and garden room with terrace to rear at first floor level. Creation of new crossover and alterations to front boundary wall.

**Applicant:** Mr & Mrs Pinsent

**Officer:** Adrian Smith 290478

**Approved on 04/06/13 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 external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the main dwelling (23 Tongdean Road).

*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**

No development or other operations shall commence on site in connection with the development hereby approved until a detailed Construction Method Statement for the proposed cross-over has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Construction Method Statement. Reason: To ensure the suitable protection of the street tree and 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 there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include details of hard surfacing, boundary treatments, 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. Any fences so required for the protection of the existing trees shall be erected in accordance with BS5837 (2012) and 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 enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1, QD15 and QD16 of the Brighton & Hove Local Plan.*

**5) UNI**

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, QD15 and QD16 of the Brighton & Hove Local Plan.*

#### **6) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site plan and block plan	-	-	09/04/2013
Existing plans and elevations	1021/01	-	09/04/2013
Proposed plans and elevations	1021/02C	-	09/04/2013
Proposed street scene and section	1021/03A	-	09/04/2013

#### **7) UNI**

The rear balcony shall not be brought into use until the privacy screening to the south-western edge of the rear balcony, as detailed on drawing no.1021/02C received on 9 April 2013, has been installed in accordance with the submitted details. The privacy screening shall thereafter be retained at all times.

*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.*

### **BH2013/01215**

#### **8 Mallory Road Hove**

Erection of single storey rear extension incorporating creation of new external raised decking area.

**Applicant:** Carlos Enrech

**Officer:** Mark Thomas 292336

**Approved on 04/06/13 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 1.8m obscured glazed screen to the northern edge of the raised decking adjacent to the boundary with 10 Mallory Road, as shown on drawing DWG.No.4, shall be installed prior to the decking first being brought into use and shall thereafter be retained in situ.

*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) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site location plan	-	-	10/04/2013
Block plan	-	-	10/04/2013
Existing floor plans	DWG. No. 1	-	10/04/2013
Existing elevations	DWG. No. 2	-	10/04/2013
Proposed floor plans and elevation	DWG. No. 3	-	10/04/2013
Proposed elevations	DWG. No. 4	-	10/04/2013

## **WESTBOURNE**

### **BH2013/00788**

#### **Flat 10 Wendover Grange Westbourne Villas Hove**

Installation of UPVC door to side elevation of garage.

**Applicant:** Ms Frances Bromby

**Officer:** Helen Hobbs 293335

**Approved on 16/05/13 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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site location plan	/	/	8/03/2013
Block plan	/	/	8/03/2013
Proposed image	/	/	8/03/2013
Proposed and existing plans	/	/	25/03/2013
Photograph as existing	/	/	8/03/2013
Details of the door	/	/	25/03/2013

### **BH2013/00820**

#### **Flat 1 Hogarth Court 214 Portland Road Hove**

Application for removal of condition 5 of application BH2009/00080 (Conversion of existing first & second floor maisonette to 2no. self contained flats (revised scheme)) which states that no development shall take place until details of a scheme to provide sustainable transport infrastructure has been submitted to and approved in writing by the Local Planning Authority.

**Applicant:** Mr Morris Davis

**Officer:** Christopher Wright 292097

**Approved on 03/06/13 DELEGATED**

#### **1) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	TA358/01	B	22/01/2009

Report from: 16/05/2013 to:



Existing Site Layout	TA358/02	A	14/01/2009
Existing Ground Floor Plan	TA358/03		14/01/2009
Existing First Floor Plan	TA358/04		14/01/2009
Existing Second Floor Plan	TA358/05		14/01/2009
Existing Sections	TA358/06		14/01/2009
Proposed Site Plan	TA358/10	B	14/01/2009
Proposed Ground Floor Plan	TA358/11		14/01/2009
Proposed First Floor Plan	TA358/12	A	14/01/2009
Proposed Second Floor Plan	TA358/13	A	14/01/2009
Proposed Sections	TA358/14	C	14/01/2009
Proposed Section 3	TA35/15	A	14/01/2009
Proposed Second Floor Plan	TA358/16		14/01/2009
Proposed Rear Elevation	TA358/17		14/01/2009

## 2) UNI

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved drawings 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 2005.*

## 3) UNI

The development hereby permitted shall not be occupied until an EST Home Energy Report or equivalent, to include details of how the scheme will reduce water consumption, has been submitted to and approved in writing by the Local Planning Authority. 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 2005 and Supplementary Planning Document SPD08 Sustainable Building Design.*

## 4) UNI

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 2005.*

## 5) UNI

The development hereby permitted shall be implemented and maintained in accordance with the details of the refuse and recycling facilities approved by the Local Planning Authority on 16 April 2013 under application reference BH2013/00821.

*Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recyclable materials and to comply with policy QD27 of the Brighton & Hove Local Plan 2005.*

## **BH2013/00923**

### **49 Sackville Gardens Hove**

Erection of a single storey rear extension. Removal of 2no rooflights and creation of dormer to rear facing roofslope. Insertion of 3no rooflights to side facing roofslope.

**Applicant:** Mr Edward Shuttleworth  
**Officer:** Christopher Wright 292097

Report from: 16/05/2013 to:

**Approved on 04/06/13 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 1:20 scale elevation drawings and detailed section drawings of the proposed rear dormer window hereby permitted showing the window design and frame details have been submitted to and approved in writing by the Local Planning Authority. The 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 2005.*

**3) UNI**

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.*

**4) UNI**

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.*

**5) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location & Block Plan	CH534/001	A	8 May 2013
Existing Plans	CH534/002		22 Mar 2013
Existing Elevations	CH534/003		22 Mar 2013
Existing Sections	CH534/004		22 Mar 2013
Proposed Plans	CH534/005		22 Mar 2013
Proposed Elevations	CH534/006		22 Mar 2013
Proposed Sections	CH534/007		22 Mar 2013

**6) UNI**

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.*

**BH2013/00952**

**32 Reynolds Road Hove**

Erection of timber clad garden room structure to rear of garden.

**Applicant:** Mr Richard Loretto

**Officer:** Helen Hobbs 293335

**Approved on 30/05/13 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 outbuilding hereby permitted shall only be used for purposes ancillary to, or incidental to, the enjoyment of 32 Reynolds Road as a residential dwellinghouse and shall not be occupied as a separate dwelling or for separate commercial or business use.

*Reason: To safeguard the amenities of the occupiers of adjoining 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 listed below.

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

Plan Type	Reference	Version	Date Received
Proposed plans and elevations			5th April 2013
Site plan			26th March 2013
Block plan			26th March 2013

**BH2013/01043**

**13 Aymer Road Hove**

Erection of single storey rear extension, removal of rear fire escape, remodelling of existing dormer, additional dormer and conservation rooflight to rear and replacement of two front rooflights with conservation rooflights in existing openings, replacement of double glazed timber sash window to front elevation.

**Applicant:** Mr & Mrs Daniel Habba

**Officer:** Christopher Wright 292097

**Approved on 28/05/13 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 facing brickwork and roof tiles used for the external surface finishes of the development hereby permitted shall match those used on 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**

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) UNI**

Other than the folding doors proposed at ground floor level to the rear elevation of the development hereby permitted, 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.*

**5) UNI**

The development hereby permitted shall be carried out in accordance with the approved drawings listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	S0		2/04/2013
Block Plan	P0		2/04/2013
Existing Ground Floor Plan	S1		2/04/2013
Existing First Floor Plan	S2		2/04/2013
Existing Second Floor Plan	S3		2/04/2013
Existing Roof Plan	S4		2/04/2013
Existing Front Elevation	S5		2/04/2013
Existing North Elevation	S6		2/04/2013
Existing Rear Elevation	S7		2/04/2013
Existing South Elevation	S8		2/04/2013
Existing Section A-A	S9		2/04/2013
Existing Section B-B	S10		2/04/2013
Existing Section C-C	S11		2/04/2013
Proposed Ground Floor Plan	P1	B	2/04/2013
Proposed First Floor Plan	P2	B	2/04/2013
Proposed Second Floor Plan	P3	B	2/04/2013
Proposed Roof Plan	P4	B	2/04/2013
Proposed Front Elevation	P5	B	2/04/2013
Proposed North Elevation	P6	B	2/04/2013
Proposed Rear Elevation	P7	C	28/05/2013
Proposed South Elevation	P8	B	2/04/2013
Proposed Section A-A	P9	B	2/04/2013
Proposed Section B-B	P10	B	2/04/2013
Proposed Section C-C	P11	B	2/04/2013
Window Detail Proposed Front Bay	P12	A	2/04/2013
Window Detail Proposed	P12-2	A	2/04/2013
Window Detail Proposed	P12-3	A	2/04/2013
Window Detail Proposed	P12-4	A	2/04/2013
Window Detail Proposed	P12-5	A	2/04/2013
Window Detail Proposed	P13	A	2/04/2013
Window Detail Proposed	P14	A	2/04/2013
Window Detail Proposed	P15	A	2/04/2013
Window Detail Proposed	P16	A	2/04/2013

## **6) 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 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 HE6, QD14 and QD27 of the Brighton & Hove Local Plan.*

## **WISH**

**BH2012/03984****268 - 272 Portland Road Hove**

Change of use of ground floor from car showroom (SG04) to retail (A1).

**Applicant:** Mrs A A Richards

**Officer:** Guy Everest 293334

**Approved on 24/05/13 DELEGATED**

**1) UNI**

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 listed below.

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

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	200-001	P1	31/12/2013
1:500 Block Plan	071/RLP		20/12/2013
Existing Ground Floor Plan (excluding 1st & 2nd Floor levels)	Flat 272	C	20/12/2012
General Arrangement Plan	12-XXX-201	B	20/12/2012

**3) UNI**

The use hereby permitted shall not be open or in use except between the hours of 07:00 and 23:00 on Mondays to Sundays, including Bank and Public Holidays.

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

**4) UNI**

Prior to the hereby approved use being first brought into use the refuse and recycling storage facilities indicated on the approved plans shall be 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.*

**5) UNI**

No development shall commence until a scheme for sound insulation between ground and first floor level has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until construction has been completed in accordance with the agreed details. The development shall be retained as such thereafter.

*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.*

**6) UNI**

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.*

## **7) UNI**

Prior to the hereby approved use being first bought into use the applicant shall reinstate the redundant vehicle crossover to the Portland Road frontage of the site back to footway by raising the existing kerb and footway. The works shall be completed prior to the occupation of the development hereby permitted and shall thereafter be retained.

*Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.*

## **8) UNI**

No servicing (i.e. deliveries to or from either premises) shall occur except between the hours of 07:00 and 20:00 Monday to Saturday, and 10.00 to 16.00 Sundays (including Bank and Public Holidays).

*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.*

### **BH2013/00790**

#### **46 Mansfield Road Hove**

Roof conversion incorporating new side dormer extension and new rear window and side Velux rooflights.

**Applicant:** Mr & Mrs R Dunstan

**Officer:** Guy Everest 293334

**Refused on 17/05/13 DELEGATED**

#### **1) UNI**

The proposed side dormer by reason of its size and design would appear an unduly bulky and dominant addition out of character with the existing property and surrounding area. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan, and to the provisions of Supplementary Planning Guidance Note BH1: Roof alterations and extensions

### **BH2013/00969**

#### **58 Welbeck Avenue Hove**

Certificate of lawfulness for proposed demolition of garage and erection of single storey outbuilding containing exercise facilities.

**Applicant:** Ms Karen Lewis

**Officer:** Robert McNicol 292322

**Approved on 22/05/13 DELEGATED**

#### **1) UNI**

The development is permitted under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

### **Withdrawn Applications**

### PLANS LIST 26 June 2013

#### PRESTON PARK

**Application No: BH2013/01487**  
**Flat 4 22 Florence Road Brighton**

1no Leyland Cypress (T1) - reduce in height by approximately one-third.

Applicant: Trees Understood  
**Approved on 23 May 2013**

**Application No: BH2013/01752**  
**99 Waldegrave Road**

Fell 1no Holly (T1) and 1no Silver Birch (T2). Both trees are not visible from the public highway thus have no public amenity value.

Applicant: Mr Colin Granlund  
**Approved on 06 Jun 2013**

**Application No: BH2013/01774**  
**140 Preston Drove, Brighton**

Fell one Leylandii - tree has very limited visibility from a public place thus has no public amenity.

Applicant: Mr Jesse Marshall  
**Approved on 07 Jun 2013**

#### REGENCY

**Application No: BH2013/01603**  
**Former Royal Alexandra Hospital for Sick Children, Dyke Road, Brighton**

Lime (T3), 2no Horse Chestnut (T4 & T7), Beech (T5), Sycamore (T8) - cut back branches adjacent to new buildings by 1m and remove ivy from trunks.

Applicant: Mr R Bateman  
**Approved on 30 May 2013**

**Application No: BH2013/01692**  
**9 Montpelier Villas**

2no Prunus (T1, T2) - crown thinning of both trees to allow more light into property, 20-25% reduction. T1 – reduce to 4m height and 4m spread. T2 - reduce to 3m height and 4m spread.

Applicant: Mr Antony Ashbee  
**Approved on 06 Jun 2013**

**ST. PETER'S & NORTH LAINE**

**Application No: BH2013/01656**  
**112-114 Richmond Road**

1no Eucalyptus (T1) pollard to a crown of 3 metres (at 5-6 metres high).

Applicant: Mr Robin Morley  
**Approved on 07 Jun 2013**

**Application No: BH2013/01802**  
**Pavilion Buildings Brighton**

1no Elm (T1) - reduce and reshape crown by 10-15% to give a smaller tree in outside dimensions with as natural a shape as possible.

Applicant: Royal Pavilion & Museums  
**Approved on 07 Jun 2013**

**EAST BRIGHTON**

**Application No: BH2013/01769**  
**Courtney King House, 169 Eastern Road, Brighton**

Sycamore (T3) - reduce and re-shape crown by 40-50% to give a smaller tree in outside dimensions with as natural a shape as possible (removing dead tops).

Applicant: Mr Pattar  
**Approved on 07 Jun 2013**

**QUEEN'S PARK**

**Application No: BH2013/01310**  
**Turner House, 1 Tilbury Place**



8no Sycamore (T1,T2,T3,T4,T5,T6,T7,T8) - 30% crown reduction. 1no Elm (T9) - 30% crown reduction.

Applicant: Mr Laurence Bartlam  
**Approved on 07 Jun 2013**

**Application No: BH2013/01373**  
**29 West Drive, Brighton**

Fell one Leylandii. Whilst the tree does have some public amenity value, its proximity to lightly loaded structures makes long-term retention unfeasible.

Applicant: James Cox  
**Approved on 06 Jun 2013**

**Application No: BH2013/01389**  
**Crescent Villa 13 Bristol Road Brighton**

1no Sycamore (T1) - reduce the crown by shortening the shoots on the ends of the branches by approximately 1.5 metres which will reduce the overall diameter by no more than 25%.

Applicant: Ms Marnie Stinson  
**Approved on 23 May 2013**

### **ROTTINGDEAN COASTAL**

**Application No: BH2013/01645**  
**10 The Rotyngs Rottingdean Brighton**

1no Sycamore (T1) - thin crown by approx 20% and remove dead wood. 1no Elm (T2) - thin crown by 15%, remove lowest limb over newly built house across the lane and reduce the limb directly above it up by approx 2.5 metres.

Applicant: Claire Lucius  
**Approved on 06 Jun 2013**

### **CENTRAL HOVE**

**Application No: BH2013/01507**  
**Flat 1, 36 Ventnor Villas, Hove**

2no Elms in rear garden (T1,T2) - reduce in height both Elms by 4m, reduce remaining crowns back to previous pruning points and lift crowns to 4m and remove basal growth.

Applicant: Pippa Wilson  
**Approved on 07 Jun 2013**

**Application No: BH2013/01798**  
**34 Hova Villas, Hove**

Sycamore - reduce by 1-2 metres.

Applicant: Mr J Hatch  
**Approved on 07 Jun 2013**

### **HANGLETON & KNOLL**

**Application No: BH2013/01747**  
**Old School Place, Stapley Road (land to rear of 130 Rowan Avenue)**

Fell 1no Norway Maple (T1).

Applicant: Miss Una Johnston  
**Refused on 06 Jun 2013**

### **WESTBOURNE**

**Application No: BH2013/01445**  
**Allen Centre, 60 Sackville Gardens, Hove**

2no Elms on front boundary - crown reduce to just above previous cuts, thinning out where appropriate and removing any dead wood; 1no Elm - crown reduce to just above previous cuts, thinning out where appropriate and removing any dead wood; 1no Cherry adjacent building - crown reduce to just above previous cuts, thinning out where appropriate and removing any dead wood.

Applicant: Mr Nigel Collins  
**Approved on 23 May 2013**

**Application No: BH2013/01499**  
**2 Westbourne Place Hove**

1no Ash (T1) reduce and reshape crown by approx 1.5m.

Applicant: Margaret Parkes  
**Approved on 23 May 2013**

**Application No: BH2013/01510**  
**12 Pembroke Gardens, Hove**

Sycamore (T2 on plan) - reduce crown by 30% to reduce shading.

Applicant: Mr Henry Mason  
**Approved on 24 May 2013**

**Application No: BH2013/01511**  
**12 Pembroke Gardens, Hove**

Fell 1no Western Red Cedar (T1 on plan) - Although the tree has some public amenity value, the structure of the crown is very poor and its proximity to the dwellings is not sustainable in the long term.

Applicant: Mr Henry Mason  
**Approved on 24 May 2013**

**Application No: BH2013/01513**  
**Allen Centre, 60 Sackville Gardens, Hove**

Fell 1no Ornamental Apple - the tree has no public amenity value.

Applicant: Mr Nigel Collins  
**Approved on 23 May 2013**

**Application No: BH2013/01618**  
**9 Aymer Road, Hove**

Eucalyptus in rear garden - remove three split limbs, reduce height by 9' and lightly thin the crown.

Applicant: Lesley Baker  
**Approved on 06 Jun 2013**

**Application No: BH2013/01651**  
**54 New Church Road, Hove**

Fell 1no Ulmus procera (T1) due to proximity to buildings. Agreed to fell as lower crown structure in direct contact with building thus of only short-term potential for retention.

Applicant: Peter Fuller  
**Approved on 24 May 2013**

**Application No: BH2013/01652**  
**54 New Church Road, Hove**

17no Ulmus procera (includes T2) - 25% canopy reduction and crown raise to crown break to maintain aesthetics in keeping with local area.

Applicant: Peter Fuller

**Approved on 24 May 2013**