





**Brighton & Hove
City Council**

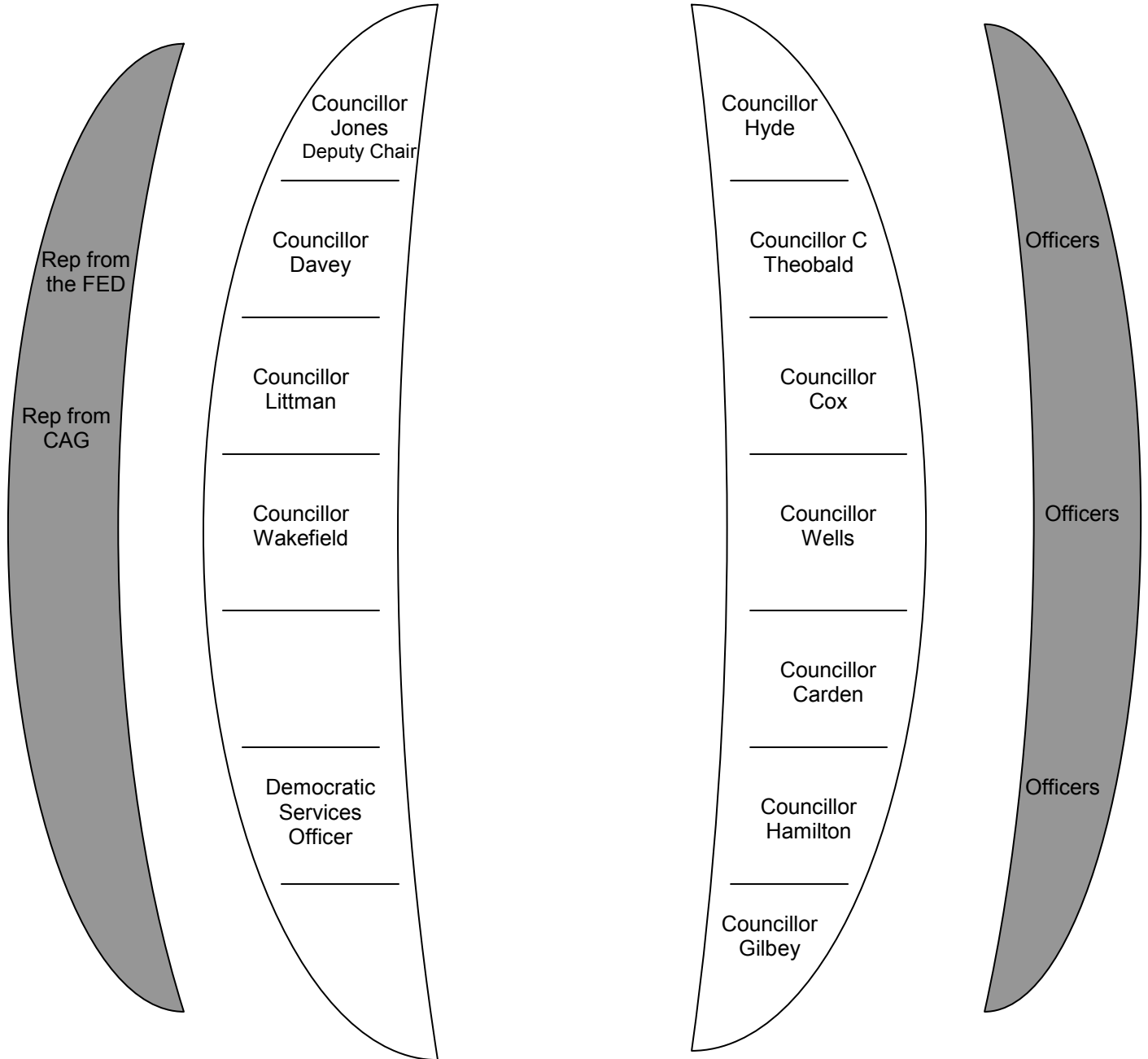
Planning Committee

Title:	Planning Committee
Date:	9 October 2013
Time:	2.00pm
Venue	Council Chamber, Hove Town Hall
Members:	<p>Councillors: Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Gilbey, Hamilton, Littman, C Theobald, Wells and Wakefield</p> <p>Co-opted Members: Jim Gowans (Conservation Advisory Group) and Chris Kift (The FED Centre for Independent Living)</p>
Contact:	<p>Ross Keatley Democratic Services Officer 01273 291064 ross.keatley@brighton-hove.gcsx.gov.uk</p>

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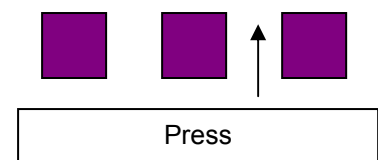
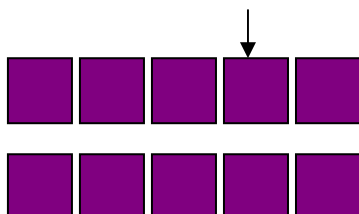
Democratic Services: Planning Committee

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

Part One

Page

75. 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.

(d) Use of mobile phones and tablets: Would Members please ensure that their mobile phones are switched off. Where Members are using tablets to access agenda papers electronically please ensure that these are switched to 'airplane mode'.

PLANNING COMMITTEE

76. MINUTES OF THE PREVIOUS MEETING 1 - 24

Minutes of the meeting held on 19 September 2013 (copy attached).

77. CHAIR'S COMMUNICATIONS

78. PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 2 October 2013.

79. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

80. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

Please note that the published order of the agenda may be changed; major applications will always be heard first; however, the order of the minor applications may be amended to allow those applications with registered speakers to be heard first.

MAJOR APPLICATIONS

A. BH2013/02491 - Brighton Racecourse Race Hill - Full Planning Permission 25 - 38

Use of land at Brighton Racecourse for car boot sales on each Sunday throughout the year and additionally on Wednesdays during the months of April to October.

RECOMMENDATION – GRANT

Ward Affected: East Brighton

B. BH2013/02082 - BHASVIC, 205 Dyke Road, Hove - Full Planning Permission 39 - 60

Construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building on Dyke Road, provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras and creation of a new landscaped area.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Hove Park

PLANNING COMMITTEE

- C. BH2013/01278 - Former Infinity Foods Site 45 Franklin Road & 67 67a & 67b Norway Street - Full Planning Permission 61 - 94**

Demolition of existing buildings and construction of a three-storey commercial building (class B1 office space) and two and three storey buildings to form 31no dwellings with associated car parking, access and landscaping works.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: South Portslade

MINOR APPLICATIONS

- D. BH2013/02540 - The Marlborough, 4 Princes Street, Brighton 95 - 106**

Formation of beer garden to replace existing garage incorporating blocking up of garage entrance, relocation of toilets and associated works.

RECOMMENDATION – GRANT

Ward Affected: Queen's Park

- E. BH2013/01224 - Site of Rottingdean Swimming Pool Undercliff Walk Rottingdean Brighton - Full Planning Permission 107 - 118**

Installation of new multisports play arena.

RECOMMENDATION – GRANT

Ward Affected: Rottingdean Coastal

- F. BH2013/02368 - 12 Court Ord Road Brighton - Full Planning Permission 119 - 128**

Erection of extension to front and rear elevations to facilitate conversion of roof space, incorporating new front porch - Juliet balcony to rear and dormers to south west and north east elevations.

RECOMMENDATION – REFUSE

Ward Affected: Rottingdean Coastal

- G. BH2013/02685 - 6 Cornwall Gardens - Householder Permission 129 - 136**

Alterations to front boundary wall. (part-retrospective)

RECOMMENDATION – GRANT

Ward Affected: Withdean

PLANNING COMMITTEE

- 81. 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

- 82. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS** **137 - 140**
(copy attached).
- 83. LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS)** **141 - 280**
(copy attached)
- 84. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE** **281 - 286**
(copy attached).
- 85. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES** **287 - 288**
(copy attached).
- 86. APPEAL DECISIONS** **289 - 314**
(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.

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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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PLANNING COMMITTEE

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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.gcsx.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Tuesday, 1 October 2013

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 18 SEPTEMBER 2013****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors , Jones (Deputy Chair), Carden (Opposition Spokesperson), Cox, Duncan, Gilbey, Hamilton, K Norman, Sykes, C Theobald and Wells

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

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

PART ONE**63. PROCEDURAL BUSINESS****63a Declarations of substitutes**

63.1 Councillor Sykes was present in substitution for Councillor Davey; Councillor Duncan was present in substitution for Councillor Mac Cafferty and Councillor Ken Norman was present in substitution for Councillor Hyde.

63b Declarations of interests

63.2 Councillor Cox referred to Application BH2013/02074 and Application BH2013/02075 for full planning permission and listed building consent respectively at 119 Church Road, Hove and explained that as his letter of objection to a change in the opening hours was attached to the Committee report he would withdraw from the meeting during the consideration and vote on these two applications.

63.3 Councillor Ken Norman referred to Application BH2013/02475 33 Redhill Drive, Brighton and explained that he had objected to this application and, as such, he would withdraw from the meeting during the consideration and vote on this application.

63c Exclusion of the press and public

63.4 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.

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

64. MINUTES OF THE PREVIOUS MEETING

64.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 28 August 2013 as a correct record.

65. CHAIR'S COMMUNICATIONS

65.1 The Chair reminded Members that mandatory training would be taking place for all Members on Tuesday 8 October at 10:00 hours in the Council Chamber, Hove Town Hall.

66. PUBLIC QUESTIONS

66.1 There were none.

67. TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

67.1 **RESOLVED** – That the following site visits be undertaken by the Committee prior to determination of the application:

Application:	Requested by:
BH2013/02475 – 33 Redhill Drive, Brighton	Councillor Carol Theobald

68. TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A. BH2013/02096 - Hove Park Depot, The Droveaway, Hove - Full Planning Permission - Demolition of existing buildings and construction of a new three storey primary school building with brise soleil solar shading, solar panels and windcatchers with associated external hard and soft landscaping.

68.1 This application was withdrawn by the applicant.

B. BH2013/02097 - Hove Park Depot, The Droveaway, Hove - Conservation Area Consent - Demolition of existing buildings.

- (1) It was noted that this application had formed the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager, Nicola Hurley, introduced this application and gave a presentation by reference to plans, photographs and elevational drawings. The site was located between The Droveaway and the Engineerium. It was noted that the application for full planning on the site had been withdrawn, and this application only sought consent for the demolition of the existing buildings on the site. The main issues related to the loss of the existing building and the impact on the Conservation Area; policy stated that buildings should be retained if they made a positive contribution to the Conservation Area; however, it was felt that in this instance the buildings did not reflect the appearance of the area or made a positive contribution. For the reasons outlined in the report the application was recommended for approval.

Questions for Officers

- (3) In response to queries from Councillors Duncan, Carden and Hamilton in relation to the ecology on the site it was explained that the application was not part of a piecemeal application for wider aims on the site; instead the application was only concerned with the demolition of the existing buildings in the context of the Conservation Area. Whilst Officers would not normally recommend demolition, leaving an empty site, it was considered that the current buildings made no positive contribution. In relation to ecology aspects it was explained that the demolition would not have an impact on existing badger sets on the site as the sets were located in the southern part of the site away from the buildings proposed to be demolished. The Senior Solicitor, Hilary Woodward, also confirmed that badgers were protected by separate legislation, and if any were found in the process of demolition then the appropriate legislation would have to be complied with.
- (4) It was confirmed for Councillor Sykes that some of the buildings on the site were currently in use by the Council; however, the application was only able to consider the impact of the demolition on the Conservation Area. Councillor Ken Norman continued this line of questioning and it was confirmed that if the buildings were demolished then the operation would be moved by the Council to Stanmer Nursery; any changes in relation to the use would form a separate matter from the Conservation Area Consent as they would involve ownership matters beyond the remit of the Committee.

Debate and Decision Making Process

- (5) Councillor Duncan reiterated his concern that the approval of the demolition of the existing building would be the first stage of a larger application; he felt the application was premature and should only be considered alongside the wider application for the development of the whole site. To clarify the Senior Solicitor explained that the Planning Authority had a duty to determine applications, and the outcome of the application for Conservation Area Consent would set no precedent for any future planning application on the site.

(6) A vote was taken and Conservation Area consent was granted on a vote of 7 in favour with 3 abstentions.

68.2 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** conservation area consent subject to the conditions and informatives set out in the report.

Note: Councillors Littman and Wakefield were not present at the meeting.

C. BH2013/02050 - Aldi Stores Ltd, 7 Carlton Terrace, Portslade - Removal or Variation of Condition - Application for variation of condition 1 of BH2011/02857 to vary the hours of operation of the store to read: The store shall not be open for trading to the public except between the hours of 0800 and 2100 on Monday to Saturday and 1000 to 1600 on Sundays and Bank Holidays. Staff may be within the premises between the hours of 0700 and 2200 hours on Mondays to Saturdays and 0930 and 1730 on Sundays and Bank Holidays.

(1) The Area Planning Manager, Nicola Hurley, introduced this application and gave a presentation by reference to plans, photographs and elevational drawings. The application site related to Aldi Stores on Carlton Terrace which consisted of a large detached building with residential properties above and a smaller unit also with residential units above. The planning history was noted; in particular a refusal for changes to the car park. This application sought the variation of Condition 1 to allow the store to be open until 2100 hours Monday to Saturday and for the staff to be allowed in the store until 2200 hours Mondays to Saturdays; attention was also drawn to additional letters of objection in the Late List. The main consideration in relation to the change of hours were the impact on neighbour amenity, and the applicant had submitted a detailed noise assessment which set out that the change of hours would not have a detrimental impact; Officers had analysed this report and agreed with the findings. For the reasons set out in the report the application was recommended for approval.

Public Speakers and Questions

(2) Ms Angie Ross spoke in objection to the application in her capacity as a local resident. She stated that she was representing the residents of the 12 flats situated above the premises, and the grounds for their objections related to the existing noise from the premises and the lack of compliance by the store with the planning conditions currently attached to the premises. Ms Ross explained that she had personally made over 100 complaints, and felt that the matter had not been taken seriously. There was no sound proofing between the premises and the residential properties above and the noise of staff talking; doors banging; shopping trolley movements and cash registers were all audible by residents. A noise assessment had been commissioned by the operator; however, this had been taken from the car park and did not give consideration to the impact of the residential flats above. Ms Ross went on to point out that no Officers from Environmental Protection had visited the store to assess the noise problems, and the residents were of the view that an independent noise study should be undertaken. The premises also did not comply with the current planning conditions, and it was highlighted that on Sunday 21 July 2013 contractors had been present in the store all

night to undertake a refit; similar work had also been undertaken the following weekend. It was also noted that the store was only permitted one main delivery and one milk delivery on bank holidays; however, they had received five deliveries on the last bank holiday. Ms Ross closed by stating that she was concerned the problems would get worse if the hours were extended, and asked that the current conditions be properly enforced.

- (3) Councillor Hamilton asked if there was noise after the store closed, and in response Ms Ross explained that the noise was worse and it would travel more during these times.
- (4) Mr Scadding spoke in support of the application in his capacity as the Planning Agent for the applicant. He stated that the premises had a long planning history, and the number of planning restrictions caused the store operational problems; this application sought to allow Aldi to better fulfil its role as a local store. The decision to trade until 2100 hours was largely driven by customer demand and to address modern work and shopping patterns. The majority of competitors were open until 2200 hours, and the additional half an hour after the premises was closed would allow staff to undertake duties that could not be completed whilst the store was open. The noise assessment had been prepared which considered actual activities on the site; this had shown there would not be a negative impact and this had been scrutinised by Council Officers. The operators had also acknowledged the various objections, but were of the view that they 'could not please everyone' and that a compromise needed to be reached. Mr Scadding stated that the premises would operate within the existing restrictions, but did make reference to the period of essential maintenance – highlighting that the residents had been informed and given hampers as a gesture of good will – stating that the premises was not ignoring the planning restrictions. The store was a key town centre anchor, and the report had demonstrated that the change of hours would not have an adverse impact. In closing Mr Scadding asked that the application be granted.
- (5) Councillor Hamilton asked why the noise assessment had only been undertaken from the car park, and not from within the store or the residential flats above. In response Mr Scadding explained that this was the standard approach. Councillor Hamilton went on to ask about the location in the car park from which the assessment was undertaken; however, Mr Scadding explained he could not confirm this as he was not part of the noise assessment.
- (6) Mr Scadding confirmed for Councillor Sykes that the applicant had commissioned the noise assessment.

Questions for Officers

- (7) Councillor Cox asked if the operators were obliged to undertake a noise assessment, and in response Officers explained that they were not; however, such an assessment could give weight to applications, and the Planning Authority could be minded to ask that they undertake one.
- (8) In response to Councillor Wells the Senior Solicitor, Hilary Woodward, confirmed the store would need to comply with relevant legislation and therefore only be able to trade for six hours on Sundays.

- (9) Councillor Sykes asked about the recent enforcement investigations referenced in the Committee report, and in response the Deputy Development Control Manager explained the resolution of this had been suspended subject to the outcome of the planning application before the Committee.
- (10) Councillor Gilbey asked if the Planning Authority would direct the premises on how to undertake the noise assessment, and in response it was explained that this could sometimes be the case, and the Authority could direct if they considered more information was needed.
- (11) It was confirmed for Councillor Hamilton that the report made reference to the assessment being undertaken from the car park.

Debate and Decision Making Process

- (12) Councillor Hamilton stated that the premises were located within his Ward, and he had been receiving complaints in relation to these premises for some time; he also referenced mistakes and inaccuracies within the sound assessment. He went on to add that the assessment should have considered the impact of noise on the residential units and taking readings from within the store itself. The report also made reference to a wall, and Councillor Hamilton noted that this wall had not been built properly; nor had the operator sought to install parking bays for residents as agreed. The residential flats were occupied by key workers and the extra hour of operation would have an adverse impact on them. The premises also had a bad relationship with the residents, and it was felt that the store was already very busy and arguments in relation to viability were unfounded. The problems at the premises had been going on for years, and Councillor Hamilton was of the view that the current hours were adequate, and the application should be considered using the appropriate information in relation to the noise assessment. Councillor Hamilton summarised that the application should be refused.
- (13) Councillor Carden stated that the store was very successful, and people used it as it was a cheaper place to shop. Reference was also made to some of the local traffic problems caused due to how busy the premises had become. Councillor Carden was of the view that all staff duties could be undertaken whilst the premises was open; the impact of the noise for residents was already bad enough and the current opening hours were sufficient.
- (14) Councillor Wells stated that his main concern was the residents in the flats above, and he could not understand why Officers had not undertaken their own noise assessment. He stated that viability was not a matter for the Committee to consider, and the residents should not be subjected to additional noise. In summary he stated that he would not support the Officer recommendation.
- (15) Councillor Sykes stated that he was quite shocked by the very poor nature of the noise assessment, and he felt the operators were trying to get around the residents complaints by regularising the conditions; he stated he would not support the Officer recommendation.

- (16) Councillor Carol Theobald stated she was surprised Officers in Environmental Protection had not looked into the matter or undertaken noise assessments, and she was not satisfied that any new restrictions on the premises would be properly adhered to; she stated she would most likely be voting against the Officer recommendation.
- (17) Councillor Cox stated that he was pleased to hear that the store was doing well, and felt this was positive for the town of Portslade; however, he stated that the problem was with the relationship with the neighbours, and he said that if the Committee were minded to refuse the application this should be considered as means to begin restoring a positive relationship.
- (18) The Deputy Development Control Manager suggested that the item could be deferred to allow a further noise report to be undertaken which would give a report on the readings from the store and the flats above; however, the Committee was minded to put the application before them to the vote.
- (19) A vote was taken and the Officer recommendation to approve was not carried on a vote of 9 against with 1 abstention. Councillor Hamilton proposed reasons for refusal and these were seconded by Councillor Sykes; a short adjournment was then held to allow Councillor Hamilton and Councillor Sykes; the Deputy Development Control Manager; the Senior Solicitor and the Area Planning Manager to draft the reasons for refusal in full. These reasons were then read to the Committee and it was agreed that they reflected what had been put forward by Members. A recorded vote was then taken and Councillors: Jones, Ken Norman, Carden, Duncan, Gilbey, Hamilton, Sykes, Carol Theobald and Wells voted that planning permission be refused and Councillor Cox abstained from the vote.

68.3 **RESOLVED** – That the Committee has taken into the Officer recommendation to grant, but resolves to **REFUSE** planning permission for the reasons set out below:

- i. The noise assessment is considered inadequate by reason of the limited location from which measurements were taken. Therefore the applicant has failed to demonstrate that the additional hours proposed would not have a detrimental impact on the amenity of neighbouring residents by reason of noise nuisance, contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan 2005.

Note: Councillors Littman and Wakefield were not present at the meeting.

D. BH2013/01836 - Rear of 32 Stanford Avenue, Brighton - Full Planning Permission
- Demolition of existing garage and erection of a two storey 1no bedroom house.

- (1) The Area Planning Manager, Nicola Hurley, introduced this application and gave a presentation by reference to plans, photographs and elevational drawings. The site related to a domestic garage on the eastern side of Stanford Avenue, and was located in the Preston Park Conservation Area. It was noted that an application had been refused earlier in the year for a two storey one bedroom house; the reasons for refusal had related to appropriateness of the site and the impact on neighbouring amenity. Permission was sought for the demolition of the existing garage and the creation of a one bedroom house. The main considerations related to the principle of the development; the impact on the street scene and the Conservation Area; the impact on

neighbouring amenity and the standard of accommodation and adherence with Lifetime Homes. The size of the plot was constrained and the resulting proposal was cramped and at odds with the plot. Reference had been made by the applicant's agent to a scheme at Southdown Road; however, Officers were of the view that there were clear differences with this site in relation to the plot size and the relationship with other buildings. As a free standing dwelling the building would appear more prominent and it sat forward from the boundary line whereas the uniform line of the streetscene was set back. The existing buildings also had a strong architectural unity and the design was considered uncomfortable and incongruous. For the reasons set out in the report the application was recommended for refusal.

Public Speakers and Questions

- (2) Ms Cattell spoke in support of the application in her capacity as the agent. She stated that the applicant had lived at no. 32 for 20 years and were part of the local community; they had reached a time when they wanted to downsize to release the capital in their property; whilst staying in their local area. There were few smaller properties that they could buy, and the scheme was considered a means to achieve their goals. The application also sought to build on the footprint of the existing garage, and it was noted that the density would be typical of that in the area. The property would not be cramped given the amount of amenity space, and the applicant did neither want nor need anymore space. The house would be set back at the first floor, and the neighbours were also supportive of the scheme. Ms Cattell also noted that the applicant wanted to negotiate a higher boundary for the front of the property to create more usable amenity space. In closing it was noted that the city would not be able to meet its housing need in the next few years and this application provided the opportunity to create a tailor made home to add to the housing stock.
- (3) In response to a query from Councillor Carol Theobald it was confirmed that the garage was currently used for storage, and the amount of amenity space was confirmed.

Questions for Officers

- (4) In response to a query from Councillor Wells the Area Planning Manager explained that Officers considered the established building line of the street to be important and this particularly related to line of buildings in Rugby Road.
- (5) Councillor Duncan referenced the agent's comments in relation to the wall onto Rugby Road, and asked that if the Committee were minded to grant the application would it be appropriate to add a condition in relation to this; in response the Area Planning Manager confirmed that Officers were of the view that this could not be dealt with by condition.
- (6) It was confirmed for Councillor Carol Theobald that on rear the upper floor the hallway and bathroom windows would have obscured glazing.
- (7) It was confirmed for Councillor Sykes that the proposed development line on the first floor projected further forward than the line of the bay windows of the houses on Rugby Road.

- (8) Councillor Cox asked further questions about the condition of the front wall, and in response the Area Planning Manager explained that Officers would not recommend conditioning this as it would contravene the comments from the Heritage Team.

Debate and Decision Making Process

- (9) Councillor Carol Theobald stated that the proposed house looked very small and cramped, and she had concerns in relation to the extent of the amenity space; she also felt that the gap between the properties had merit in its own right.
- (10) Councillor Duncan noted that there was a requirement for new housing within the city, and there was a need to look at creative solutions for this. He stated he was swayed by the argument that the applicant wanted to live in the property.
- (11) A vote was taken and planning permission was refused on the Chair's casting vote with a vote of 5 in support with 5 against.

- 68.4 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out and resolves to **REFUSE** planning permission.

Reasons for Refusal:

- i. The proposed development is considered to represent an uncharacteristic and inappropriate development in excess of what might reasonably be expected to be achieved on this limited plot site. Consequently the proposal represents an over-development of the site to the detriment of the character of the area. The proposal is therefore contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.
- ii. The proposed dwelling would extend beyond the building line on Rugby Road, and by reason of its scale, height, footprint, positioning and design, would be an unsympathetic and dominant addition to the street scene. As such the development would cause harm to the character and appearance of the Preston Park Conservation Area and thus be contrary to policies QD2, QD3 and HE6 of the Brighton & Hove Local Plan.
- iii. The proposed dwelling, by reason of the height and proximity to site boundaries, would represent a cramped and overbearing development within the rear gardens of neighbouring properties on Stanford Avenue. This would be to the detriment of neighbouring amenity which is contrary to policy QD27 of the Brighton & Hove Local Plan.
- iv. The development would enable the use of the existing hardstand as a parking space that would jeopardise highway safety, in particular pedestrians that use the public pavement on Rugby Road. There is no proposal for new boundary treatment on the front boundary of the site that would restrict this, and would therefore be contrary to policy TR7 of the Brighton & Hove Local Plan.

Informatives:

- i. 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.

Note: Councillors Littman and Wakefield were not present at the meeting.

- E. BH2013/01985 - 36 Upper Rock Gardens, Brighton - Full Planning Permission -**
Demolition of upper ground floor rear extension and staircase and erection of lower and upper ground floor rear extensions with staircase.
- (1) The Area Planning Manager introduced the application and gave a presentation by reference to photographs, plans and elevational drawings. The site was located in the East Cliff Conservation Area, and the history of the site was outlined in the report. Particular attention was drawn to a refusal for a rear extension in 2012; this scheme was a revision of that refusal and sought the demolition of the upper ground floor and the erection of a new upper and lower ground floor. A letter of support had also been received from Councillor Powell. The main considerations related to the impact of the design on the parent building and the impact on the street scene and the character of the Conservation Area. The proposal would be deeper and wider at the upper and lower ground floor levels, and whilst this was considered more appropriate than the existing form, the structure would still appear over-dominant – projecting 9.8 metres to the rear. There were further inappropriate elements to the scheme as the rear extended onto St. Mary's Place and the impact of neighbour amenity and the position of the windows would increase the loss of the light. For the reasons set out in the report the application was recommended for refusal.
 - (2) It was noted that there had been a public speaker registered to speak in support of the applicant, but they had been unable to attend.

Questions for Officers

- (3) Councillor Ken Norman made reference to the letter from Councillor Powell, and asked for further explanation in relation to the existing rear extensions of neighbouring properties. In response the Area Planning Manager explained that there were some existing extensions which did not have any planning history; in these circumstances Officers had to assume there was no approval and they had been built before the adoption of the Local Plan. It was also confirmed for Councillor Ken Norman that no.33A most likely related to a basement flat.
- (4) Councillor Wells referenced the size of the extension at no. 34, and in response the Area Planning Manager explained that without the planning history Officers did not have details of the proportions; however, given the substantial size it was unlikely it would be supported by Officers.
- (5) It was confirmed for Councillor Sykes that the width of the outrigger for no. 36 was the same as the other adjoining properties in the street.

Debate and Decision Making Process

- (6) Councillor Sykes noted that it was important to give careful consideration of the rear of properties, and he agreed with the Officer recommendation that this would constitute overdevelopment and have a detrimental impact to the rear of the property.
- (7) A vote was taken and planning permission was refused on a vote of 7 to 2 with 1 abstention.
- 68.5 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out and resolves to **REFUSE** planning permission.

Reasons for Refusal:

- i. The proposed development by reason of its scale, design, depth and detailing would result in an overly dominant addition that would have a significantly detrimental impact upon the appearance and character of the building, the wider terrace and the East Cliff Conservation Area, contrary to policies HE6 and QD14 of the Brighton & Hove Local Plan.
- ii. The proposed development, by reason its height, design, and depth would result in a significantly overbearing impact, a loss of light and an unacceptable sense of enclosure towards the adjoining property, No.35 Upper Rock Gardens. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

Informatives:

- i. 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.

Note: Councillors Littman and Wakefield were not present at the meeting.

F. BH2013/02349 - Land to South of 32 Cambridge Grove, Hove - Full Planning Permission - Erection of 3no bedroom dwelling.

- (8) The Area Planning Manager introduced the application and gave a presentation by reference to photographs, plans and elevational drawings. The site was located in the East Cliff Conservation Area, and the history of the site was outlined in the report. Particular attention was drawn to a refusal for a rear extension in 2012; this scheme was a revision of that refusal and sought the demolition of the upper ground floor and the erection of a new upper and lower ground floor. A letter of support had also been received from Councillor Powell. The main considerations related to the impact of the design on the parent building and the impact on the street scene and the character of the Conservation Area. The proposal would be deeper and wider at the upper and lower ground floor levels, and whilst this was considered more appropriate than the

existing form, the structure would still appear over-dominant – projecting 9.8 metres to the rear. There were further inappropriate elements to the scheme as the rear extended onto St. Mary's Place and the impact of neighbour amenity and the position of the windows would increase the loss of the light. For the reasons set out in the report the application was recommended for refusal.

- (9) It was noted that there had been a public speaker registered to speak in support of the applicant, but they had been unable to attend.

Questions for Officers

- (10) Councillor Ken Norman made reference to the letter from Councillor Powell, and asked for further explanation in relation the existing rear extensions of neighbouring properties. In response the Area Planning Manager explained that there were some existing extensions which did not have any planning history; in these circumstances Officers had to assume there was no approval and they had been built before the adoption of the Local Plan. It was also confirmed for Councillor Ken Norman that no.33A most likely related to a basement flat.
- (11) Councillor Wells referenced the size of the extension at no. 34, and in response the Area Planning Manager explained that without the planning history Officers did not have details of the proportions; however, given the substantial size it was unlikely it would be supported by Officers.
- (12) It was confirmed for Councillor Sykes that the width of the outrigger for no. 36 was the same as the other adjoining properties in the street.

Debate and Decision Making Process

- (13) Councillor Sykes noted that it was important to give careful consideration of the rear of properties, and he agreed with the Officer recommendation that this would constitute overdevelopment and have a detrimental impact to the rear of the property.
- (14) A vote was taken and planning permission was refused on a vote of 7 to 2 with 1 abstention.
- 68.5 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out and resolves to **REFUSE** planning permission.

Reasons for Refusal:

- iii. The proposed development by reason of its scale, design, depth and detailing would result in an overly dominant addition that would have a significantly detrimental impact upon the appearance and character of the building, the wider terrace and the East Cliff Conservation Area, contrary to policies HE6 and QD14 of the Brighton & Hove Local Plan.
- iv. The proposed development, by reason its height, design, and depth would result in a significantly overbearing impact, a loss of light and an unacceptable sense of

enclosure towards the adjoining property, No.35 Upper Rock Gardens. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

Informatives:

- ii. 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.

Note: Councillors Littman and Wakefield were not present at the meeting.

F. BH2013/02349 - Land to South of 32 Cambridge Grove, Hove - Full Planning Permission - Erection of 3no bedroom dwelling.

- (1) The Area Planning Manager, Nicola Hurley, introduced the application and gave a presentation by reference to plans, photographs and elevational drawings. The application site related to a plot of land to the north of no. 76 The Drive, Hove; the site was accessed at the lower level from Cambridge Grove. It was noted that the site was located in the Willett Estate Conservation Area, and the Grade II listed buildings in The Drive/Cromwell Road were located to the south. The application sought the erection of a two storey property with bedrooms and a bathroom on the lower ground floor and the living space on the ground floor. Attention was also drawn to matters on the Late List and an additional letter of support received from Councillor Phillips.
- (2) The main considerations related to design; the impact on the Conservation Area and listed buildings; the impact on the adjacent accommodation; the standard of the accommodation and sustainable transport. It was highlighted that there had been refusals for schemes on the site dating back to 2000, and there had been a scheme refused by the Committee earlier in the year. This scheme was largely similar and would appear as a single storey from the road; the major change related to the proposed orientation of the building; however, the principle of the dwelling remained the same. It was considered that the modern design would be out of keeping with the surrounding area, and the Heritage Officer felt that it would have a harmful impact on the nearby mews. Furthermore the design of the front boundary wall would not properly address the surroundings and would be out of keeping. There was also concern in relation to the impact on amenity as the garden would be set at a lower level and there was concern that the height of the fence was unacceptable and would create a sense of enclosure. For the reasons set out in the report the applicant was recommended for refusal.

Public Speakers and Questions

- (3) Mr Phillips spoke in support of the application in his capacity as the architect. He stated that he would address the four reasons for refusal in the report in turn. The scheme sought to protect the openness of the area, and 50% of the site was free to view, and only the southern part of the site would be occupied. It was noted that the neighbouring buildings were up to five storeys high, and the proposed building would only appear as a single storey from street level. Mr Phillips went to state that the Committee had

previously granted schemes of contemporary design, and the proposed design and materials would add to the sense of light. Attention was also drawn to a similar scheme that had been approved close to the site. In closing the letters of support from Local Ward Councillors were highlighted.

Questions for Officers

- (4) In response to a query from Councillor Gilbey the Area Planning Manager drew attention to the committee report to highlight the issues in relation to overlooking of no. 32 Cambridge Grove and no. 76 The Drive.
- (5) Councillor Duncan noted that the speaker had drawn attention to a similar scheme and asked for more information in relation to this. In response the Area Planning Manager explained that the site was further east, and it was not identical in terms of the features of the site; its surroundings and it was outside the Conservation Area. In relation to this application Officers were recommending refusal in terms of the principle of the development and the resulting impact on amenity. Councillor Duncan went on to ask about the reason for refusal in relation to the loss of light and overshadowing; in response it was explained that despite support from the neighbours Officers were still duty bound to assess the impact on amenity, and had to come to a view notwithstanding the representations made.
- (6) Councillor Gilbey asked about the importance of the gap, and the potential for an approval to set precedence for future development on similar sites. The Area Planning Manager explained that the site would be considered on its individual merits, and Officers would stand by the recommendation to refuse.

Debate and Decision Making Process

- (7) Councillor Sykes stated that he was minded to disagree with the Officer recommendation and felt that the gap had already been lost by other buildings; the site would only contribute one additional building and the architect had made efforts to minimise the impact. He stated he would not support the Officer recommendation.
- (8) Councillor Duncan stated he was very impressed with the level of community and Ward Councillor support for the application, and noted the long planning history at the site. He stated that he was of the view that the proposal had now reached the stage where it was acceptable.
- (9) Councillor Carol Theobald stated that it was obvious that the gap was an important feature of the area and noted that the planning history in the report went back as far as 1988. She also stated that the earlier appeal decision had been upheld in relation to the impact on the Conservation Area and the adjoining listed building. She added that the extension of the neighbouring properties were not recent additions.
- (10) Councillor Jones stated that the architect had worked to address the problems of the difficult site, but he would still be supporting the Officer recommendation.
- (11) A vote was taken and planning permission was refused on a vote of 5 to 4 with 1 abstention.

- 68.6 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out and resolves to **REFUSE** planning permission.

Reasons for Refusal:

- i. 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.
- ii. 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.
- iii. 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 & Hove Local Plan.
- iv. The development, by reason of its siting and scale would result in a loss of light and overshadowing to neighbouring properties, in particular No 32 Cambridge Grove. The proposal would therefore have a harmful impact upon the amenity of these adjoining properties, contrary to policy QD27 of the Brighton & Hove Local Plan.

Informatives:

- i. In accordance with the National Planning Policy Framework and Policy SS1 of the 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: Councillors Littman and Wakefield were not present at the meeting.

- G. BH2013/02074 - 119 Church Road, Hove - Full Planning Permission** - Erection of single storey rear extension.

- (1) The Area Planning Manager, Nicola Hurley, introduced this application and gave a presentation in relation to application BH2013/02074 for full planning permission and application BH2013/02075 for listed building consent by reference to plans, photographs and elevational drawings. The existing use of the premises was currently a wine bar and restaurant and permission was sought for the construction of a rear extension with a glazed roof; attention was also drawn to matters on the Late List. The

main considerations related to the impact on amenity and the impact of the scheme on the listed building. The extension would project 2.5 metres from the rear and be mainly glazing so as not to detract from the historic form of the building or the Conservation Area. It was noted that there had been objection to the opening hours, but these would remain the same as those currently permitted. For the reasons outlined in the reports the applications were recommended for approval.

Questions for Officers and Decision Making Process

(2) In response to Councillor Sykes the Area Planning Manager explained that Environmental Protection had not raised any concerns in relation to the use of glazing to insulate against noise.

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

68.7 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in the report.

Note: Councillors Littman and Wakefield were not present at the meeting, and Councillor Cox withdrew from the meeting during the consideration and vote on this application (see minute 63.2).

H. **BH2013/02075 - 119 Church Road, Hove - Listed Building Consent - Listed Building Consent for the erection of single storey rear extension.**

(1) A vote was taken and listed building consent was unanimously granted.

68.8 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** listed building consent subject to the conditions and informatives set out in the report.

Note: Councillors Littman and Wakefield were not present at the meeting, and Councillor Cox withdrew from the meeting during the consideration and vote on this application (see minute 63.2).

I. **128 Church Road, Hove - Full Planning Permission -Change of use of basement and ground floor from Financial (A2) to Restaurant (A3) and Bar (A4). Installation of new shop fronts to front and side elevations. Part excavation to facilitate extension of basement level. Erection of single storey rear extension with external steps and associated roof terrace. (Part Retrospective).**

(1) The Area Planning Manager, Nicola Hurley, introduced this application and gave a presentation by reference to plans, photographs and elevational drawings. The site related to a part commercial building in the Cliftonville Conservation Area; the ground floor and basement had previously been in A2 use, and a number of unauthorised works had been undertaken. The application sought the change of use to restaurant and bar; it was also noted that a similar scheme had been refused in 2012 in relation to problems with the terrace at the rear. The proposed new scheme also included the shop frontage and a rear extension, and reference was also made to matters on the

Late List. The main considerations related to the impact on neighbouring amenity and the impact on the Conservation Area. It was noted that the proposed extension had been increased in length; whilst the extension would not have an impact on amenity there was concern in relation to the change of use, but Officers in Environmental Protection were satisfied subject to conditions. For the reasons set out in the report the application was recommended for approval.

Questions for Officers

- (2) It was confirmed for Councillor Carol Theobald that there was a proposed condition to restrict vertical drinking at the premises.
- (3) In response to Councillor Cox's concerns in relation to smokers using the side door it was confirmed that the side door could only be used for emergency access during 2200 – 0100 hours through the recommended condition; however, Officers felt that conditioning the use of the side door for additional hours could be unreasonable, and it was noted that the area outside was public highway and it would be difficult to prevent people smoking there generally.
- (4) It was confirmed for Councillor Gilbey that the disabled access would be at the front of the premises.

Debate and Decision Making Process

- (5) Councillor Cox stated that the appearance would be an improvement, but had concerns that the application would create another licensed premises in this part of Hove; he appealed to the applicant and operator to be considerate of neighbours and run the premises responsibly.
- (6) Councillor Sykes stated that he was content with the application, and felt that some of the concerns of the Committee would be addressed through the application as part of the licensing regime.
- (7) A vote was taken and planning permission was unanimously granted.

68.9 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in the report.

Note: Councillors Littman and Wakefield were not present at the meeting.

J. BH2013/01938 - 52 Ainsworth Avenue, Brighton - Householder Planning Permission - Erection of extension to first floor including dormer and window to front, windows to sides and Juliet balconies to rear.

- (1) The Area Planning Manager, Nicola Hurley, introduced this application and gave a presentation by reference to plans, photographs and elevational drawings. The application sought planning permission for a first floor extension to raise the roof of the property. The main considerations related to the impact on the character and appearance on the street scene and the impact on residential amenity. Officers felt that

the proposals would alter the character and appearance by creating a much more bulky building which was considered out of scale. Officers had concerns with the sides of the property; particularly where the roof pitched to each side and the form would appear incongruous. The form, detail and bulk of the rest of the design was not considered to have an impact on neighbouring amenity, but was not acceptable in terms of design. For the reasons set out in the report the application was recommended for refusal.

Public Speakers and Questions

- (2) Mr Childs spoke in support of the application in his capacity as the applicant. He stated that he believed an error had been made in the consideration of the application and asked the Committee to take a more reasoned view. The proposals were considered to be in line with guidance, and the additional gables were design to maintain continuity in the roof form. Mr Childs stated that the application was for a simple remodelling of the existing roof structure, and permission had been granted in 2009 for a development across the road with a much greater impact on amenity. In closing Mr Childs added that he had support for the scheme from his neighbours.

Questions for Officers

- (3) Councillor Sykes asked for Officers to comment on Mr Childs view that something had gone wrong during the application process. In response the Area Planning Manager explained that the Case Officer had left the Council during the lifetime of the application; however, this was not considered out of the ordinary and the departing Case Officer had completed the Committee report before they had left.
- (4) It was confirmed for Councillor Ken Norman that the land at no. 55 opposite was on slightly higher ground.
- (5) Councillor Gilbey asked for more information on some of the wording in the report in relation to the 'existing harmony of the setting.' In response the Area Planning Manager explained that there was concern that the when the bulk of the property, when viewed particularly from the side, would increase the visual massing of the roof form. It was also noted that the application proposed additional gables and flat roof expanse whereas the area traditionally had pitched roofs.

Debate and Decision Making Process

- (6) Councillor Cox stated that he had understood the point the Case Officer was trying to make when he had visited the property on the site visit; however, the overall context of the wider area was very mixed in terms of the design of the houses. He was not of the view that what was being proposed was out of keeping, and the applicant had gone to lengths to ensure the proposals would fit in. He stated that he would not support the Officer recommendation.
- (7) Councillor Carol Theobald stated that she agreed with Councillor Cox in relation to the varied nature of the street scene, and she did not feel the application would be detrimental as many houses in the area already had large extensions.

- (8) Councillor Wells stated that he could not see an issue with the application, although he would have preferred a barn end rather than a gable, he did not feel the roof form was incongruous, and would be voting against the Officer recommendation.
- (9) Councillor Gilbey stated that she agreed with Councillor Wells, and that there was mix of buildings in the area; she added that she would not support the Officer recommendation.
- (10) A vote was taken and the recommendation to refuse was not carried on a unanimous vote against the recommendation. Councillor Cox proposed reasons for refusal and these were seconded by Councillor Wells. The reasons for approval were then read to the Committee and it was agreed that they reflected what had been put forward by Members. A recorded vote was then taken and Councillors: Jones, Ken Norman, Carden, Cox, Duncan, Gilbey, Hamilton, Sykes, Carol Theobald and Wells voted that planning permission be granted.
- 68.10 **RESOLVED** – That the Committee has taken into consideration the Officer recommendation, but resolves to be **GRANT** planning permission for the reason set out below, and authority was delegated to the Head of Development Control to agree conditions

Reason for Approval:

- i. The proposed development is of a good design and is not out of keeping, or too incongruous, with the variety of housing styles found in Ainsworth Avenue. Moreover the proposed development has no adverse impact by way of overshadowing.

Note: Councillors Littman and Wakefield were not present at the meeting.

- K. BH2013/02139 - 3 Royal Crescent, Brighton - Full Planning Permission -**
Demolition of existing garage/store in rear garden and erection of garden room.
- (1) The Area Planning Manager, Nicola Hurley, introduced this application and gave a presentation in relation to application BH2013/02139 for full planning permission and application BH2013/02140 for listed building consent by reference to plans, photographs and elevational drawings. The property was located on the northern side of Marine Parade, and the parent building was a four storey Regency style property which was Grade II listed and located in the East Cliff Conservation Area. Permission was sought for the demolition of the existing garage to the rear and the erection of a garden room. Attention was drawn to matters on the Late List, and the main considerations related to the impact on the listed building and the wider impact on the Conservation Area, and the impact on neighbour amenity. The application sought a new garden room to replace the garage which would be of modern design apart from where it faced out onto the mews; with this approach the character of the Conservation Area was considered to be preserved. Whilst the garden room would have a greater mass and bulk the impact on amenity was considered acceptable. For the reasons set out in both reports the applications were recommended for approval.

Public Speakers and Questions

- (2) Mr Shuttleworth spoke in objection to the application in his capacity as a local resident; he stated he was representing the views of householders on Royal Mews. The report described the existing building as a garage or store, and residents were of the view that it was not in use as a garage. It was also felt that if the proposed new building were to be used as a garden room then it would not need the wide doors proposed onto the mews; there was also concern that the proposal would destroy the traditional wall and the mature planting along it. It was also explained that there was parking for cars in Royal Mews for the six properties, and these proposals would further impact on the parking restrictions there. The report also stated that the loss of the attractive flint wall would be disappointing, and the removal of the planting would have a detrimental impact on the view from Royal Mews. In closing Mr Shuttleworth asked that the application be deferred to although for a compromise position to be agreed by all parties.
- (3) In response to a query from Councillor Ken Norman it was explained by Mr Shuttleworth that the planting referred to made a positive contribution to the visual amenity of the Mews – if the doors were kept as they were currently then the planting could be retained. It was also confirmed that the vegetation was in the Mews rather than in the garden of no. 3.
- (4) Mr Cronshaw spoke in support of the application in his capacity as agent for the applicant. He stated that the planning history identified the building as a garage, and drew attention to the mismatch nature of the rear of the properties on Royal Crescent. The planting that had been referred to was out of control, and the roof of the existing garage was in too poor of state to allow the vegetation to be properly pruned. The wall was also in a poor state of repair and had large areas of concrete to repair it; instead the proposals sought to improve the wall. It was also explained that the applicant wanted to use the proposal as a garden room only, and they owned the whole building and had no need for additional parking in the garage. Lastly it was stated that the impact of the glazed roof lantern would be minimal and the garden room would be some distance from the main house.
- (5) Councillor Carol Theobald asked if the garden room could be built without the need to change the existing wall; in response Mr Cronshaw explained that the room sought to take advantage of the southern aspect and needed to be up against the northern boundary. The intention had been to improve the rear of the garden and close work had been undertaken with the Conservation Officer to achieve this.

Questions for Officers and Decision Making Process

- (6) Councillor Cox asked about possible conditions that could be added to protect the use as a garden room, and in response the Deputy Development Control Manager explained that the permission would allow the garden room to be used for purposes ancillary to the parent building.
- (7) It was confirmed for Councillor Ken Norman that the use would be ancillary, and could include an office or bedroom.

(8) It was confirmed for Councillor Gilbey that the matter had to be determined by the Committee as eight letters of objections had been received.

(9) A vote was taken and planning permission was granted on a vote of 8 to 1 with 1 abstention.

68.11 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in the report.

Note: Councillors Littman and Wakefield were not present at the meeting.

L. BH2013/02140 - 3 Royal Crescent, Brighton - Listed Building Consent - Demolition of existing garage/store in rear garden and erection of garden room.

(10) A vote was taken and listed building consent was granted on a vote of 8 to 1 with 1 abstention.

68.12 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** listed building consent subject to the conditions and informatives set out in the report.

Note: Councillors Littman and Wakefield were not present at the meeting.

M. BH2013/02475 - 33 Redhill Drive, Brighton - Full Planning Permission - Erection of two storey rear extension.

68.13 The application was deferred to allow a site visit to take place.

N. BH2013/01800 - Park Manor, London Road, Brighton - Full Planning Permission - Roof extension to form 4no one bedroom flats and 2no two bedroom flats with private roof gardens and creation of 4no car parking spaces, 1no disabled car parking space and new cycle store.

(1) The Area Planning Manager, Nicola Hurley, introduced this application and gave a presentation by reference to plans, photographs and elevational drawings. The application site related to a seven storey block of 45 flats, and it was noted that there was already an existing permission to create an additional floor. This application proposed a similar scheme, but was considered an improvement as it provided set backs and additional glazing; additional parking would also be provided at the rear of the site for the new units. The main considerations related to the principle of the scheme; the design and highway safety. It was highlighted that the existing permission on the site could still be implemented and there similar examples of such schemes in the wider area. In terms of amenity the scheme would not impact on current or other residents and for the reasons set out in the report the application was recommended for approval.

Questions for Officers

- (2) It was confirmed for Councillor Duncan that the application was not an outline permission, and much of the detail in the report and the proposed s106 was in line with similar applications of this nature.
- (3) The Area Planning Manager confirmed the location of the additional parking space for Councillor Ken Norman.
- (4) It was confirmed for Councillor Sykes that the level of sustainability was in line with guidance.
- (5) It was confirmed for Councillor Carol Theobald that there were two lifts in the building, but it was not known if they both served the whole of the building.

Debate and Decision Making Process

- (6) Councillor Carol Theobald stated that she did not like the scheme, and drew attention to the 94 letters of objection from residents. She did not feel it was right to build on top of existing flats and noted that the current resident did not want the scheme.
- (7) Councillor Ken Norman noted that he did not agree with this type of proposal in general. He noted the number of objections and stated this type of development was unethical and he would not support the Officer recommendation.
- (8) A vote was taken and planning permission was granted on a vote of 7 to 3.

68.14 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in the report.

Note: Councillors Littman and Wakefield were not present at the meeting.

O. BH2013/00647 - Brighton Beach Market, Lower Esplanade, King's Road, Brighton - Full Planning Permission + Temporary change of use from lower seafront promenade to open air market (during construction of i360 development).

- (1) A vote was taken and planning permission was granted on a vote of 9 in favour with 1 abstention.

68.15 **RESOLVED** – That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in the report.

Note: Councillors Littman and Wakefield were not present at the meeting.

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

69.1 There were none.

N. INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

71.1 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 Strategic Director of Place. 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.]

P. LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

Q. INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

R. APPEAL DECISIONS

74.1 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.

The meeting concluded at 5.46pm

Signed

Chair

Dated this

day of

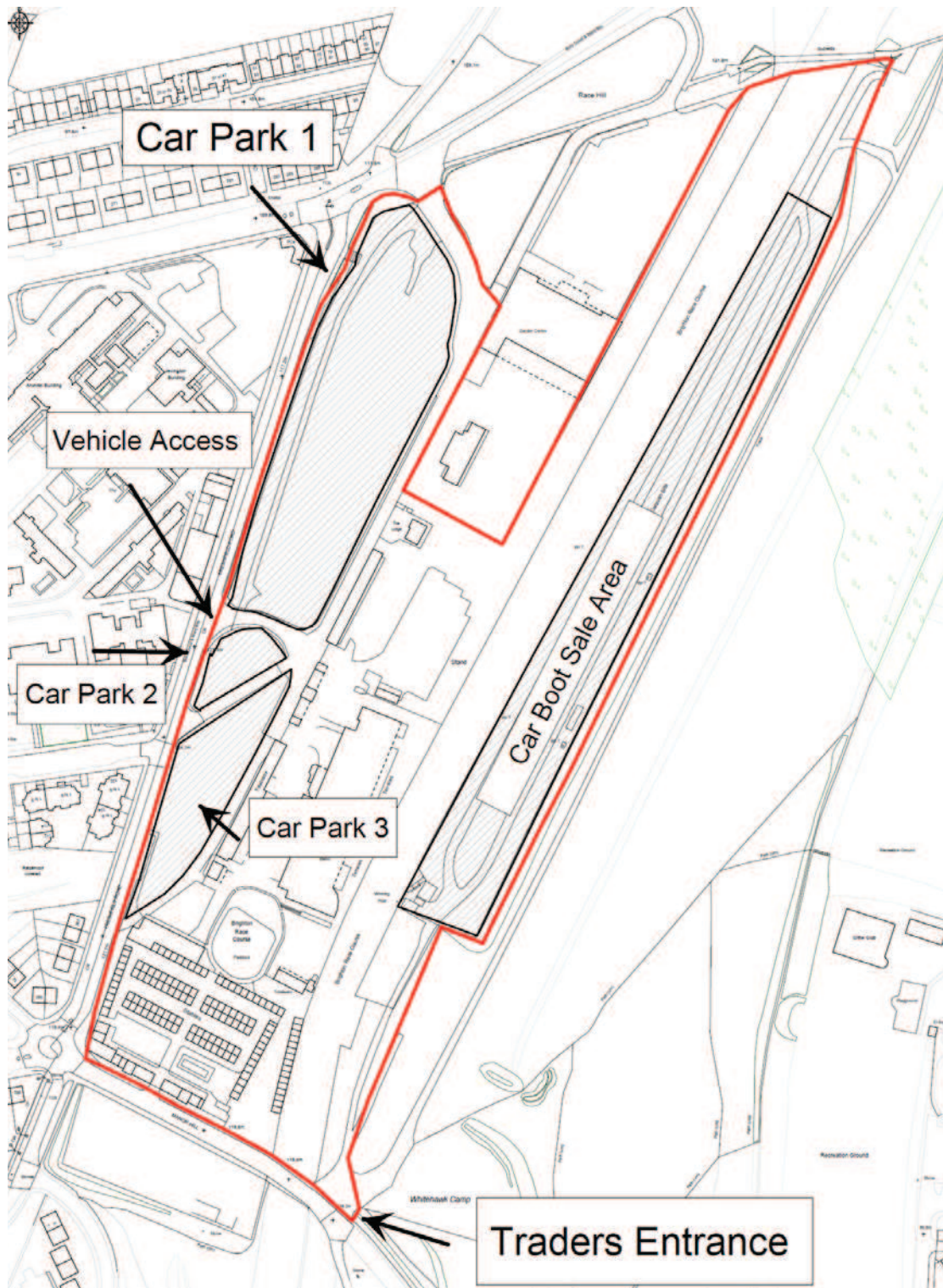
ITEM A

Brighton Racecourse, Race Hill, Brighton

**BH2013/02491
Full planning**

09 OCTOBER 2013

BH2013/02491, Brighton Racecourse, Race Hill, Brighton



<u>No:</u>	BH2013/02491	<u>Ward:</u>	EAST BRIGHTON
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Brighton Racecourse Race Hill Brighton		
<u>Proposal:</u>	Use of land at Brighton Racecourse for car boot sales on each Sunday throughout the year and additionally on Wednesdays during the months of April to October.		
<u>Officer:</u>	Jonathan Puplett Tel 292525	<u>Valid Date:</u>	24/07/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	23 October 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, 2 Port Hall Road Brighton		
<u>Applicant:</u>	Brighton Racecourse Ltd, Mr S Dorn c/o Lewis & Co Planning		

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 the Brighton Racecourse site. The car boot sales take place on a strip of land opposite the main grandstand. Seller's vehicles access the site from Manor Hill to the southern end of the car boot sale area. Visitors to the car boot sales park in the main car parks of the racecourse which are accessed from Freshfield Road, visitors then walk over the racetrack to access the western side of the car boot sale area.
- 2.2 The Whitehawk Camp Scheduled Ancient Monument is situated to the south-east of the car boot sale area and the southern vehicular access to the car boot sale area crosses over the Scheduled Ancient Monument.

3 RELEVANT HISTORY

BH2013/01242: Permanent use of land for park and ride facilities for up to 700 cars in conjunction with outdoor events (no more than 50 per year) at the American Express Community Stadium Falmer. Approved 19/07/2013.

BH2011/03498: Change of use of land known as Market Site at Brighton Racecourse for car boot sales on each Sunday throughout the year and additionally on Wednesdays during the months of April to October each year, with additional car parking to South of Manor Hill. (Retrospective). Withdrawn 09/10/2012.

BH2011/01152: Proposed use of land for park and ride facilities for up to 700 cars in conjunction with outdoor events (no more than 50 per year) at the American Express Community Stadium Falmer. Temporary consent approved 08/07/2011.

BH2001/01021/FP: Use of land at east car park as a Sunday market / car boot sale between 0900 and 1800 hours, stall holders 0700 to 1900 hours. Withdrawn 10/12/2002.

BH1999/01849/FP: Renewal of BH1998/02436/FP to allow use of land as a Sunday market (for a period of 14 weeks, commencing 7.5.2000) Approved 08/12/1999.

BH1998/02436/FP: Use of land (between race course running track and "east car park") as a Sunday market and car boot sale. Market to open between 0900 and 1600 hours with stall holders on site between 0700 and 1900 hours. Approved 10/03/1999.

4 THE APPLICATION

- 4.1 Planning permission is sought for the use of the land for car boot sales on Sundays throughout the year and also on Wednesdays during the months of April to October.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Three (3) letters of representation have been received from 285 Freshfield Road, Flat 1 122 Pankhurst Avenue and 'Mark Bartholomew' (2 letters) objecting to the application for the following reasons:**
- When another event has occurred at the Racecourse at the same time as the car boot sale this results in parking being displaced on to surrounding streets. If it could be restricted so that only one event can occur at any one time there would be no problems with parking.
 - The clatter of signs being put on the roundabout at 05.30 disturbs local residents.
 - It will make parking unbearable in the area and the roads dangerous, there is already limited view to Freshfield Road from Pankhurst Avenue with large vehicles parked too close to the junction.
- 5.2 **Brighton & Hove Archaeological Society: Comment.** A considerable section of the Racecourse is a scheduled ancient monument and is protected by law. It is recommended that the County Archaeologist be consulted.
- 5.3 **County Archaeologist: Comment.** The proposal does not include any new ground disturbance, but there is a high potential for damage to the Scheduled Monument comprising rutting and compaction from vehicles. It is therefore important that vehicles stay on the existing access track and do not park on the grass areas within the Scheduled Monument. Conditions are recommended to this effect so that this can be monitored and enforced if necessary.
- 5.4 **English Heritage: Comment.** Whitehawk Camp is a nationally important heritage asset and designated as a scheduled monument. Provided that there is no parking on the scheduled monument and the traders cars accessing the site

are kept on the metalled access track and off the grass, this use shouldn't have an adverse affect on the heritage significance of the scheduled monument and therefore there is no objection to this application. However, it is recommended that conditions are attached to ensure that the provisions to protect the monument are complied with.

5.5 **Natural England:** No comment.

5.6 **Crime Prevention Design Adviser:** No objection.

5.7 **East Sussex Fire and Rescue:** No comment.

5.8 **CAG:** Support subject to a temporary consent of 3 years and conditions which secure that bollards be placed on either side of the access road and marshalled.

Internal:

5.9 **Planning Policy:** Comment. The applicant has not considered compliance with Local Plan Policy SR11 through the Planning Statement submitted to support the application. The proposed development meets the criteria for exceptions to Local Plan Policy NC6 and City Plan SA4.

5.10 **Ecology:** Comment. The proposed development is unlikely to have any significant impact on biodiversity.

5.11 **Environmental Health:** No comment.

5.12 **Heritage:** No comment.

5.13 **Sustainable Transport:** Support subject to conditions securing event management measures and cycle parking provision.

5.14 **Arboriculturalist:** Comment: Vehicles should not be parked directly alongside the Leylandii to the eastern boundary of the car boot sales area. Provided that these instructions are adhered to the Leylandii should not be adversely affected.

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
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
SR11	Markets and car boot sales
SR22	Major Sporting Venues
QD27	Protection of amenity
NC6	Development in the countryside / downland
HE12	Scheduled ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

SPD06	Trees & Development Sites
SPD11	Nature Conservation & Development

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
SA4	Urban Fringe

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of the proposed use, transport / highways, neighbouring amenity, and impact upon the Whitehawk Camp Scheduled Ancient Monument.

Principle of development

- 8.2 Planning permission for use of the application site for car boot sales / markets was last granted under permission ref. BH1999/01849/FP. This was a temporary consent which expired on 23 July 2000. It appears that since this time regular car boot sales have continued to operate without planning permission. Applications seeking consent for the continuation of such uses were submitted in 2001 and 2011 but were withdrawn. The current application seeks consent for the continued operation of car boot sales on Sundays throughout the year and also on Wednesdays during the months of April to October. It appears that events may also occur on Bank Holidays, no consent is however sought for such events under the current application.

- 8.3 Policy SR11 of the Brighton & Hove Local Plan states that:

Planning permission for new off-street or on-street markets, covered or open, will be granted where:

a. the proposal would not have an adverse effect on residential amenity or the immediate environment in terms of noise, nuisance or visual appearance; and

b. the proposal should not result in traffic congestion or danger, and should be readily accessible by public transport.

In addition:

c. the proposal should not adversely affect the viability of existing shops in the vicinity and should not result in an over concentration of markets in one particular area;

d. adequate car parking for stallholders should be provided;

e. adequate provision must be made for servicing and storage of stalls, as well as refuse storage. Provision of new litter bins may also be required;

f. all permanent barrows or stalls should be of a satisfactory appearance and well maintained, with the area being left clean and tidy after operation.

- 8.4 *Proposals for markets and car boot sales should be supported by a management plan indicating how they will operate including details of times, allocation of pitches and marshalling. A 'limited period only' permission may be given if the environmental consequences are either uncertain, especially in residential areas, or could be harmful in the longer term, in order to allow for monitoring of potential harm or nuisance. Similarly hours of operation may be limited where appropriate to avoid nuisance.*

- 8.5 Points (a) and (b) are addressed below and are considered acceptable subject to compliance with appropriate planning conditions. In regard to point (c) it is not considered that a weekly / twice weekly car boot sale will impact upon the viability of existing shops in the vicinity, and would not result in an over-concentration of market uses in one particular area. In regard to point (d), the layout of the site allows adequate space for the positioning of stallholders vehicles, and as the use is for car boot sales additional separate parking provision for stallholders is not required. In regard to point (e), as a car boot sale use servicing and storage of stalls is not of relevance, refuse storage is also not a significant concern as any refuse is likely to be taken away by traders in their vehicles. In regard to point (f) it is considered that the site should be left in a clean and tidy condition after the car boot sales take place which it appears is what has occurred to date.
- 8.6 In regard to whether a limited period of consent is appropriate, in this case the car boot sales have operated for a number of years and it is considered that the impact of the continuation of this use can be fully assessed at this time. It is therefore considered that a temporary consent would not be appropriate in this case.
- 8.7 In regard to hours of operation, the agent for the application has confirmed that traders vehicles enter the site from 08.30 and leave the site by 17.00. Visitors to the sales access the site between 10.30 and 16.00. These hours of operation are considered appropriate and can be secured by planning condition.
- 8.8 It is set out in Policy SR22 that Brighton Racecourse should be retained as a major sporting venue. The proposed car boot sale use would not threaten the main use of the racecourse site; a car boot sale could not occur at the same time as a race meeting as the car boot sale site is within the race course and requires access across the race track.
- 8.9 It must also be considered that the car boot sale site is outside of the built up area of the city as defined by the Local Plan Proposals Map and therefore Policy NC6 applies. Policy NC6 of the Local Plan states that development will not be permitted outside the built-up boundary of the city except where there will be no significant adverse impact on the countryside/downland and at least one of four criteria apply. It is considered appropriate to make an exception in this case as a car boot sale is clearly different to permanent 'built' structures, and the space required justifies the racecourse location.
- 8.10 Submission City Plan Policy SA4 relates to the urban fringe and is applicable to this application. This policy is considered to have less weight than Local Plan Policy NC6 as there are unresolved objections that need to be tested through the City Plan Examination process. Notwithstanding this, the policy states that development within the urban fringe will not be permitted except where any of five criteria are met. It is considered that the proposed scheme meet criteria (b) as the space required justifies the countryside location and criteria (d) as the adverse impacts can be minimised as this is not a permanent 'built' structure.

- 8.11 Overall, it is considered that the principle of the continued operation of car boot sales at the application site is acceptable. Detailed considerations are addressed below.

Transport / highways:

Parking

- 8.12 The car boot sales events which have taken place and are proposed involve significant number of vehicles entering and leaving the site. It is detailed that traders' vehicles enter the site from 08.30 and leave the site by 17.00. Four sales in April and May of 2013 were monitored and an average of 62 sellers attended these events. Traders enter the site through the southern access from Manor Hill. It is stated that visitors to the sales attend between 10.30 and 16.00; it may also be the case that some visitors arrive before 10.30 as some sellers may be on site from 08.30. The monitoring of car boot sale events between April and May 2013 established an average parking demand of 408 vehicles.
- 8.13 Representations received from residents in the area surrounding the site raise concerns regarding the demand for on-street parking which the car boot events can cause, particularly when there are other events occurring at the racecourse at the same time.
- 8.14 On street parking was surveyed at four times during the days when car boot sales took place on four days in April and May, and on a Saturday when a sale was not taking place for comparison. This data suggests that the operation of the car boot sales did not result in significantly increased demand for on-street parking, and that therefore most visitors are using the racecourse car parks.
- 8.15 The submitted statement details that there is space on site for at least 1500 vehicles to park, and if overspill parking within the site is utilised a maximum of 2000 spaces. In comparison to the average identified parking demand of 408 spaces it is clear that there is capacity within the site to provide parking for the vehicles of all visitors likely to attend the events. Based upon the comments on neighbouring occupiers it does appear that visitors to the sales in some cases choose to park on-street as presumably they consider this to be more convenient than parking in the racecourse car parks. It is considered that such on-street parking could be reduced by the use of directional signage and the stewarding of the car parks and the roads surrounding the site (which may be what occurs at present). The submitted Transport Statement provides basic details of such measures; a full parking management plan can be secured by planning condition.
- 8.16 A further issue raised by residents in the area surrounding the site is that on occasion other events have been running at the racecourse at the same time as the car boot sales, which has led to increased demand for on-street parking. Based upon the information submitted it appears that a small / medium scale event could occur at the same time as a car boot sale and that the car parks would still provide adequate capacity. Were a car boot sale to occur at the same time as a larger event (e.g. when the racecourse is used for park and ride facilities) this could cause a combined parking demand beyond the capacities of the site. Such issues could again be secured by planning condition.

- 8.17 It is noted that the planning permission relating to park and ride facilities associated with outdoor events at the American Express Community Stadium (ref. BH2013/01242) requires by condition 4 the submission of a schedule of days the racecourse is to be used for park and ride facilities and details of all other events proposed at the racecourse, and that this schedule must be agreed by the council. This control should ensure that inappropriate clashes of events do not occur. It is noted that no park and ride facilities on a Sunday are proposed during the 2013/2014 football season, and that daytime events / matches on Wednesdays are very unlikely.

Traffic Impact

- 8.18 The Sustainable Transport Officer has commented upon the application and considers that based upon the information submitted the proposed events would not cause an increased highway safety risk or congestion of surrounding roads.

Cycle parking

- 8.19 It is considered that cycle parking facilities should be provided for visitors to the site (a minimum of 5 covered and secure spaces). No details of existing cycle parking provision at the racecourse has been provided, it is considered that details of cycle storage provision can be secured by planning condition.

Neighbouring amenity:

- 8.20 As detailed above, traders vehicles enter the site from 08.30 and leave the site by 17.00. Visitors to the sales access the site between 10.30 and 16.00. The hours of operation are considered appropriate and can be secured by planning condition to ensure that disturbance to surrounding residents is not caused outside of these hours.
- 8.21 Other concerns raised by residents in the vicinity of the site relate to on-street parking associated with the site and signage being erected very early in the morning causing noise disturbance. As detailed above it is considered that management of parking and the erection of signage can be controlled through a planning condition requiring the submission of a management plan.

Potential impact upon the Whitehawk Camp Scheduled Ancient Monument:

- 8.22 The southern end of the site where traders' vehicles would access the site forms part of the Whitehawk Camp Scheduled Ancient Monument. Whitehawk Camp is of national importance and it is essential that any development for use does not cause harm to these features. There is a single lane metalled access track which runs from Manor Hill to the gated entrance of the car boot sale site. Provided vehicles use this metalled access track only and no vehicles access on park on the land to either side of the access track it is considered that the Scheduled Ancient Monument would not be harmed. To ensure this it is considered that temporary barriers should be erected to either side of the road and stewarding of the route be carried out to ensure that vehicles keep to the metalled access track. The submitted planning statement details that the route would be coned on both sides, it is however considered that fixed barriers such

as temporary fencing would be more appropriate as cones could be easily moved. Full details of such measures and their implementation on days which car boot sales take place can be secured by planning condition.

8.23 English Heritage have commented upon the application and raised no objection subject to the following conditions / requirements:

1. That traders' vehicles are kept to the metalled access track and off the grass to either side.
2. That permitted development rights for market uses within the scheduled ancient monument are removed and that a legal agreement is signed stating that there will be no parking on the scheduled ancient monument for any other events.
3. An earth bund formed previously is unauthorised and should be removed before the proposed use takes place.
4. The permission granted should be temporary to enable a review of whether conditions have been complied with before granting a renewal.

8.24 Point 1 can be addressed by planning condition as detailed above. It is considered beyond the remit of this application to secure points 2 and 3 as they seek to control events and issues which do not relate to the development proposed under this application. The issue of the bund which has been formed has been passed to the Planning Investigations Team as a separate matter. In regard to point 4, it is not considered reasonable to restrict to a temporary consent for the purposes of reviewing compliance with planning conditions. The Local Planning Authority can monitor compliance with conditions and take appropriate action should conditions not be complied with. In this case, it is considered that a full assessment of the impacts of the proposed use can be made and that a permanent consent would be appropriate.

Trees and ecology:

8.25 The County Ecologist has commented upon the application and considers that the proposed use would not have a significant impact upon biodiversity.

8.26 The Council's Arboriculturalist has commented upon the application and has recommended that a condition be applied to ensure that traders' vehicles do not park in close proximity to the Leylandii hedging along the eastern boundary of the application site. In practice it is considered that the detailed level of control of vehicle parking which the suggested condition would require would be difficult to steward, and that such a condition would require the submission of a full detailed parking layout for the site along with a survey of the extent of the hedging (to ensure that the desired spacing can actually be achieved in all cases). Given that the use of the site for car boot sales has taken place for a number of years and the hedging does not appear to have been unduly damaged to date, it is considered that the continuation of such a use is unlikely to cause significant harm. In this context, it is not considered reasonable or necessary to require the submission of further information and to condition the positioning of individual traders' vehicles. An informative is recommended advising that vehicles should be set away from the hedging wherever possible.

9 CONCLUSION

9.1 The continuation of the use of the land for regular car boot sales is considered to be acceptable in principle. Concerns regarding highways impacts / parking and potential impact upon the Whitehawk Camp Scheduled Ancient Monument can be addressed through the application of appropriate planning conditions. Conditional approval is therefore recommended.

10 EQUALITIES

10.1 No implications identified.

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
Site Location Plan and Layout	LCP/BR.01		23/07/2013
Planning Statement			23/07/2013
Transport Statement			23/07/2013

- 2) The car boot sale events hereby approved shall only operate on Sundays throughout the year and on Wednesdays during the months of April to October each year. Traders and visitors to the events shall only be on the site between the hours of 08.30 and 17.00.
Reason: To protect the amenity of residents in the surrounding area and to comply with policy QD27 of the Brighton & Hove Local Plan.
- 3) Within three months of the date of this approval a detailed parking management plan shall be submitted to and approved in writing by the Local Planning Authority. Following this written approval the car boot sales shall be carried out in accordance with the approved management plan.
Reason: To ensure that the car boot sale use does not cause on-street parking demand which could lead to obstruction of the public highway and to comply with policies TR1, TR2, TR19 and QD27 of the Brighton & Hove Local Plan.
- 4) Within three months of the date of this approval details of measures to erect and steward temporary barriers along both sides of the southern access to the car boot sale site from Manor Hill shall be submitted to and approved in writing by the Local Planning Authority. Following this written approval the car boot sales shall be carried out in accordance with the approved details. The barriers shall be erected on the day of all car boot

sales prior to any vehicle entering this access and shall remain in situ until all vehicles have left the site. No vehicles shall travel over or park on the land to either side of the barriers; vehicles shall only travel along the metalled surface of the access track.

Reason: To ensure that vehicles do not travel over or park upon the Whitehawk Camp Scheduled Ancient Monument and to comply with policy HE12 of the Brighton & Hove Local Plan.

- 5) Within three months of the date of this approval details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Following this approval these facilities shall be made available for use prior to the commencement of each car boot sale event and shall remain available for the duration of each event.

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) Within three months of the date of this approval and annually thereafter, a Schedule of Events, which shall include the dates and times of the days Brighton racecourse will be used as parking in connection with the car boot sales hereby approved, along with the full details of any other events which are to be held at the racecourse on these days (including a description of the event, times of the day of the event, the anticipated likely capacity of people attending such an event, and number of parking spaces available for such an event), shall be submitted to and approved in writing by the Local Planning Authority. The operator of the car boot sale will be in accordance with the agreed schedule unless otherwise agreed in writing with the Local Planning Authority 7 days prior to any change, the parking for the car boot sales shall only be permitted in accordance with the approved Schedule of Events.

Reason: To ensure that there is no clash of large scale events with the car boot sales hereby approved, which could cause disruption to the local highway network and to residents by reason of noise and disturbance and traffic pollution, and to comply with policies TR1, TR7, SU9, SU10 and QD27 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 to grant Planning Permission has been taken:

PLANNING COMMITTEE LIST – 9th OCTOBER 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 continuation of the use of the land for regular car boot sales is considered to be acceptable in principle. Concerns regarding highways impacts / parking and potential impact upon the Whitehawk Camp Scheduled Ancient Monument can be addressed through the application of appropriate planning conditions.
- 3. In regard to condition 3 above the applicant is advised that the required parking management plan should include full details of stewarding of parking and directional signage (including locations and timings of display and removal).
- 4. In regard to condition 4 above the applicant is advised that the required details should include a layout plan showing the location and extent of the barriers, the type of barrier proposed and details of stewarding of the barriers.
- 5. The applicant is advised that wherever possible vehicles should be parked away from the Leylandii hedging to the eastern boundary of the site to avoid damage being caused to the roots of this hedging.

ITEM B

BHASVIC 205 Dyke Road, Hove

BH2013/02082
Full planning

09 OCTOBER 2013

BH2013/02082 BHASVIC, 205 Dyke Road, Brighton



<u>No:</u>	BH2013/02082	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	BHASVIC 205 Dyke Road Hove		
<u>Proposal:</u>	Construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building on Dyke Road, provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras and creation of a new landscaped area.		
<u>Officer:</u>	Clare Simpson Tel 292454	<u>Valid Date:</u>	08/07/2013
<u>Con Area:</u>	n/a	<u>Expiry Date:</u>	07 October 2013
<u>Listed Building Grade:</u>	n/a		
<u>Agent:</u>	HNW Architects, 11 West Pallant Chichester P019 1TB		
<u>Applicant:</u>	Brighton Hove & Sussex Sixth Form College, Ms Jutta Knapp 205 Dyke Road Hove BN3 6EG		

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 is **MINDED TO GRANT** planning permission subject to an amended plan detailing proposed additional cycle and car parking facilities, the completion of a Section 106 agreement and subject to the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to Brighton & Hove and Sussex Sixth Form College (BHASVIC) which is located at the junction on Dyke Road and Old Shoreham Road. BHASVIC is a locally listed building. The main building is located on a prominent corner, with an imposing symmetrical facade, surmounted by a tall cupola. It has particular architectural merit and forms a local landmark in the area.
- 2.2 There is slight fall in land levels from north to south and ground levels fall away from Dyke Road
- 2.3 The existing student numbers for the site are 2089. The College will have an additional 288 students attending in the next academic year.

3 RELEVANT HISTORY

BH2013/01430 Demolition of existing lobbies and erection of new part-covered lobbies (Part-Retrospective). Approved 01/07/2013

BH2012/02063 Replacement of existing windows to the main building with UPVC and aluminium windows. Approved 24/08/2012

BH2012/01118 Erection of temporary single storey modular classroom and steel container for a period of five years. Approved 12/06/2012

BH2011/03469 External refurbishment of Student Common Room including installation of access ramp. Erection of canopies to College House, the main building, student services building and the canteen area. Approved 08/02/2012

BH2010/01096 Erection of new temporary two storey classroom building for 5 years replacing existing single storey building and retention of existing temporary single storey classroom for a further 4 to 5 years. Approved 02/07/2010

BH2008/01457 Installation of a two storey Portakabin Ultima building to be used as classroom facilities for a hire period of 5 years Approved 21/08/2008. (Consent expired)

BH2008/01275 Proposed single storey extensions to north and west elevations of existing sports centre including extension to tennis court to form netball courts. Approved 22/08/2008

BH2008/01113 Proposed redevelopment of educational facilities comprising one 4-storey, one 3-storey and one 3 and 1-storey blocks and associated works. Approved 29/01/2009

BH2007/00925 Outline application for erection of educational facilities comprising one 3 storey, one 4 storey and one 3 and 1 storey blocks and associated works. Approved 23/01/2008

4 THE APPLICATION

4.1 Planning permission is sought for the construction of a new 3no storey teaching block located on the existing upper car park between College House and the main building, fronting Dyke Road. The building would provide a new student social learning space, kitchen facilities, WCs and learning resource centre on the ground floor with 12 teaching rooms located above. Associated works include the provision of a new service area to provide access for deliveries and refuse vehicles located to the north of College House on Dyke Road, refurbishment of the existing refectory and staff room in the Link Building, installation of CCTV cameras. One particular focus appears to be the creation of main external social space in the heart of the campus at the rear of the new block. and creation of a new landscaped area in the proposed courtyard.

4.2 The proposal would result in additional gross internal floor space of 2027m².

The building would be located on the upper car park of the school. This would result in the loss of 29 car parking spaces.

- 4.3 The principle of the development and the positioning of the new block were the subject of pre-application discussions with the Local Planning Authority. A public consultation was held at BHASVIC College in June. Summary comments from the public consultation include both positive and negative feedback on the design of the proposed building.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Two (2)** letters of representation have been received from **Flat 4B Belvedere and Flat 8 Belvedere 152-158 Dyke Road** objecting to the application for the following reasons:

- The building would damage the rhythm of the streetscape as it is located too close to Dyke Road,
- The eastern façade has no human scale and would be constructed in materials which do not relate to neighbouring properties,
- The ground floor has no proper frontage,
- The planning statement does not explain the design of the development
- The scheme would be detrimental to the character and appearance of existing buildings on site reducing the distinctiveness of the area
- Existing buildings would be dominated by the height
- The blue materials would be out of place
- Parking would be displaced
- CCTV cameras would be intrusive to the flats opposite
- The development would cause overshadowing and a loss of to neighbouring occupiers
- Expansion would provide more problems with noise and disturbance with late night functions

- 5.2 **County Archaeologist:** Comment

The application does not include an adequate heritage statement, and has only considered visual impact. For this scale of development the application should have contained an archaeological desk based assessment detailing the known archaeological resource of the site and area, as well as detail on past impact to provide an understanding of potential survival of archaeological remains and the proposed impact on remains. Without this information it must be assumed that the site has a high archaeological potential and that impact will be full. However based on the information available on the Historic Environment Record, it is likely that surviving archaeological remains will be of local significance which can be dealt with through an appropriate planning condition.

- 5.3 **UK Power Networks:** No objection

- 5.4 **Environment Agency:** No objection

- 5.5 **Southern Gas Networks:** No objection

- 5.6 **East Sussex Fire and Rescue:** Comment: The plans do not appear to indicate the water supply and provisions of hydrants.

Internal:

- 5.7 **Ecology:** Comment

The proposed development is unlikely to have any significant impacts on biodiversity and can be supported from an ecological perspective. The site offers opportunities for biodiversity enhancements that will help the Council address its duties and responsibilities under the Natural Environment and Rural and Communities Act 2006 and NPPF.

- 5.8 **Economic Development:** Comment

Overall support for the application and request a contribution to the local employment scheme of 20% local employment during the construction phase and an employment and training strategy in accordance with the interim guidance document.

- 5.9 **Planning Policy:** No Comment

- 5.10 **Planning Projects:** Comment

To make sure the requirements of Policy QD6 are met at implementation stage, it is recommended that an 'artistic component' schedule be included in the section 106 agreement. It is suggested that the public art element for this application is to the value of £7,100.

- 5.11 **Heritage:** Comment

The proposal is for an additional building along the Dyke Road elevation. It is located in what is currently a car park, between the main block and College House.

- 5.12 The principle of a building in this location is acceptable, as it has the potential to provide greater definition to the boundary, strengthen the building line and enhance the street scene.

- 5.13 The proposed building is, however, set forward of the building line of the main building. It is located to align with the projecting parts of the main building and College House, but this is not the over-riding building line along this stretch of the road. The proposal will impact on the dominance of the main block. The building should be set back to align with the building line of the main block.

- 5.14 The height of the proposed building matches the ridge height of the main block, with an additional level of plant located above this. This will again compete with the dominance of the main block. The proposed building should ideally match the eaves height of the main block, with any part of the building above this height set back from the elevation. The height of the building in its totality should not be higher than the ridge height of the main block.

- 5.15 A modern design is considered acceptable in this location. A palette of red and earthy tones however unites all the buildings on site currently, creating a strong sense of place. It would be appropriate for this building to respect this palette in

order to integrate the building with the site, rather than the blue and green palette which is proposed.

Sustainability: Comment

- 5.16 Policy SU2 states that planning permission will be granted for proposals which demonstrate a high standard of efficiency in the use of energy, water and materials.
- 5.17 Under supplementary planning document SPD08 major new development built on previously developed land is expected to achieve BREEAM 'excellent' and 60% in energy and water sections. The applicant has submitted a BREEAM Education Pre-assessment report that indicates a targeted score of 'Excellent' overall with 78% in energy and 62% in the water section. This meets the overall standard expected via SPD08 and exceeds the energy performance standard.
- 5.18 The application reflects a robust response to all aspects of policy SU2 and SPD08. The documents demonstrate that sustainability has been well integrated into the design process delivering a highly energy efficient building that has incorporated advanced thermal fabric performance, passive solar design, efficient servicing and a considerable solar array incorporating both solar thermal and photovoltaic renewable technologies.

Sustainable Transport: Comment

- 5.19 The Highway Authority has no objections to this application subject to the inclusion of the necessary conditions (including additional cycle parking) and Section 106 of £90,300 to help finance off site transport improvements along the Dyke Road corridor. The adopted formula uses a trip assumption of the additional 288 students and 13 staff making 2 trips per day to and from the college. The proposed arrangement of the various accesses to the site is acceptable in principle

Environmental Health No objection

- 5.20 Subject to conditions to deal with noise and potential land contamination.

Arboriculture Team: No objection

- 5.21 Two trees need to be removed in the interests of sound arboricultural management, however, no trees need to be removed to facilitate the development.
- 5.22 The Arboricultural Section has no objection to the proposals in this application subject to suitable conditions being attached to any planning consent granted.

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
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD4	Design – strategic impact
QD5	Design – Street Frontages
QD6	Public Art
QD7	Crime Prevention through Environmental Design
QD15	Landscape design
QD16	Trees and hedgerows
QD27	Protection of Amenity
HE10	Buildings of local interest
HO19	Provision of new community facilities

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
SO21 Strategic Objective to assist in the planning of higher and further education establishments

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of the development, whether the proposal is appropriate in terms of design and the impact on the wider street views, residential amenity, sustainability, archaeological considerations and transport / highway considerations.

Planning Policy:

8.2 Policy HO19 of the Brighton & Hove Local Plan states that planning permission will be granted for community facilities where it can be demonstrated that certain criteria can be met. The criteria include ensuring the design and use of the facility is accessible to all members of the community, no unacceptable impact on residential amenity and addressing transport highway concerns.

8.3 BHASVIC has currently has 2089 students and struggles to accommodate this number in the existing building. The student numbers are expanding next year by an additional 288. The college requires more space and better facilities to accommodate this increase. The proposed building would provide for this need and the scheme is considered to be in accordance with the above policy. It provides a community facility and, as outlined below, is appropriate in respect of its impact on the amenity of adjacent properties and transport / highway concerns.

8.4 The scheme is also in accordance with Strategic Objective SO21 of the Brighton & Hove Submission City Plan Part One. The objective is to provide to assist in the long term planning of higher and further education establishments and ensure that they play a full part in the city's economic, social and environmental development. Given the above, the principle of providing a purpose built unit to meet the current and future educational needs of the school is welcomed and accords with policy HO19 and strategic objective SO21.

Design

8.5 Brighton & Hove Local Plan policies QD1 and QD2 require new development to be of a high standard of design that would make a positive contribution to the surrounding area and that emphasises and enhances the positive characteristics of the local neighbourhood. Policy QD4 requires the setting of

well-known landmark buildings to be respected. Policy QD5 seeks to ensure new development presents an interesting and attractive frontage.

- 8.6 The architects have explained in their supporting information that the design rationale is to make a separate statement on Dyke Road rather than attempt to replicate existing design or materials. Although it is the whole site which is on the Local List, the prominent building, with the most architectural merit is the main school building which is the focal point on the southeast corner of the site at the junction between Dyke Road and Old Shoreham Road.
- 8.7 A distance of 17 metres decreasing to 5 metres would separate the new building from the main building. It would be read as a stand-alone building, not as an extension to the existing buildings on site.
- 8.8 In terms of its design, the approach is for a modern new building which utilises glazing, cladding and brickwork. The building is three-storeys high. The highest part of the building would be approximately 11 metres in height. Plant on top of the flat roof would be contained behind screening of an additional 2 metres in height. This screening would be set back 2 metres from the front elevation of the building.
- 8.9 The height of the building is comparable to the ridge height of BHASVIC Main Building and sits mid-way between the eaves and ridge height of College House. It should be noted that the plant screening would be set 2 metres back from the front elevation of the building and therefore the visual impact of this feature is reduced.
- 8.10 The new building would be located slightly forward of the principle building lines of the Main Building to the southeast and College House to the north-west by 3 metres increasing to 4 metres. Both of these buildings however have front projections which are comparable to the building line of the proposed new building. This is considered to make the proposed building line comfortable in its setting. In addition, land levels slope down from Dyke Road in to the College site. The building would be constructed on a slightly lower land than Dyke Road and when viewed from public vantage points it is considered that the siting of the building will not overly dominate the neighbouring properties.
- 8.11 A further consideration with the initial drawings was the treatment of the ground floor of the new building, fronting Dyke Road. This does not appear to have received the same level of architectural attention shown elsewhere on the building, and in terms of the public realm it is this area which would potentially have the most impact. The internal spaces of the new building focus activity to the rear of the new building, creating an active student court yard area. The service areas are therefore located towards the Dyke Road elevation. The design team have now shown the level change through the site from Dyke Road to the front elevation of the building. This demonstrates that much of the ground floor of the building would not be prominent when viewed from the adjacent pavement.

- 8.12 The comments from the Heritage Officer have suggested that the height and the building line of the new building should be revised to ensure that the extension does not compete with the existing buildings on site. A comment from a neighbouring resident also refers to these concerns. These comments have been considered and although the building line is 3-4 metres forward of the principle building line of adjoining properties, it is not considered that this should render the design unacceptable. For the reasons explained above, it is considered that the building line of the new building would sit appropriately with the building line of the existing College buildings. Importantly green landscaping and boundary treatment have been considered within the scheme which will provide some continuity with the existing boundary treatment along Dyke Road.
- 8.13 Amended plans have been received during the course of the application in an attempt to address some of the concerns around the palette of materials on the original submission. Although red tones were suggested to the applicants, the design team were reluctant to significantly change the palette of materials. The colour palette has been toned-down slightly and the tones are considered to be earthier and therefore more comfortable in its surroundings. The applicant has submitted a materials board for consideration at planning committee.
- 8.14 It is also worth noting that the BHASVIC currently relies on a number of temporary classrooms on site which are not considered to respond positively to the setting of the building. These classrooms have temporary consents, and although the college have not linked the removal of some of these buildings to the new extension, it is considered that there is a significant need for permanent student accommodation on site and this application offers the potential in the future to tidy up the campus as a whole.
- 8.15 The application contains three CCTV cameras, shown on drawing no.P109. These are located towards the front of the site to provide surveillance in areas which otherwise see little activity. These are considered to be acceptable installations from a design perspective.
- 8.16 Overall the design of the scheme has some merit, and although the approach has been to contrast with the existing buildings on site, it is considered that the design rationale is considered broadly acceptable. The proposed new building will make a significant statement to the Dyke Road frontage, but it is considered that the visual impact of the main building would not be diminished. On balance, the design of the building is considered to be acceptable.

Landscaping:

- 8.17 The site has a blanket Tree Preservation Order which covers all trees on the site. Trees do not need to be removed to facilitate the development. The application does contain plans showing the removal of two trees on the site. The Arboriculture Team have reviewed the application and raise no objections to this loss. The Common Elder identified to be felled is considered in poor condition and a poor quality tree and the Elm is considered in an advance state of decline. Conditions have been identified to protect the trees through construction.

8.18 A landscaping plan has been submitted with the application which details treatment of the Student Courtyard Area at the rear of the new building which will contain some landscape planting. There is an overriding need for improved accessibility in this space.

8.19 A hedge is proposed to run along the Dyke Road pavement which is consistent with the front boundary treatment of the adjoining blocks. The front of the building would create a cohesive front boundary treatment for this section of Dyke Road.

Impact on Amenity:

8.20 Policy QD27 states that planning permission for any development 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.

8.21 The proposed building would be located on the existing car parking area fronting Dyke Road. This space is currently undeveloped. The formation of a three storey building on this site will inevitably have a degree of impact on the residential properties opposite. The properties most affected are those directly facing the site which include the Alquds Mosque and residential flats in the Belvedere 152-158 Dyke Road. One resident from these flats has objected to the application on the grounds of loss of privacy and overlooking. The separation distance between the front elevation of the new building and the front elevation of the residential flats would be in excess of 25 metres. Such separation distances are considered to be comfortable and will prevent any significant impact on loss of light and loss of privacy. As the land is currently undeveloped, residents would lose their open aspect over the college site, but given the separation distances are sufficient to prevent this building being overbearing, the impact is considered acceptable. Similarly with the issue of loss of light, some additional shadowing from the new building is anticipated but no significant loss of light to neighbouring properties.

8.22 A further comment was received from a neighbour about the proposed CCTV cameras and potential for intrusion and loss of privacy from these installations. Drawing P109 shows the location of 3 CCTV cameras towards the front of the site. These cameras are located in areas where natural surveillance is lacking and additional surveillance is considered to be required. None of the cameras are angled directly towards the properties opposite. Notwithstanding this, there is sufficient distance between the cameras and neighbouring residential properties to prevent a feeling of intrusion and loss of privacy is not considered to be an issue in this instance.

Sustainable Transport:

8.23 Brighton & Hove Local Plan policy TR1 requires new development to address the related travel demand, and policy TR7 requires that new development does not compromise highway safety.

- 8.24 The applicant has submitted a Transport Statement to support the expansion of the school. The statement outlines that the site is located near to bus stops and rail stations which provide links to the surrounding areas. The travel survey in the statement indicates that most students travel by non-car modes.
- 8.25 The proposed development would involve building on the upper car parking area. Two of the existing vehicular access point would be removed and only pedestrian and cycle access would be retained to this area.
- 8.26 The applicant is proposing to reduce standard car parking spaces by 29. The Highway Authority deems this reduction in estimated car parking acceptable due to the site being in a sustainable location within walking distance of bus stops and close to main railway stations and the site being within a controlled parking zone that should limit overspill. The development would also be in accordance with the City Council's maximum Car Parking Standards (SPG04). Furthermore the applicant indicates that 7 new car parking spaces would be provided in the lower car park to partly offset the removal of spaces in the upper car park. However detail of the provision has not been included within the submitted plans. A plan must be submitted by the applicant detailing such provision and this plan is awaited.
- 8.27 To comply with the Brighton & Hove Local Plan 2005 policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions the Transport Manager has also commented that the applicant should make a financial contribution of £90,300 to help finance off-site highway improvement schemes. The requested contributions are to help finance pedestrian and cycle facility improvements along the Dyke Road corridor.
- 8.28 The Transport Team have commented on the need for a Construction and Environmental Management Plan which will ensure no adverse impact on neighbouring occupiers through the construction period. This can be secured through a section 106 agreement.

Sustainability

- 8.29 The application has been accompanied by BREAAAM pre-assessment which shows the design of the building equates to a BREEAM 'Excellent' rating. This is welcomed and in accordance with the sustainability thresholds suggested in the Supplementary Planning Document on Sustainable Building Design (SPD08).
- 8.30 Renewable Energy provision is accommodated through 125m² photovoltaic array; and a solar thermal array of 12m² both to be accommodated on the roof of the new building. Furthermore a passive design has been submitted which incorporates passive ventilation, natural lighting and solar shading.
- 8.31 The Sustainability Team have confirmed that the development would meet local and national policy. Further areas of environmental performance enhancement have been identified including rainwater harvesting, and a food composting provision. Although this is recommended, given that the development can be

shown to meet the required BREEAM 'Excellent' rating it is not considered justifiable to insist on these additional measures in this instance.

Ecology/Nature Conservation

- 8.32 The applicant has submitted Ecology Report for the site. The new building would be located on the existing car park; an area of low ecological value. The East Sussex County Council Ecologist has commented that the proposed development is within an area of low ecological value and, given the nature, scale and location of the proposed development, there are unlikely to be any significant impacts on any designated sites or protected species.
- 8.33 The Ecologist has commented that to avoid disturbance to birds, any removal of shrubs or trees that could provide nesting habitats should be carried out outside the breeding season. An informative is to be added to the decision notice informing the applicant of this requirement.

Other Considerations:

- 8.34 BHASVIC is located on potentially Contaminated Land. Previous contaminated land reports for the site have already identified that remedial measures are required in order that the development can be undertaken safely to protect the future occupants of the building. The Environmental Health Officer has suggested conditions to ensure this matter is given due attention before the development is commence.

9 CONCLUSION

- 9.1 The application has been assessed against relevant policies. It would not cause demonstrable harm to the amenities of neighbouring properties and will preserve local significance of BHASVIC's main building. The character and appearance of the school and the surrounding area is not considered to be harmed. The scheme involves the enhancement of educational facilities on the site and is also considered appropriate in terms of sustainability, its impact on highway safety and demand for travel in the area.

10 EQUALITIES

- 10.1 The proposal provides adequate access for people with disabilities and would have to comply with Part M of the Building Regulations.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 11.1 Section 106 agreement to secure:
- An employment strategy to secure up to 20% local labour during construction of the project.
 - Contribution of **£90,300** to help finance off-site highway improvement schemes such as pedestrian and cycle infrastructure improvements on along the Dyke Road corridor
 - A Construction and Environmental Management Plan

and subject to the following Conditions and Informatives:

PLANNING COMMITTEE LIST – 9th OCTOBER 2013

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	P100	B	21 st June 2013
Proposed Site Plan	P101	C	2 nd July 2013
Proposed Site Plan	P104	H	21 st June 2013
Proposed Block Plan	P107	B	2 nd July 2013
Location Plan	P108	B	2 nd July 2013
CCTV location Site Plan	P109		8 th July 2013
Existing Basement Floor Plan	P200	A	21 st June 2013
Existing Ground Floor Plans	P102	B	21 st June 2013
Existing First Floor Plan	P202	B	21 st June 2013
Existing Second Floor Plans	P203	A	21 st June 2013
Proposed Infill Block Ground Floor	P258	K	2 nd July 2013
Proposed Infill Block First Floor	P259	J	2 nd July 2013
Proposed Infill Block Second Floor	P260	H	2 nd July 2013
Proposed Infill Block Roof plan	P261	E	8 th July 2013
Proposed link Building Ground Floor	P262	C	8 th July 2013
Proposed Infill-Block section AA-BB	P263	B	21 st June 2013
Proposed elevations	P265	D	6 th September 2013
Existing elevations	P266	A	21 st June 2013
Contextual Elevations	P267	B	2 nd July 2013
Existing Link building Ground Floor	P278		2 nd July 2013
Proposed elevations – Sculptural Boundary Treatment	P279		6 th September 2013

- 3) The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to

direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with policy SU4 of the Brighton & Hove Local Plan.

- 4) 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 L_{A90} 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 neighbouring properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 5) 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 employees 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.

11.3 Pre-Commencement Conditions:

- 6) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:
- (i)(a) A desk top study has previously been submitted, please refer to (b) below
(b) A site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,
(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.
- (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) (c) above that any remediation scheme required and approved under the provisions of (i) (c) 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) (c).

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) No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, 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 protection scheme.

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

- 8) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme. Protective fencing shall be retained intact for the full duration of the development hereby approved, and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To ensure the adequate protection of the protected 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.

- 9) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

Reason: To ensure the adequate protection of the protected 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.

- 10) No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement for new refuse location, relocated mini bus parking, new footpath on south west corner (if appropriate) and widened entrance to the north of the site on Dyke Road has been submitted to and approved in writing by the Local Planning Authority. This shall provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.
Reason: To ensure the adequate protection of the protected 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 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 the National Planning Policy Framework and to comply with policy HE12 of the Brighton & Hove Local Plan.
- 12) No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' of relevant BREEAM assessment 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.
- 13) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include hard surfacing, boundary treatments (including new fencing), planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.
Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.
- 14) 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:

- 15) Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossovers on Dyke Road as detailed above 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.

- 16) 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.

- 17) The new/extended crossover and access shall be constructed prior to the first occupation of the development hereby permitted and in accordance with a specification that has been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

- 18) The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 11 and that provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework

- 19) The non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

- 20) Within 3 months of occupation of the new building hereby approved, the college or developer shall submit to the Local Planning Authority for approval in writing, a detailed Travel Plan (a document that sets out a package of measures and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (pupils, parents/carers, staff, visitors, residents & suppliers).

Reason: To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR1 and TR4 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:
- (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 has been assessed against relevant policies. It will not cause demonstrable harm to the amenities of neighbouring properties and will preserve strategic views and the character and appearance of the school and the surrounding area. The scheme involves the enhancement of educational facilities on the site and is also considered appropriate in terms of sustainability, its impact on highway safety and demand for travel in the area.
- 3) The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites

(www.breeam.org). Details about BREEAM can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).

- 4) The applicant is advised that advice regarding permeable and porous hard surfaces 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).
- 5) 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 floor space (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/netregs/businesses/construction/62359.aspx and www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html.
- 6) The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.
- 7) The Travel Plan shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the development and should include as a minimum the following initiatives and commitments:
 - a. Measures to promote and enable increased use of active and sustainable transport modes, including walking, cycling, public transport use, car sharing and Park & Stride, as alternatives to individual motor vehicle use;
 - b. Identification of a nominated member of staff to act as School Travel Plan Co-ordinator to become the individual contact for the council's School Travel Team relating to the School Travel Plan; to convene a School Travel Plan (STP) Working Group.
 - c. Use of the BHCC STP guidance documents to produce and annually review the STP.
 - d. Production of a SMART action and monitoring plan, which shall include a commitment to undertake annual staff, parent/carer and pupil travel surveys to enable the STP to be reviewed and to update the SMART actions to address any issues identified;
 - e. A commitment to take part in the annual 'Hands Up' Mode of Travel Survey co-ordinated by the council's School Travel Team.

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- f. Identification of mode-use targets focussed on reductions in the level of individual motor vehicle use by staff and parent/carers.
- g. A commitment to reduce carbon emissions associated with nursery and school travel.
- h. Initiatives to increase awareness of and improve road safety and personal security.
- i. Evidence of dialogue and consultation with neighbouring residents and businesses.

Submission of an annual STP review document, following the annual travel surveys, to the Council's School Travel Team to demonstrate progress towards the identified targets.

- 8) The planning permission granted includes a vehicle crossover which requires alterations and amendments to areas of the public highway. All necessary costs including any necessary amendments to a Traffic Regulation Order (TRO), the appropriate license and application fees for the crossing and any costs associated with the movement of any existing street furniture will have to be funded by the applicant. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The crossover is required to be constructed under licence from the Highways Operations Manager. The applicant must contact the Network Co-ordination Team (01273 293 366) prior to any works commencing on the public highway.

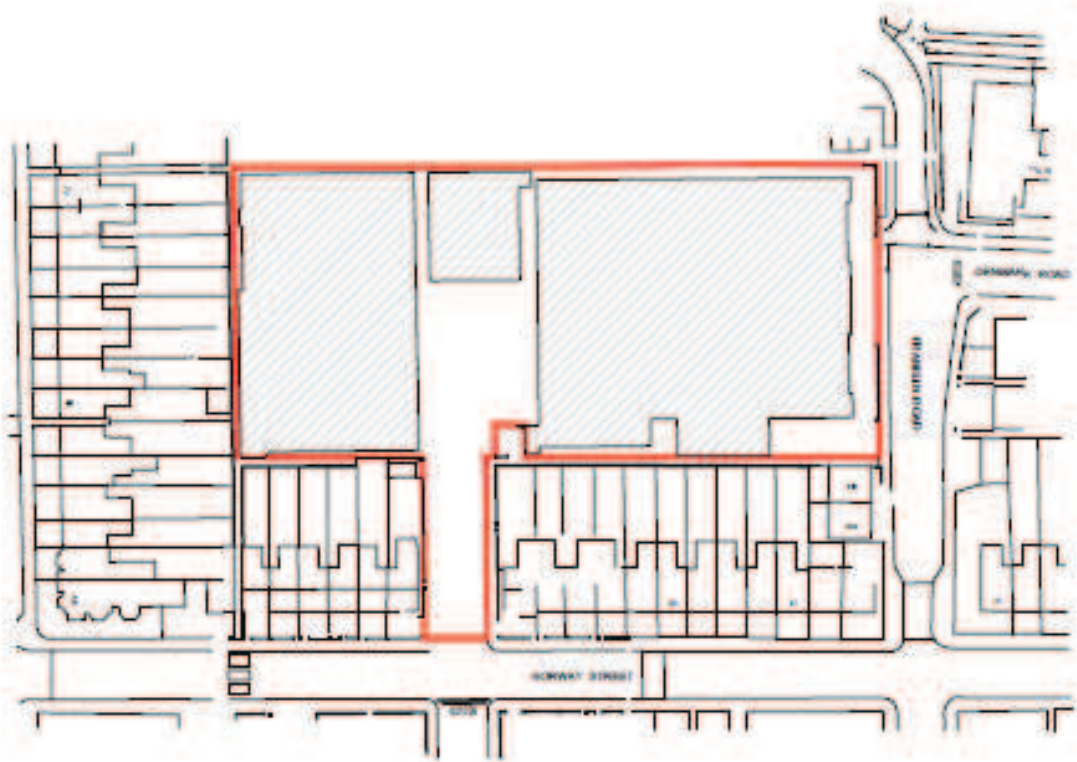
ITEM C

**Former Infinity Foods Site 45 Franklin Road
& 67 67a & 67b Norway Street Portslade**

**BH2013/01278
Full planning**

09 OCTOBER 2013

BH2013/01278 Former Infinity Foods Site 45 Franklin Road & 67 67a & 67b Norway Street Portslade



<u>No:</u>	BH2013/01278	<u>Ward:</u>	SOUTH PORTSLADE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Former Infinity Foods Site 45 Franklin Road & 67 67a & 67b Norway Street Portslade		
<u>Proposal:</u>	Demolition of existing buildings and construction of a three-storey commercial building (class B1 office space) and two and three storey buildings to form 31no dwellings with associated car parking, access and landscaping works.		
<u>Officer:</u>	Jason Hawkes Tel 292153	<u>Valid Date:</u>	21/05/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	20 August 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Woolf Bond Planning, The Mitfords, Basingstoke Road, Three Mile Cross, Reading, RG7 1AT		
<u>Applicant:</u>	Taylor Wimpey (South West Thames) Ltd, C/O Woolf Bond Planning, The Mitfords, Basingstoke Road, Three Mile Cross, Reading, RG7 1AT		

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 Section 106 agreement and the conditions and informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site relates to an industrial site located on the west of Norway Street, south of Franklin Road and north of St Andrews Road. This site is known as the Franklin Road Industrial Estate and is currently vacant. The site is divided up into four separate industrial units. Infinity Foods Co-Operative Ltd occupied most of the site and have now relocated to Shoreham. Infinity Foods occupied three buildings within the site; the large pitched roofed warehouse building adjacent the southern boundary, the middle pitched roofed warehouse building centre to the rear of 47-63 Norway Street and the two-storey brick building facing Franklin Road to the north.
- 2.2 The site included a separate business at 67A Norway Street, which is now also vacant. BBP Printers was a printing firm occupying the middle two-storey flat roofed brick building. The site is accessed via a vehicular access off Norway Street between 65 & 69 Norway Street. The brick building to the north also includes a vehicular and pedestrian access.
- 2.3 The site is predominately surrounded by residential properties. To the east and south of the site, the industrial units back onto narrow alleyways to the rear of the gardens of the two-storey houses at St Andrews Road and Norway Street.

To the north, the brick building is on the opposite side of the road of a three-storey block of flats on the corner of Denmark Road. Vale Park lies directly to the west of the site. The site includes an electrical sub-station which remains in situ.

3 RELEVANT HISTORY

BH2011/01713 – Infinity Foods, 45 Franklin Road. Installation of Solar PV Panels to south facing roof. Approved 19th August 2011.

BH2010/00637 - Infinity Foods, 67 Norway Street. Application to extend time limit for implementation of previous approval BH2007/01655 for a replacement warehouse on southern part of site including mezzanine floor and covered loading bay. Approved 25th May 2010.

BH2007/01655 - Infinity Foods Co-Operative Ltd, 67 Norway Street. Replacement warehouse on southern part of site including mezzanine floor and covered loading bay. Approved 20th August 2007.

BH2007/00359 - Infinity Foods Co-Operative Ltd, 67 Norway Street. Construction of an open sided delivery area canopy. Approved 3rd April 2007.

BH2004/02510/CL - 67 Norway Street. Certificate of lawfulness to establish the use of the premises for the manufacture/assembly/finishing, and storage of furniture (use class B1 & B8). Approved 9th October 2004.

BH2004/02404/FP - Retrospective application for the change of use of mixed uses B1 (light industry) & B8 (warehousing) to mixed uses B1, B8 & A1 (retail). Refused 23rd September 2004. Subsequent appeal withdrawn.

BH2004/00580/FP - Infinity Foods, 45 Franklin Road. Removal of asbestos cement sheeting to warehouse roof and replacement with insulated grey plastisol coated steel composite panels and rooflights and pale green trim. Approved 2nd March 2004.

BH1997/01814/FP - Infinity Foods, 45 Franklin Road. Change of use from B1 (light industrial) to B8 (warehouse).

4 THE APPLICATION

4.1 Planning permission is sought for the demolition of all the industrial units on site and the construction of 31 dwellings and a three-storey commercial block. The commercial block is located in the north west corner of the site adjacent to the entrance with Vale Park and comprises 740sqm of Class B1 office space. The scheme includes 18 parking spaces for the commercial block. The commercial block is proposed with its own vehicular access from Franklin Road.

4.2 The residential units comprise the following:

- A three storey block to the north of the site adjacent to Franklin Road containing 6 two-bed flats.

- 13 x 3 bed two and three storey dwellinghouses.
 - 11 x 4 bed two-storey dwellinghouses.
 - A two-storey block with undercroft parking and one first floor 2 bed flat.
 - 46 car parking spaces are allocated for the residential properties.
 - Vehicular access to the residential properties is from Norway Street utilising the existing access. Some residential parking spaces are also accessed from Franklin Road.
- 4.3 As amended, the scheme includes 7 units of affordable housing. Two of the 3 bed family dwellinghouses to the north of the site have been allocated for affordable housing. 5 of the 6 units in the three-storey block of flats are allocated for affordable housing.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Eight (8)** letters of representation have been received from **25, 49, 51, 53, 55 Norway Street, 15 Denmark Road, 30 Gordon Road** and **67 Vale Road** objecting the application for the following reasons:

- An objection is raised to the proximity, density and location of the large building adjacent to 43-45 Norway Street. A space should be maintained between the buildings. This three storey building will have a detrimental impact on the amenity of adjacent properties.
- The scheme does not have adequate parking for the proposed residential and commercial spaces. The developers should consider allocating spaces for immediate neighbours. This area already suffers from limited parking for local residents.
- The scheme does not include a through road. This could result in traffic flow problems in the area.
- The scheme is 'gross' overdevelopment of the site and will have a detrimental impact on the infrastructure in the area. Additionally, there are not enough schools, dentists and doctors to supply the existing homes.
- The commercial block near the park should be maintained as a commercial premises and not turned into residential.
- The buildings need to be pulled back from the Norway Street gardens so that these properties are not overlooked.
- The scheme results in a higher density when compared to the surrounding area and would heavily overpopulate the area.
- The scheme would result in noise pollution due to the proximity of the development to adjacent properties.
- The design is commonplace and unimaginative and will not enhance the area.

- 5.2 **Vale Park Residents Association:** Object:

- The density of the housing development is too high giving rise to overcrowding and loss of privacy to adjoining properties.
- The design of the building does not take the impact upon the neighbours into consideration.

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- The area is poorly provided with schools, health and other essential services.
- Vale Park is already well used at the present time and the parking facilities are already oversubscribed.
- The traffic, road safety and parking in the Vale Park area are already very dangerous. An urgent review of the traffic arrangements must be undertaken before any consideration is given to this redevelopment. Given the one way system in this area and the main entrance to the site, the scheme is likely to result in traffic congestion.
- The hours of use of the B1 commercial unit need to be stipulated so as not to cause disturbance to the neighbourhood.
- The scheme raises concerns regarding its construction and the impact of working hours, dirt and dust etc on residential amenity and the foundations of adjacent properties.

5.3 **Brighton & Hove Archaeological Society:** Comment. The Portslade area has in the past produced finds from the Neolithic period and it is possible that vestiges of archaeology may remain. The society refers to the County Archaeologist for his recommendations.

5.4 **East Sussex County Council Archaeologist:** No objection.

5.5 **East Sussex County Council Ecologist:** No objection.

5.6 **East Sussex Fire & Rescue Service:** No objection.

5.7 **Environment Agency:** No comment.

5.8 **Southern Water:** No objection subject to the following:

- Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.
- Details of the measures which will be undertaken to divert public sewers prior to commencement of development shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.
- The applicant is to enter into a formal agreement with Southern Water for connection to the water supply and to provide the necessary sewerage infrastructure to service this development.

5.9 **Sussex Police:** No objection.

5.10 **Valuation Office Agency:** The viability assessment submitted is a reasonable and balanced assessment of the proposed development.

Internal:

5.11 **Access Consultant:** No objection subject to the following:

- One parking space per house should be capable of being widened to 3.3m.

- All entrances should have a level or gently sloping approach.
- Confirmation that handrails on common stairs will extend 300mm beyond top and bottom rails.
- Stairs in the houses should have a clear width of 900mm between the wall and face of the balustrade.

5.12 **Arboricultural Section:** No objection.

5.13 **Children and Young Peoples Trust:** No objection subject to the following:
A contribution towards the cost of providing educational infrastructure for the school age pupils this development for £197, 056.40.

5.14 **Economic Development:** Support subject to the following:
A contribution of £22,930 towards the Local Employment Scheme and the provision of an Employment and Training Strategy with the developer to using 20% local employment during the demolition and construction phase.

5.15 **Environmental Health:** No objection subject to the following

- A desktop study and site investigation report in respect of land contamination to be submitted to the Local Planning Authority for approval prior to commencement of works.
- Noise associated with plant and machinery incorporate 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 5dB below the existing LA90 background noise level.
- No deliveries or waste collection shall occur at the B1 premises between the hours of 08:00 and 19:00 on Monday to Fridays and 09:00 and 17:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.
- The use hereby permitted shall not be open to customers except between the hours of 08:00 and 19:00 on Mondays to Fridays and 09:00 and 17:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.
- Details of the external lighting of the site shall be submitted to and approved to and approved in writing by the Local Planning Authority prior to commencement of works.
- A Construction and Environmental Management Plan to be secured via a Section 106 agreement.

5.16 **Heritage:** No comment.

5.17 **Housing:** Comments: (as originally submitted)
In line with Policy HO2 of the local plan and our affordable housing brief this scheme should provide 40% affordable housing on this site which equates to 12 units. The proposal is that this scheme will provide 6 units of affordable housing which equates to 19%. The wheelchair accessible unit is to be built to fully wheelchair accessible standards in line with the Affordable Housing Brief. The affordable units should be owned and managed by one of our Registered Providers of affordable housing. The Housing Section are unable to support

the existing application for 19% affordable housing and only 6 affordable homes.

The Housing Team have been unable to comment on the viability case submitted by the applicant.

5.18 Planning Policy: No objection:

The site is allocated in the emerging City Plan for employment led mixed use development, with no loss of employment floorspace, under Policy CP3 which is considered to hold more weight than the equivalent Local Plan policies. Although there is a significant loss of floorspace, evidence has been provided to justify this and the overall level of employment provided by the site is not expected to diminish. The level of affordable housing provided is 19%, less than the 40% stated in policy HO2 of the Local Plan, however evidence has been provided to show that a higher level would not be viable, and the mix of housing sizes, in particular the large proportion of family homes, is welcomed under Policy HO3.

5.19 Sustainability: No objection subject to the following:

- The application should be approved with standard planning conditions to secure a BREEAM 'excellent' standards as a minimum, and 60% in energy and water sections in respect of the commercial elements.
- Code Level 4 for residential development.
- Considerate constructors scheme and Lifetime Homes.
- A feasibility study should be undertaken for rainwater and greywater harvesting.

5.20 Sustainable Transport: No objection subject to the following:

- The development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the development as a whole 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.
- Within 3 months of occupation of the development hereby approved, the Developer or owner shall submit to the Local Planning Authority for approval in writing a detailed Travel Plan (a document that sets out a package of measures tailored to the needs of the site, which is aimed at promoting sustainable travel choices by residents, visitors, staff, deliveries and parking management) for the development.
- To comply with the Brighton & Hove Local Plan 2005 policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions approved by Cabinet on the 17th February 2011 the Applicant is expected to make a financial contribution of £10,500 to help finance off-site highway improvement schemes such as pedestrian infrastructure improvements on and around the Upper Drive and/ or pedestrian and cycle infrastructure improvements on Dyke Road.

5.21 Workplace Travel Plan Officer: No objection subject to the submission of further updated Travel Plans following the occupation of the development.

6 MATERIAL CONSIDERATIONS

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration 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
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites

QD4	Design – strategic impact
QD6	Public art
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD27	Protection of Amenity
QD28	Planning obligations
HO1	Housing sites and mixed use sites with an element of housing. Affordable housing – a definition.
HO2	Affordable housing – ‘windfall’ sites
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
EM1	Identified employment sites (industry and business)
EM3	Retaining the best sites for industry

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste
SPD06 Trees & Development Sites
SPD08 Sustainable Building Design
SPD09 Architectural Features

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development
CP3 Employment Land

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the loss of the industrial units, provision of affordable housing and viability considerations, the design and appearance of the proposed development, impact on residential amenity, standard of accommodation, transport and highway concerns, land contamination, sustainability and ecology considerations and crime prevention measures.

Principle of proposed use and loss of industrial uses:

8.2 Policy EM1 of the Brighton & Hove Local Plan identifies sites which should primarily be retained for industrial and business uses (under Classes B1 and B2). This site is identified within policy EM1 as Franklin Road Industrial Area comprising 0.54ha of industrial / business uses.

8.3 Policy EM3 of the Brighton & Hove Local Plan states that land in industrial uses will not be released for other uses unless the site has been assessed and found

unsuitable for modern employment needs. Sites will be assessed to determine whether they are suitable for modern industrial purposes.

- 8.4 The starting point for this site is its EM1 designation in the Local Plan for industrial and business uses and whether it should be released for other uses, such as residential, given its previous activity on site. It should be noted that the Employment Land Study 2006 assessment did raise the issue of the quality and potential other uses of this site if it were to be released. However, the overall conclusion of the 2006 study was that none of the Local Plan employment sites should be released.
- 8.5 Policy CP3 of the Brighton & Hove Submission City Plan Part One is particularly relevant to this scheme. Policy CP3 states that ‘in order to secure good quality employment, flexible employment floorspace the council will allow employment-led (residential and employment) mixed use development’ on the certain sites. This includes the Franklin Road Industrial Estate. The policy states that there should be no net loss in employment floorspace.
- 8.6 The Policy Section has commented on the scheme and advised that since January 2013, when the City Plan was agreed for submission to the Secretary of State, the City Plan has gathered greater weight in the determination of planning applications. Policy CP3 is allocated significant weight in the determination of this planning application as it builds on an adopted Local Plan policy.
- 8.7 The National Planning Policy Framework (NPPF) is also relevant in the determination of this application. Paragraph 22 of the NPPF states that ‘planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.’
- 8.8 This scheme proposes a mixed use scheme of 31 residential units and a commercial block of 740m² of B1 office space. The total of the existing commercial floorspace on site is 4,373m². The existing floorspace is primarily Class B8 (warehousing) with ancillary B1(a) (offices) and B1(c) (light industry).
- 8.9 The scheme would represent a significant reduction in employment floorspace. However the proposed B1 uses would offer a higher job density than the previous uses which included B8 warehousing. As such, evidence has been provided that the number of jobs expected to be provided on site increases from 58 (when the sites were operational) to 61. Evidence has also been provided from an estate agent suggesting that 8,000 square feet (743m²) is a realistic maximum level of B1 space that could be supported by this site and in this location.

- 8.10 The Employment Land Review 2012 is also a consideration in the determination of this application. The review states that the site ‘is surrounded by a built-up residential area resulting in the employment site being relatively incompatible within this location given the constrained residential roads and difficult access. There may be viability issues given the location of the site away from any established employment locations which it may be possible to overcome through cross-subsidy with some residential development on the site.’
- 8.11 Overall, policy CP3 is considered more compliant with the NPPF than Policy EM1 as it has been based on more recent reviews of employment allocations (as outlined above).
- 8.12 Due to the particular issues facing this site (the constrained access, the need for townscape and public realm improvements and proximity to residential properties), there is a recognition that it would be difficult to replace the 4,373sqm of employment floor space with a similar amount of floorspace which would be viable. On this basis, this employment led scheme offers a mixed use development and would provide a similar level of employment, albeit less floorspace, to that which existed on site. Accordingly, the change to higher job density B1a employment floorspace is acceptable in principle and the net loss of employment floorspace is therefore considered to be satisfactory given that employment levels are maintained on site and the site specific issues relevant to this site.
- 8.13 It should also be noted that the former occupants of the site have relocated to alternative sites and retained the existing jobs. Infinity Foods are a growing business and they found that the site had grown too small for their needs. The site was not capable of further large scale expansion given its proximity to residential properties. Given their needs for expansion, Infinity Foods have now relocated to larger premises in Shoreham. The former printers on site (BPP) have also relocated their business to their head office in Hove leaving the entire site vacant.
- 8.14 The Economic Development Team fully supports the scheme. The site has been actively marketed by well established local commercial agents for a sustained period of time. However, due to the nature of the site and the existing buildings, its location and access, there was no interest from business occupiers. The scheme has been subject to pre-application meetings to ensure the maximum amount of suitable and appropriate employment floorspace is provided as part of the wider mixed use scheme.
- 8.15 The applicant has also provided detailed information in respect of the commercial element of the proposal as part of the Planning Statement submitted to support the application which is also supported by the Economic Development Officer. The office space will have the ability to accommodate a single user but also have the flexibility to be offered to multiple occupiers depending on the demand for the space.
- 8.16 In conclusion, whilst the scheme is contrary to policy EM1 of the Brighton & Hove Local Plan, as outlined above, the scheme is in accordance with policy

CP3 of the emerging City Plan which has significant weight in the determination of this application. The scheme is also in accordance with NPPF which encourages alternative uses to be considered for redundant employment sites.

Provision of affordable housing and viability considerations:

- 8.17 Policy HO2 of the Brighton & Hove Local Plan states that where a proposal is made for residential development, the Local Planning Authority will negotiate with developers to secure a 40% element of affordable housing.
- 8.18 The scheme, as originally submitted, proposed 6 affordable housing units. The units were located in the three-storey block of flats located in the north east corner of the site. The affordable units were proposed to be two-bedroom units with one of the units proposed to be a wheelchair accessible unit. 6 units equates to 19%.
- 8.19 Additionally, the scheme results in the necessity to mitigate the impact. The total amount of contributions expected for this scheme comes to £385,000.
- 8.20 In accordance with SPD8, the scheme is required to deliver level 4 of the Code for Sustainable Homes for the residential units. The applicant has stated that this also unviable and that the units would only meet level 3 of the Code.
- 8.21 To support the amount of affordable housing, contributions and level of Code for Sustainable Homes, the applicant has submitted a Viability Report.
- 8.22 Paragraph 173 of the NPPF states that ‘to ensure viability, the costs of any requirement likely to be applied to development, such as requirements for affordable housing standards, infrastructure contributions or other requirements should, when taking into account the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.’
- 8.23 Having regard to the NPPF, it is appropriate for the applicant to submit a viability assessment to justify a scheme which is not fully policy compliant. To assist the Council in the assessment of the viability report, the Council has sought the professional advice of the District Valuer (DV).
- 8.24 The DV has assessed the applicant’s report and evidence. The DV concluded that the information provided was comprehensive and reasonable and the viability methodology was acceptable.
- 8.25 The DV concluded that it was clear from the calculations that a fully policy compliant scheme is not viable for this site. A fully compliant scheme is not viable due to the specific site constraints and anomalies of this site (such as land contamination) and the need to deliver an employment led scheme which includes a clearly defined commercial element.
- 8.26 Notwithstanding the DV’s findings, the applicant has agreed to an additional affordable housing unit on site. This brings the total amount of affordable units to 7 which equates to 22%. The applicant has also agreed to all residential

units meeting level 4 of the Code for Sustainable Homes, which is in line with the requirements of SPD8. The applicant has agreed to the additional unit and Code level 4 on the basis that they wish to bring the scheme forward immediately.

- 8.27 The scheme as amended now proposes 7 affordable units. 5 out of 6 two-bed flats the three-storey building adjacent Franklin Road are now allocated for affordable housing. The other two affordable units are now within the two, 3 bed town houses adjacent to the block of flats. The applicant has stated that a registered social landlord, Affinity Solutions, will take on the affordable units.
- 8.28 The Housing Team are unable to support a scheme with less than 40% affordable housing; however, they have been unable to assess the assessment of viability case submitted.
- 8.29 Having regard to all matters with respect to viability the level of affordable housing and contributions is considered appropriate in this case.
- 8.30 In order to review affordable housing provision, a condition is recommended which states that from two years of the date of the permission the amount of affordable housing can be revisited if construction has not reached an advanced stage. This condition will ensure the delivery of affordable housing taking into account viability.

Design:

- 8.31 Policies QD1 & QD2 of the Brighton & Hove Local Plan states that all proposals must demonstrate a high standard of design and make a positive contribution to the visual quality of the surrounding area. Policy QD1 states that it does not seek to restrict creative design provided that new development can still be integrated successfully into its context.
- 8.32 Policy HO4 states that to make full and effective use of the land available, residential development will be permitted at higher density than those typically found in the locality where it can be demonstrated that the proposal exhibits a high standard of design.
- 8.33 The scheme proposes the demolition of all the existing industrial buildings on site and the construction of 31 dwellings and 3-storey office block. The site is comprised of large industrial buildings which are not worthy of retention and there is no objection to the loss of the existing buildings on site.
- 8.34 The proposal is for a mews style mixed development of 31 dwelling units and a three storey block of offices. The housing is mainly comprised of pitched roofed houses formed in 7 blocks of two and three storey dwellings positioned around the main vehicular and pedestrian access to the site between 65 & 69 Norway Street. The majority of the proposed houses face either east or west. This results in the creation of a streetscape with a clearly defined building line and street scene which is replicated in the commercial block.

- 8.35 The three storey townhouses include front gable ends which would be tile hung. These gable ends bookend the block of 5 houses on the western side of the site and would be the most visible feature of the scheme when viewed from Norway Street. The rest of the proposed dwellings are two-storeys high and would include small front and rear dormers allowing accommodation in the roof space.
- 8.36 Every house includes either a flat roofed or lean-to roofed canopy over the front entrance and is proposed with sliding sash timber windows. The houses also include banding detailing to the bottom of the windows and quoin detailing to the side of the buildings. The dwellings are all proposed in a buff coloured brick. The buff brickwork and detailing match the existing terraced housing on Norway Street and would give the development some visual context when compared to the surrounding area.
- 8.37 The scheme includes a flat above undercroft parking. Additionally, in the north east corner of the site, a three-storey block of 6 flats is proposed fronting Franklin Road adjacent the side of elevation of 43B Norway Street. The design of these two buildings matches that of the proposed houses with matching fenestration, buff brickwork and small front and rear dormers to the three-storey block.
- 8.38 The commercial block proposed in the north west corner of the site is different in design to the rest of the development in that it has more of a more modern design. This building would be three-storeys tall with a mixture of flat and mono-pitched roofs and a large eaves detail. Whilst modern in design, the building includes some of the detailing of the rest of the residential development proposed with proposed buff brickwork, detailing under the windows and quoin detailing to its sides. This building is separated from the rest of the development and includes its own vehicular access from Franklin Road.
- 8.39 The townscape character of this part of Portslade is characteristically defined by straight corridors of two-storey terraced houses on a strong build line, commonly with dwarf walls at the footway edge enclosing small front gardens. A strong rhythm of projecting bays or gables reinforces this regularity.
- 8.40 In terms of townscape, the design of the proposal replicates the urban grain form of adjacent development. Building widths, depths and heights are similar to adjacent developments and existing housing. The form of the proposed layout incorporates a 3-storey terrace vista which is the visual termination of the development when looking along the proposed access from Norway Street. In addition, the commercial and residential apartments along Franklin Road provide buildings which would match the scale and design of the existing block of flats opposite the proposed block of commercial units on the corner of Denmark Road.
- 8.41 The street design includes hard and soft landscaping with block paving, timber bollards, incidental raised shrub planters and trees within the street. This is unlike the surrounding roads, which are comprised of lay-by parking to each side and short front gardens to mainly terraced housing. In the current scheme

the front gardens are replaced by parking spaces. This along with the design of the houses gives the scheme a mews style appearance.

- 8.42 Overall, it is felt that the development is of an appropriate height, scale, bulk and design and would make a positive contribution to the visual quality of its surroundings. Subject to the submission of materials, the scheme is considered in accordance with the above policies.

Impact on Amenity:

- 8.43 Policy QD27 states that planning permission for any development 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.
- 8.44 The proposed site is in close proximity to residential properties which surround the site. Immediately to the east, the site backs onto the rear garden of 43-79 Norway Street and to the south, the site backs onto the rear gardens of 54-72 St Andrews Road. To the north, the site faces houses across Franklin Road at 58-62 Franklin Road and block of 15 flats at 17A Denmark Road. To the west of the site, the development faces Vale Park.
- 8.45 In respect of the houses on Norway Street and St Andrews Road, the scheme would not result in a significant impact on the amenity of these premises. The scheme proposes two storey houses adjacent to the boundaries of these houses which are separated from the existing houses by an appropriate distance. The rear elevations of the proposed houses to the rear of 43-65 Norway Street are set a distance of over 20m from the existing houses. This includes proposed rear gardens for the houses. To the rear of 56-60 St Andrews Road, there is a distance of over 25m between the proposed houses and the existing houses. To the rear of 66-70 St Andrews, the scheme proposes the side wall of a two-storey dwelling facing east which would be over 17m from the rear elevations of the existing houses.
- 8.46 Given the distance between the proposed houses and the existing houses, the scheme would not result in a significant impact on the amenity of the residential properties on Norway Street and St Andrews Road in terms of loss privacy, increased sense of enclosure, loss of outlook or overshadowing. It should also be noted that the scheme results in the loss of the existing warehouse structure which formed an imposing structure in comparison to the proposed housing.
- 8.47 To the northern part of the site, a three-storey block of 6 flats and 3-storey commercial block are proposed. The proposed block of flats is within close proximity of the side facing wall of 43B Franklin Road. The proposed side elevation of the block of flats is in line with the side elevation of no.43B Franklin Road and this newly built dwelling does not include any side facing windows which would be affected by the proposal. The proposal includes rear windows for the block flats facing south. Due their orientation, these windows would not result in a significant loss of amenity of adjacent properties in respect of overlooking.

- 8.48 In respect of the properties to the north of the site, these properties are on the opposite side of Franklin Road and would not be significantly affected by the proposed redevelopment of the site.
- 8.49 The scheme does result in a higher density of residential properties when compared to the existing residential pattern in the locality. However, the higher density proposed would not result in a significant impact on the amenity of any adjacent properties.
- 8.50 The proposed site immediately overlooks Vale Park to the west of the site. There is a play area near the boundary of the site which would be partly overlooked by the rear windows of some of the proposed houses. It should be noted, that the play area is already overlooked by properties surrounding the park. Additionally, there are existing trees along the eastern boundary of the park. These trees will remain and will shield views from the rear windows of the proposed houses of the play area to some extent.
- 8.51 As the site is within close proximity of residential properties and involves extensive demolition, a Construction Environmental Management Plan is required to be submitted and approved by the Local Planning Authority. This will ensure the scheme would minimise disturbance for adjacent properties in relation to construction noise, dust, hours of operation, etc, and can be secured within a Section 106.
- 8.52 Overall, the scheme would not result in a significant impact on the amenity of any adjacent properties and is in accordance with the above policy.

Standard of accommodation:

- 8.53 Policy QD27 states that permission for development will not be granted where it would cause material nuisance and loss of amenity to existing and proposed adjacent residents as well as future occupiers. The scheme proposes dwellings with adequate light and outlook to habitable rooms and is deemed to provide a suitable standard of accommodation.
- 8.54 Policy HO5 requires the provision of private amenity space in new residential development where appropriate to the scale and character of the development. The proposal includes a garden for all 25 of the proposed dwellinghouse and a communal area for the block of six flats. The scheme does not include an outside amenity area for the first floor flat proposed in the two-storey building. The largest of the proposed gardens are 10.5m long and the smallest gardens proposed are 7m long. Whilst small in comparison to most of the existing gardens serving adjacent properties (with the exception of gardens of 43A & 43B Franklin Road), the scheme would provide suitable outside private amenity space for the majority of the development.
- 8.55 In accordance with policy HO13, the development will be required to fully comply with Lifetime Homes Standards. The Access Officer has commented that some minor amendments are required in order to fully comply with Lifetime Homes.

8.56 Policy HO13 responds to the objectives of securing housing for people with disabilities and meeting the needs of households as their occupants grow older or circumstances change. As the scheme is for new build residential, the scheme would be expected to fully meet Lifetime Homes standards. Therefore, it is important that the comments of the Access Advisor are fully addressed. A condition is therefore recommended requiring details to be submitted and approved by the Local Planning Authority which indicate that the scheme would fully meet Lifetime Homes Standards.

Sustainable Transport:

8.57 In accordance with policy TR1, any development should provide for the demand for travel it creates and maximise the use of public transport, walking and cycling. Scheme should include cycle parking for units which are secure and covered.

8.58 To address the parking and highway impacts of the scheme, the proposal includes a Transport Statement and Travel Plan which have been assessed by the Council's Transport Manager. The scheme utilises the existing vehicular access from Norway Road for the residential units and proposes a new vehicular access from Franklin Road for the proposed commercial block.

8.59 The scheme includes on-site parking for the proposal which comprises the following:

- 18 spaces for B1 offices including 5 dedicated disabled spaces.
- 46 spaces for residential use including 3 dedicated disabled spaces.
- 6 existing spaces for neighbouring residents adjacent the entrance from Norway Road.

8.60 The Council's Transport Manager has commented that the provision of parking is acceptable for the residential and commercial units and is within the parking standards as outlined in Supplementary Planning Guidance Note 4 on Parking Standards.

8.61 The Transport Manager has commented that the disabled parking indicated on the plans is below the standards required for a scheme of this size. However, the scheme has been amended to allow the conversion of the spaces into appropriate disabled spaces in the future if required. This is indicated in the submitted Travel Plan. The Transport Manager has commented that an enhanced Travel Plan, which requires annual monitoring of the use and availability of disabled parking, could be submitted for the approval of the Local Planning Authority. Based on the findings of the Travel Plan, existing parking spaces could be converted to disabled spaces if required. On this basis, the disabled parking proposed is deemed acceptable.

8.62 In respect of cycle parking, the proposal would provide sheds for each house and cycle stores for the commercial units and flats. The Transport Manager has commented that the number of type of stores proposed is unclear. Accordingly, a condition is recommended requiring the submission of full details of the cycle storage proposed for the scheme to be submitted to and approved by the Local Planning Authority in writing prior to commencement of the development.

- 8.63 The Transport Manager has stated that the applicant has successfully demonstrated using the TRICS database that the impact of the scheme on local traffic will be minimal.
- 8.64 To comply with the Brighton & Hove Local Plan policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions approved by Cabinet on the 17th February 2011, the Transport Manager has commented that the applicant should make a financial contribution of £10,500 to help finance off-site highway improvement schemes in the area. The improvements would include replacing speed cushions, installing tactile paving and new dropped kerbs.
- 8.65 Finally, the applicant has submitted a Travel Plan which addresses travel and transport issues. The Council's Workplace Travel Plan Officer and the Transport Manager have stated that Travel Plan and Transport Assessment are acceptable, subject to the provision of cycle parking and the implementation of the Travel Plan. It is therefore felt that the scheme will not result in an unacceptable demand on traffic or parking in the area.

Land Contamination:

- 8.66 Policy SU11 of the Brighton & Hove Local Plan states that proposals for the development of known or suspected polluted land will ensure that the application is accompanied by a site / building assessment and details for the treatment, containment and / or removal of the source of contamination.
- 8.67 Given the industrial nature of the site, the Council's Environmental Health Section has commented that the site is a brown field development. The application is accompanied by a land quality assessment. The report includes an addendum which summarises gas testing carried out on site.
- 8.68 The Environmental Health Officer has commented that whilst the report has assessed the site in line with nationally published best practice, it concludes that further works need to be carried out to fully assess the site. To this end, the officer recommends a condition requiring the submission of a desktop study and a potential site investigation report which document the ground conditions of the site which also incorporates chemical and gas analysis as appropriate. These reports are to be submitted to the Local Planning Authority for approval in writing prior to commencement of works. Compliance with this condition will ensure the safety of the land for future occupiers in respect of land contamination.

Sustainability:

- 8.69 Policy SU2 of the Brighton & Hove Local Plan requires new development to demonstrate a high level of efficiency in the use of water, energy and materials.
- 8.70 Under Supplementary Planning Document 8 (SPD8) major new built non-residential development is expected to achieve BREEAM 'excellent' and 60% in energy and water sections. The application commits in the Design and Access Statement and Sustainability Checklist to achieving this standard for the office development under BREEAM office.

- 8.71 Under SPD8, a major scheme for residential development would be expected to meet level 4 of the Code for Sustainable Homes. Under the viability assessment (as outlined above), the applicant originally stated that the scheme would only meet level 3 due to the additional cost of securing level 4.
- 8.72 The Council's Sustainability Officer commented that it was unacceptable that the scheme would not meet level 4 and that it was achievable. In only meeting level 3, the scheme would be below national standards in terms of energy performance. The applicant has subsequently agreed to the scheme meeting level 4 of the Code for Sustainable Homes.
- 8.73 The Council's Sustainability has verbally commented that with level 4 for the Code for Sustainable Homes in place, the scheme is deemed appropriate subject to conditions to secure the following:
- BREEAM office 'excellent' and 60% in energy and water sections.
 - Code level 4 for residential development.
 - Considerate Constructors scheme and Lifetime Homes.
 - Feasibility study for rainwater and grey water harvesting.

Other Considerations:

- 8.74 Policy QD18 of the Brighton & Hove Local Plan relates to the protection of protected species and states that measures will be required to avoid any harmful impact of a proposed development on such species and their habitats.
- 8.75 The applicant has submitted a bat survey report which examines the possibility of bats within the existing buildings at Franklin Road Industrial Estate. The report concludes that there no evidence of bats was found within any of the buildings and that the majority of the buildings were not considered to have any significant potential to support bat roosts.
- 8.76 The County Ecologist has commented that the report is acceptable. As a precautionary measure, the demolition contractors should be made aware that if any evidence of bats is found during demolition, work should stop and advice sought from a suitably qualified bat ecologist.
- 8.77 The ecology report submitted indicates that the brick 2-storey building fronting Franklin Road includes nesting sparrows. The Ecologist has commented that under the Wildlife and Countryside Act 1981, wild birds are protected from being killed, injured or captured. The Ecologist recommends that the demolition of this building should be undertaken outside the nesting season (generally March to August indicative) and replacement sparrow nesting boxes should be provided within the new development as specified within the Ecological Appraisal Report.
- 8.78 Policy QD16 of the Brighton & Hove Local Plan relates to the retention and protection of existing trees on site. There are no existing trees on site but there are substantial trees adjacent the boundary of the site within Vale Park. The scheme would result in the pruning of the adjacent trees. The Council's Arboriculturist has commented that the pruning works should be carried out in

full accordance with British Standard 3998 (2010) Recommendations for Tree Work.

- 8.79 Policy QD7 of the Brighton & Hove Local Plan states that large scale developments will be approved where it has been demonstrated how crime prevention measures have been incorporated into the layout and design of the proposal. The Design & Access Statement outlines crime prevention measures such as ensuring spaces within the development where everyday human activity would be the greatest in order to minimise the risk of crime.
- 8.80 Sussex Police Crime Prevention Officer has commented that design and layout of the development has created outward facing dwellings which provides good surveillance over vehicles and allows the residents to self police their own environment. The officer was also pleased to note that there are rear access paths to the rear gardens with front gates which deters unauthorised access to the rear. Having regard to the crime prevention officer's comment, the scheme is considered in accordance with the above policy.

9 CONCLUSION

- 9.1 The development is of an appropriate height, scale, bulk and design and would make a positive contribution to the visual quality of its surroundings. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance and is also appropriate in terms of highway safety and sustainability.
- 9.2 Additionally, the scheme delivers an appropriate mixed use scheme for residential and commercial office floorspace which is in accordance with policy CP3 of the Brighton & Hove Submission City Plan Part One. Given the viability assessment of the proposal, the scheme also delivers an appropriate amount of affordable housing.

10 EQUALITIES

- 10.1 The new houses would be required to fully comply with Part M of the Building regulations and the Council's Lifetime Homes policy.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

- 11.1 Section 106 agreement to secure:
- An employment strategy to secure at least 20% local labour during construction of the project.
 - A Construction Environmental Management Plan.
 - Contribution of £10,500 towards improving sustainable highway infrastructure in the area.
 - Contribution of £60,500 towards open space contribution in the area.
 - Contribution of £79,000 towards educational improvements in the area.

and subject to the following Conditions and Informatives:

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11.2 Regulatory Conditions:

- 1) The development hereby permitted shall be commenced before the expiration of two 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
Planning Layout	011202-WIM-SWT-01	D	25 th September 2013
Information Layout	011202-WIM-SWT-02	B	13 th August 2013
Storey heights Plan	011202-WIM-SWT-03	B	13 th August 2013
Tenure Plan	011202-WIM-SWT-04	C	25 th September 2013
Unit Types Plan	011202-WIM-SWT-05	B	13 th August 2013
Location Plan	011202-WIM-SWT-06	A	13 th June 2013
Refuse Strategy	011202-WIM-SWT-07		22 nd April 2013
Street Scene	011202-WIM-SWT-SSCC		7 th May 2013
Street Scene	011202-WIM-SWT-SSDD		13 th June 2013
Street Scene	011202-WIM-SWT-SSBB		13 th June 2013
Type F Floor Plans	011202-WIM-F-P1		22 nd April 2013
Type E Floor Plans	011202-WIM-E-P1		22 nd April 2013
Type G Floor Plans	011202-WIM-SWT-G-P1		22 nd April 2013
2BF Apartments Ground Floor Plans	011202-WIM-SWT-2BF-P1		22 nd April 2013
2BF Apartments First Floor Plan	011202-WIM-SWT-2BF-P2		22 nd April 2013
2BF Apartments Second Floor Plans	011202-WIM-SWT-2BF-P3		22 nd April 2013
Apartment Block 2BF, Front Elevation	011202-WIM-SWT-2BF-E1		22 nd April 2013
Apartment Block 2BF, Side Elevation	011202-WIM-SWT-2BF-E2		22 nd April 2013

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Apartment Block 2BF, Side Elevation	011202-WIM-SWT-2BF-E3		22 nd April 2013
Apartment Block 2BF, Rear Elevation	011202-WIM-SWT-2BF-E4		22 nd April 2013
Bin / Cycle Stores Elevations & Floor Plans	011202-WIM-SWT-BS1	A	13 th August 2013
Commercial Building First Floor Plan	011202-WIM-SWT-COM-P2		22 nd April 2013
Commercial Building Second Floor Plan	011202-WIM-SWT-COM-P3		22 nd April 2013
Commercial Offices, Front Elevation	011202-WIM-SWT-COM-E1		22 nd April 2013
Commercial Offices, Side Elevation	011202-WIM-SWT-COM-E2		22 nd April 2013
Commercial Offices, Side Elevation	011202-WIM-SWT-COM-E3		22 nd April 2013
Commercial Offices, Rear Elevation	011202-WIM-SWT-COM-E4		22 nd April 2013
Type D Floor Plans	011202-WIM-SWT-D-P1		22 nd April 2013
Type A Floor Plans	011202-WIM-A-P1		22 nd April 2013
Type B Floor Plans	011202-WIM-B-P1		22 nd April 2013
House Type A & B Front, Side & rear Elevations	011202-WIM-SWT-A-B-E1		22 nd April 2013
House Type C & D Rear & Side Elevations	011202-WIM-SWT-C-D-E2	A	23 rd April 2013
House Type C & D Front Elevation	011202-WIM-SWT-C-D-E1	A	25 th September 2013
House Type G Front & Side Elevation	011202-WIM-SWT-G-E1		22 nd April 2013
House Type G Front & Rear Elevation	011202-WIM-SWT-G-E2		22 nd April 2013
House Type E & F Rear & Side Elevation	011202-WIM-SWT-E-F-E2		22 nd April 2013
House Type E & F Front & Side Elevation	011202-WIM-SWT-E-F-E1		22 nd April 2013
House Type C & D Rear & Side Elevation	011202-WIM-SWT-C-D-E2		22 nd April 2013
Application Street Scenes			13 th June 2013
Planting Proposals	CSa/2139/102		22 nd April 2013
As Existing Arrangement Building 'No.67'	B2612/13_02		21 st May 2013
As Existing Plans Building 'No.67B'	B2612/13_03		21 st May 2013
As Existing Elevations 'No.67B'	B2612/13_04		21 st May 2013
As Existing Arrangement	B2612/13_05		21 st May 2013

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Building 'No.67A'			
Tree Constraints Plan	8086/01/ Rev A		22 nd April 2013
Topographical Survey	17398		22 nd April 2013
External Works Plan	CSa/2139/103		22 nd August 2013
Planting Proposals	CSa/2139/102		22 nd August 2013

- 3) The affordable housing shall provided in accordance with the Tenure Plan drawing 011202-WIM-SWT-04/C which secures 7 affordable units.
Reason: To ensure the provision and retention of an appropriate amount of affordable housing in accordance with policy HO2 of the Brighton & Hove Local Plan.

- 4) The proposed development shall not commence until a scheme for the details of the provision of affordable housing, as part of the development, has been submitted to and approved in writing by the local planning authority. Save where condition 5 below applies, the affordable housing shall be provided in accordance with the approved scheme which shall include:

- i. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- ii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iii. the arrangements to ensure that the affordable housing remains as affordable housing for both first and subsequent occupiers of the affordable housing; and
- iv. the occupancy criteria shall be agreed by Brighton & Hove City Council Housing Team

and for the purposes of this condition 4 and conditions 5 below 'affordable housing' has the meaning ascribed to it by the National Planning Policy Framework.

Reason: To ensure the provision and retention of an appropriate amount of affordable housing in accordance with policy HO2 of the Brighton & Hove Local Plan.

- 5) Should all the residential units hereby approved not have been constructed to at least first floor level by the third anniversary of the date of this permission, a viability assessment which assesses, at that date, the number of affordable housing units that the proposed development could provide whilst remaining viable, together with a scheme ('the reassessed scheme') of affordable housing provision based on that viability assessment, shall be submitted to, and for approval in writing by, the local planning authority. The affordable housing shall be provided in accordance with the approved reassessed scheme which reassessed scheme shall include:

- i. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

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- ii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iii. the arrangements to ensure that the affordable housing remains as affordable housing for both first and subsequent occupiers of the affordable housing.
- iv. the occupancy criteria shall be agreed by Brighton & Hove City Council Housing Team

Reason: To ensure the provision and retention of an appropriate amount of affordable housing in accordance with policy HO2 of the Brighton & Hove Local Plan.

- 6) 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) 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.

- 8) The first floor side window in the elevation of the proposed dwelling hereby permitted immediately adjacent the southern boundary of the site (as indicated on drawing no.0011202-WIM-SWT-E-F-E1) shall be obscure glazed and non-opening, unless the parts of the window which can be opened is 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.

- 9) 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. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

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

- 10) 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.

- 11) The employment/commercial building shall only be used for B1 use only and for no other purpose (including any other purpose in Class B2 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of safeguarding the amenities of the area in accordance with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

- 12) No deliveries or waste collection shall occur at the B1 premises except between the hours of 08:00 and 19:00 on Monday to Fridays and 09:00 and 17:00 on Saturdays, Sundays, Bank or Public Holidays.

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

- 13) The office accommodation shall not be open except between the hours of 08:00 to 19:00 Monday to Fridays and 09:00 and 17:00 on Saturdays, Sundays, Bank or Public Holidays.

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

11.3 Pre-Commencement Conditions:

- 14) One of the 7 affordable units is to be built to wheelchair standards. No development shall commence until details of the wheelchair accessible unit have been submitted to and approved by the Local Planning Authority in writing. The scheme shall be implemented in accordance with the agreed details and thereafter retained as such.

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

- 15) No development shall take place until a written Waste Minimisation Statement & Plan, 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

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Authority. The measures shall be implemented in strict accordance with the approved details.

- 16) 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.
- 17) No development shall take place until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.
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.
- 18) No development shall commence until details of the proposed means of foul and surface water sewerage disposal and measures to be undertaken to divert public sewers have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full accordance with the agreed details.
Reason: To ensure that adequate surface water and foul sewerage drainage is available prior to the development commencing and to comply with policies SU4 and SU5 of the Brighton & Hove Local Plan.
- 19) No development shall commence until full details of the phased construction programme have been submitted and agreed in writing by the Local Planning Authority. The programme shall specify that the commercial element shall be built to shell and core prior to occupation of the residential units. The scheme shall be implemented fully in accordance with the agreed details unless otherwise agreed in writing.
Reason: So as to ensure the implementation of the entire scheme and to comply with policies TR1, TR2, TR4, TR7, TR14, TR18, TR19, SU2, QD1, QD2, QD3, QD4, QD5, QD6, QD15, QD16, HO2, HO3, HO4, HO5, HO6 and HO13 of the Brighton & Hove Local Plan and CP3 of the Brighton & Hove Submission City Plan Part One.
- 20) 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.
- 21) No development shall commence until details showing the type, number, location and timescale for implementation of the compensatory bat boxes

has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in strict accordance with the approved details.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

- 22) 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.

- 23) No development shall commence until full details of Lifetime Homes standards have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details and thereafter retained as such.

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.

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

A completed pre-assessment estimator will not be acceptable.

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

- 25) No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' of relevant BREEAM assessment 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

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of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

- 26) No development shall commence until a feasibility study for rainwater harvesting has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in strict accordance with the agreed details.
Reason: To ensure the development is sustainable in terms of rain water harvesting and in accordance with policy SU2 and SPD8: Sustainable Building Design of the Brighton & Hove Local Plan.
- 27) No development shall commence until a Scheme of Management of the vehicle parking has been submitted to and been approved in writing by the Local Planning Authority. The submitted scheme shall include details of how each car parking space will be allocated and any necessary measures to ensure that each car parking space is secured for the use of its allocated owner. The approved scheme shall be implemented prior to the first occupation of the building and thereafter retained at all times.
Reason: To ensure the development maintains a sustainable transport strategy and to comply with policies TR1 and TR19 of the Brighton & Hove Local Plan.
- 28) No development shall commence until full details of the existing and proposed land levels of the proposed building in relation to Ordinance Datum and to surrounding properties have been submitted to and agreed in writing by the Local Planning Authority. The details shall include finished floor levels. The development shall be constructed in accordance with the agreed details.
Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.
- 29) 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.
- 30) (i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:
- (a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001;
and, unless otherwise agreed in writing by the Local Planning Authority,

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- (b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.
- (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) (b) above that any remediation scheme required and approved under the provisions of (i) (b) 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) (b).

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.

- 31) 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, boundary treatments (including new 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.

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.

Pre-Occupation Conditions:

- 32) 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.

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

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

- 34) The non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 60% 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.

- 35) Within 6 months of occupation of the residential and commercial development hereby approved, the applicant or developer shall submit to the Local Planning Authority for approval in writing, a detailed Travel Plan (a document that sets out a package of measures and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (pupils, parents/carers, staff, visitors, residents & suppliers).

Reason: To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR1 and TR4 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 development is of an appropriate height, scale, bulk and design and would make a positive contribution to the visual quality of its surroundings. The development would not cause significant harm to neighbouring amenity by way of loss of light, privacy or outlook, or increased overshadowing, noise or disturbance and is also appropriate in terms of highway safety and sustainability.

Additionally, the scheme delivers an appropriate mixed use scheme for residential and commercial office floorspace which is in accordance with policy CP3 of the Brighton & Hove Submission City Plan Part One. Given the viability assessment of the proposal, the scheme also delivers an appropriate amount of affordable housing.

- 3) The applicant is advised that details of the BREEAM assessment tools and a list of approved assessors can be obtained from the BREEAM websites (www.breeam.org). Details about BREEAM can also be found in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
- 5) The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.
- 6) The applicant is advised that the above condition on land contamination has been imposed because the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. To satisfy the condition a desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of (i) (b) and (i) (c) of the condition. It is strongly recommended that in submitting details in accordance with this condition the applicant has reference to Contaminated Land Report 11, Model Procedures for the Management of Land Contamination. This is available on both the DEFRA website (www.defra.gov.uk) and the Environment Agency website (www.environment-agency.gov.uk).

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- 7) The applicant is advised that an agreement with Southern Water, prior to commencement of the development, is required for measures to be undertaken to divert/protect the public water supply main.
- 8) The applicant is advised that advice regarding permeable and porous hard surfaces 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).
- 9) The applicant is advised that the proposed highways works should be carried out in accordance with the Council's current standards and specifications and under licence from the Network Co-ordination team. The applicant should contact the Network Co-ordination Team (01273 293366).
- 10) All tree pruning works shall be carried out in full accordance with British Standard 3998 (2010) Recommendations for Tree Work.
- 11) The applicant is advised of the possible presence of bats on the development site. All species of bat are protected by law. It is a criminal offence to kill bats, to intentionally or recklessly disturb bats, damage or destroy a bat roosting place and intentionally or recklessly obstruct access to a bat roost. If bats are seen during construction, work should stop immediately and Natural England should be contacted on 0300 060 0300.
- 12) The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March – 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest. The applicant should note that there appear to be nesting sparrows in the building fronting Franklin Road and care should be taken when demolishing this building.
- 13) The Travel Plan shall cover both the residential and commercial units and shall include such measures and commitments as are considered necessary to mitigate the expected travel impacts of the development and should include as a minimum the following initiatives and commitments:
 - i) Promote and enable increased use of walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use:
 - ii) A commitment to reduce carbon emissions associated with business and commuter travel:
 - iii) Increase awareness of and improve road safety and personal security:
 - iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses:
 - v) Identify targets focussed on reductions in the level of business and commuter car use:

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- vi) Identify a monitoring framework, which shall include a commitment to undertake an annual staff travel survey utilising iTrace Travel Plan monitoring software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate:
- vii) Make provision for an annual report to the Council of the results of a survey of the use and availability of disabled parking, and subsequently convert general parking to disabled parking if requested by the Council on the basis of its analysis of the monitoring report.
- viii) Following the annual staff survey, an annual review will be submitted to the Local Planning Authority to update on progress towards meeting targets:
- ix) Identify a nominated member of staff or post to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.

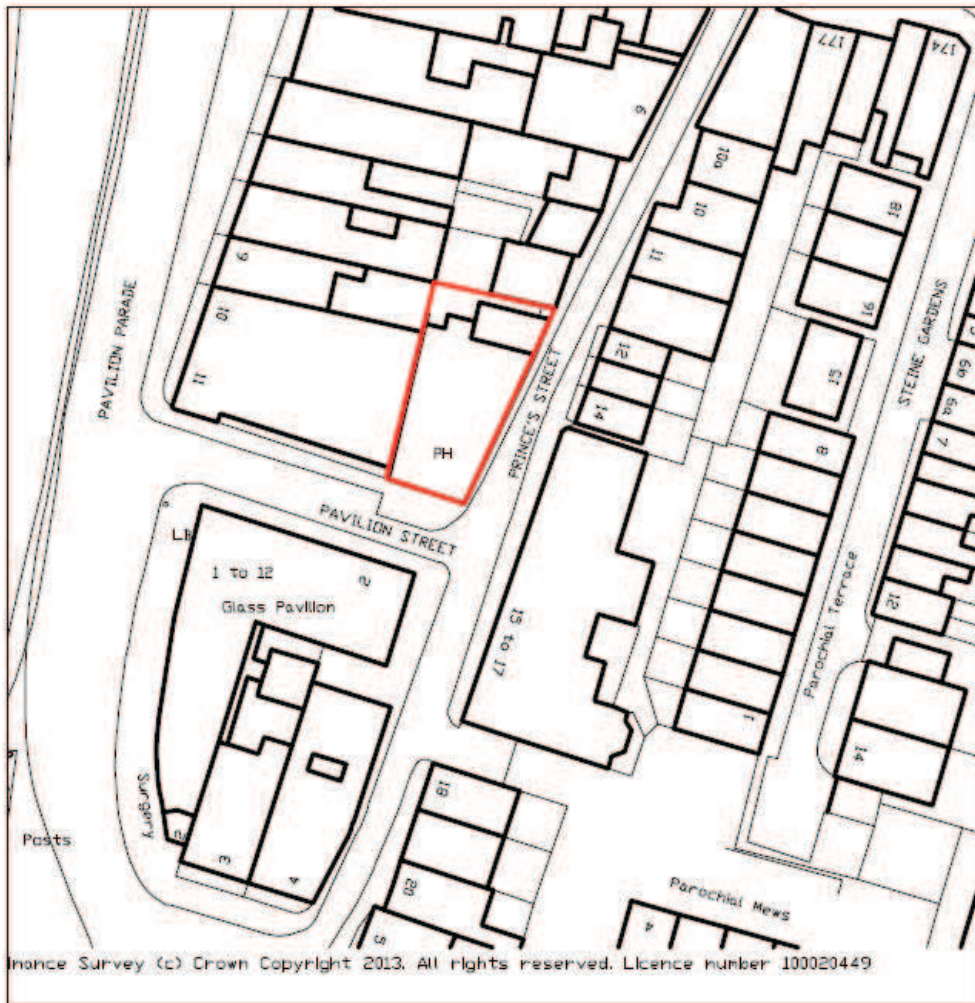
ITEM D

The Marlborough, 4 Princes Street, Brighton

BH2013/02540
Full planning

09 OCTOBER 2013

BH2013/02540 The Marlborough, 4 Princes Street, Brighton



Location Plan 1:1250

<u>No:</u>	BH2013/02540	<u>Ward:</u>	QUEEN'S PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	The Marlborough 4 Princes Street Brighton		
<u>Proposal:</u>	Formation of beer garden to replace existing garage incorporating blocking up of garage entrance, relocation of toilets and associated works.		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	26/07/2013
<u>Con Area:</u>	East Cliff	<u>Expiry Date:</u>	20 September 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, Lewis & Co Planning 2 Port Hall Road Brighton BN3 5SG		
<u>Applicant:</u>	Mr P Bennett, C/O Lewis & Co Planning Lewis & Co Planning 2 Port Hall Road Brighton BN3 5SG		

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 **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 property located on the western side of Prince's Street, on the corner of Pavilion Street. The four storey property is currently in use as a public house with a theatre above.
- 2.2 Currently a garage, store room and toilets are located towards the northern side of the site along with a fire escape which provides access from the upper floor theatre to Prince's Street via a doorway within the existing east facing wall of the rear section of the public house.
- 2.3 The site is located within the East Cliff Conservation Area and adjacent to the Valley Garden Conservation Area. The site is also located in close proximity to Listed Buildings including nos. 15 to 17 Prince's Street and 10 to 11 Pavilion Parade.

3 RELEVANT HISTORY

BH2004/02124/FP - Change of use of second and third floors from part use as house in multiple occupation (HMO) to form 2 No. self-contained flats. Withdrawn 06/09/2004.

BH2003/03592/CL - Certificate of lawfulness for an existing use to continue to use the property as Public House, Theatre and Hotel. Refused 19/12/2003.

BH1999/00003/FP - Alterations to existing external fire escape. Approved 01/03/1999.

4 THE APPLICATION

Planning permission is sought for the formation of a beer garden at the rear of the public house, to replace the existing garage. Works also include the blocking up of the existing garage door opening, the re-location of the toilets and associated works.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: Five (5)** letters of representation have been received from **6, 7, 12 and 13 (x2) Prince's Street**, objecting to the application for the following reasons;

- Disturbed by noise from outdoor patrons using existing outdoor seating area at front of pub,
- Constant feeling of “something going on” up the road. In the small and narrow space of Prince's Street this is discomfoting, irritating and a tangible intrusion into nearby homes and quality of life,
- The small space proposed is enclosed by high brick walls, sound would reverberated wildly and amplify,
- The beer garden would, no doubt, be wired for loud speakers as this pub is very insistent on club-type music,
- As the area is currently part of a fire escape from the pub and the theatre upstairs, suppose the present doorway will be retained and perhaps increased in size, affording not only an escape in emergencies but an easy means for patrons to spill out to smoke and drink in Prince's Street,
- Currently patrons spill out in excessive numbers onto surrounding pavements and Prince's Street during special events such as Pride and more often theatre performances,
- The existing garage is used as a store for refuse from the pub and kitchen. There is not provision for waste storage indicated on the proposed plans. If the garage door were to be blocked and the bins stored outside they would permanently block the pavement if they were left in front of the wall,
- The site a confined space but high walls do little to contain noise. As this site the extremely high walls to the north and south will ensure that rising sound will reverberate only one way to Prince's Street.
- The submitted plans show the provision of 6 trestle tables with 12 benches which could easily seat 36 people and probably up to 50 on a busy night, this will be a noisy garden,

- The height of the surrounding buildings and walls precludes the access of sunlight during most of the licensing hours, this will not be a sunny garden,
- The application mentions the use of the site as a smoking area. However if any kind of awning or umbrella provision were to be provided the enclosed nature of the site would break the 'less than 50% enclosure' rule that controls smoking areas. This would not be a smoking garden,
- The beer garden would contribute to devaluing properties, and
- Generally Princes Street is a quiet walk through residential area, albeit noisy at times of festivals but constant banter from the proposed beer garden would not be acceptable.

5.2 **Three (3)** letters of representation have been received from **Flat 8 and 10 Glass Pavilion and Flat 1 The Old Court House, Prince's Street, supporting** the application for the following reasons;

- Agree with the application that the noise from customers at the pub in the seated area on the street is too loud and does create conflict. The proposal should deal with that in a sensible way by moving customers sitting outside to the back of the pub.

5.3 **Flat 2, The Old Court House, 15-17 Prince's Street, Comments** that at present the patrons are provided with outside seating and tables on the public pavement in front of the pub. This is not only inconvenient to pedestrians but of great annoyance to neighbouring residents. The pub's patrons can be extremely noisy late at night in this public space, causing considerable disturbance to neighbouring properties. Would favour the creation of a beer garden providing the pub removes its present outside seating area from the pavement and contains it within the confirmed of the newly formed gardens.

5.4 **Sussex Police:** Whilst there are no concerns over the design and layout of the proposal, it is the amenity of residents in the neighbouring properties that gives cause for concern. Noise travels far at night and it is considered that should the beer garden's proposed midnight closure and Saturday closure of 02:00 hours be accepted, it would cause unacceptable high noise levels to the immediate neighbours.

A more acceptable time limit of 23:00 Sunday to Thursday and Midnight Friday and Saturday should be considered for the use of the beer garden.

Internal:

5.5 **Environmental Health (Noise):**

(Original comments) The location of the site with regards to the close proximity to local residents has lead to a conclusion that the hours of use of the beer garden should be restricted to 10pm. After this, the beer garden should be shut and not in use until the pub opens the following day.

The application proposes the addition of a beer garden to the existing pub. Concerned about the location of the site with regards to the close proximity of local residents. There is also a lack of detail about managing the noise from the proposed beer garden.

The use of the outside beer garden, combined with the hours proposed is likely to have an adverse affect on the local residents with regards to noise nuisance. People noise is intermittent with laughing and shouting and it is difficult to control, especially in the context of people drinking in a beer garden.

Recommend condition restricting use of the beer garden in addition to informative regarding the Environmental Protection Act 1990 and Licensing Act 2003.

(Additional comments) The location of the site with regards to close proximity to local residents has lead to recommendation that conditions regarding the hours of use of the beer garden being restricted to 10pm and no live or amplified music in the beer garden should be attached.

There is a history of noise complaints associated with the pub. Live or amplified music in the beer garden, with such close proximity to neighbouring residents is also likely to cause a noise nuisance to local residents.

5.6 Environmental Health (Health and Safety):

(Original comments) It appears that the garage will be removed to leave a four walled beer garden without a roof. Without a roof there is no shelter which means smoking cannot be prevented there. If there is a structure with a roof would then look at the percentage of wall area which is open to the air in order to calculate whether the shelter is complaint or not.

(Additional comments) Regarding the possibility of the pub putting up umbrellas in the beer garden, for smoking would need to assess the arrangement of the umbrellas in relation to the nearest wall or building as there is no clear cut guidance in the smoke free legislation. The offence is not the umbrellas being there, it occurs if there is less than 50% of the wall area open to the air (as with any smoking shelter) and a person or persons smoke there. As umbrellas are usually circular it would be easier for them to comply than square or rectangular structures unless they were grouped together and touching the walls in more than one place. Would need to individually asses each case if there was a complaint.

5.7 Heritage: (Verbal comments) Have no concerns regarding the removal of the existing garage door despite resulting in the provision of a blank wall but ideally would like the existing metal coping strip and vent in the wall to be removed as part of the proposal.

5.8 Sustainable Transport: Recommends approval as the Highway Authority does not wish to object to the application.

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:

TR19	Parking standards
SU9	Pollution and nuisance control
SU10	Noise nuisance
QD5	Design - street frontages
QD14	Extensions and alterations
QD27	Protection of Amenity
HE6	Development within or affecting the setting of conservation areas
HE3	Development affecting the setting of a Listed Building

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impacts that the proposal would have upon the visual amenities of the parent property, the Prince’s Street street scene and the wider area, including the

surrounding East Cliff Conservation Area, the setting of the Valley Garden Conservation Area and the setting of the Listed Buildings located within the vicinity of the site. The impacts upon the amenities of neighbouring properties must also be assessed.

Visual Amenities

- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- a) is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - b) would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - c) takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - d) uses materials sympathetic to the parent building.
- 8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.
- 8.4 At present a single storey flat roofed garage, a store and toilet block are located on the northern side of the main part of the building. The applicant seeks permission to remove these existing facilities and to provide an external beer garden. In addition the proposal includes the re-location of the toilets and store area and the infilling of the existing garage door opening with the eastern boundary of the site.
- 8.5 The east facing elevation of the existing garage would be retained, the existing garage door removed and opening in-filled, to match the rest of the elevation. Since submission of the application amended plans have been received upon which it is stated that the existing metal coping along the top of the retained garage elevation and the vent in the same elevation would be removed as part of the proposal, as requested by the Council's Heritage Officer.
- 8.6 The existing doorway in the eastern boundary would also be retained as part of the proposal although its width would be widened slightly in order to allow for the collection of bins, discussed in further detail below.
- 8.7 The proposed new toilet block would be located further to the west than the current. A new access door from the main bar area of the public house would be provided in the north facing elevation of the new toilet block. The existing internal toilet areas would also be altered as part of the proposal.
- 8.8 The new toilet extension would be finished in painted render to match the existing building and would have a felt flat roof.

- 8.9 Subject to the compliance with the recommended conditions it is not considered that the proposal would have an adverse impact upon the visual amenities of the parent property, the Prince's Street street scene or the wider area, including the setting of the surrounding East Cliff Conservation Area and the adjacent Valley Gardens Conservation Area or the setting of Listed Buildings located within the vicinity of the site.

Impact Upon Neighbouring Properties

- 8.10 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.
- 8.11 A number of residential properties are located within the vicinity of the site on Prince's Street, Pavilion Street and Pavilion Parade. The northern boundary of the site adjoins no. 6 Prince's Street. No windows relating to this neighbouring property are located within the southern elevation of this neighbouring property, which forms part of the northern boundary of the proposed beer garden however windows in the rear elevation of no. 6 and a rear external amenity area are located directly to the north of the proposed beer garden area.
- 8.12 Within the application form it is stated that the hours of opening would be Midday to Midnight Monday to Friday, Midday Saturday to 2am Sunday and Midday to Midnight on Sundays and Bank Holidays. Environmental Health have commented on the application and have advised that the suggested hours of use of the proposed beer garden are considered harmful to the amenities of the neighbouring properties. Due to the location of the site and the close proximity to neighbouring residential properties it is considered that the use of the proposed beer garden should be restricted to 10pm, an issue which can be ensured via the attachment of a condition.
- 8.13 It is also considered that in order to protect the amenities of neighbouring properties a condition should be attached prohibiting the playing of live or amplified music within the beer garden area.

Other Issues

- 8.14 Since submission of the application an amendment to the proposal has been made with regards to the identification of a bin store area within the proposed rear beer garden area to address concerns raised by a neighbour regarding the loss of the storage facilities within the existing garage. In association with this amendment the retained doorway within the eastern boundary of the site would be altered to be wide enough to allow bins to be emptied from Prince's Street.
- 8.15 Third party correspondence also raised queries regarding the use of umbrellas in the proposed beer garden and utilising the area for smoking. Although the proposed beer garden would be surrounded by four high walls no roof structure would be provided and therefore smoking in the beer garden does not need prohibiting. If umbrellas are to be utilised in the proposed garden area an assessment would need to be made with regards to calculating wall openings

as to whether the area would become smoking complaint. It is recommended that an informative is attached to an approval advising the applicant of this issue.

9 CONCLUSION

- 9.1 In conclusion it is considered that, subject to the compliance with the attached conditions, the proposed development would not be of detriment to the visual amenities of the parent property, the Prince's Street street scene and the wider area, including the surrounding East Cliff Conservation Area and the setting of the Valley Gardens Conservation Area and the Listed Building location with the vicinity of the site. Furthermore subject to compliance with the attached condition, it is not considered that the proposal would have a significant adverse impact upon the amenities of neighbouring properties. The proposal accords with policies of the Brighton & Hove Local Plan.

10 EQUALITIES

None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

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/Block Plan	-	-	25 th July 2013
Existing Plans	01	-	25 th July 2013
Existing Elevations	02	-	25 th July 2013
Proposed Plans and Elevations	03	A	12 th September 2013

- 3) 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.

PLANNING COMMITTEE LIST – 9th OCTOBER 2013

- 4) The beer garden hereby approved shall not be in use from 22:00pm hours until 09.00am the following morning Monday to Sunday The rear access door to the garden area shall remain closed and not be opened for any purpose, other than for emergency access, whilst the beer garden area is not in use.
Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 5) No live or amplified music shall be played in the beer garden at anytime.
Reason: To safeguard the amenities of the locality and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

Informatives:

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

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

 - (ii) for the following reasons:-
Subject to the compliance with the attached conditions, the proposed development would not be of detriment to the visual amenities of the parent property, the Prince's Street street scene and the wider area, including the surrounding East Cliff Conservation Area, the setting of the Valley Gardens Conservation Area and the Listed Building location with the vicinity of the site. Furthermore subject to compliance with the attached condition, the proposal would not have a significant adverse impact upon the amenities of neighbouring properties.

ITEM E

**Site of Rottingdean Swimming Pool,
Undercliff Walk, Rottingdean**

**BH2013/01224
Full planning**

09 OCTOBER 2013

BH2013/01224 Site of Rottingdean Swimming Pool Undercliff Walk
Rottingdean Brighton



<u>No:</u>	BH2013/01224	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Site of Rottingdean Swimming Pool Undercliff Walk Rottingdean Brighton		
<u>Proposal:</u>	Installation of new multisports play arena.		
<u>Officer:</u>	Sonia Gillam Tel 292265	<u>Valid Date:</u>	26/04/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	21 June 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	MacConvilles, 95 Ditchling Road Shaftesbury Court Brighton BN1 4ST		
<u>Applicant:</u>	Brighton & Hove City Council, Room 210, Kings House, Grand Avenue, Hove, BN3 2LS		

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 concreted area on the Undercliff Walk in Rottingdean which was the site of a former swimming pool. The area is bounded by the cliffs to the north and the English Channel to the south. There are steps down to the beach and twenty beach huts located directly to the east of the site. There is a concrete structure sited to the north of the site near the cliff which was probably a plant room or similar
- 2.2 The nearest residential properties are located above the site, to the north and west in Marine Drive some 90 metres away. The site and surrounding area is located in the designated Brighton to Newhaven Cliffs Site of Special Scientific Interest (SSSI).

3 RELEVANT HISTORY

- 3.1 The enclosed swimming pool structure was opened in 1935 in conjunction with the Undercliff Walk extension to Saltdean. It was damaged by storms in 1990 and filled with concrete in 1994.

4 THE APPLICATION

- 4.1 Planning permission is sought for the installation of a new multisports play arena (MUGA). The arena would allow young people to participate in sports such as basketball, football and cricket. The scheme is proposed in memory of Connor Saunders.
- 4.2 The court would measure 28 metres x 16 metres. Powder coated galvanised steel railings are proposed around the court which would be 1 metre in height with additional height protection provided on the northern side and behind the basketball hoops and backboard to shield pedestrians. 2 no. lean back seats and an exit with chicane panel are proposed to the south of the court. It is proposed that the surface of the court and the railings would be blue in colour.

5 PUBLICITY & CONSULTATIONS

External

Neighbours: Seven (7) letters of representation have been received from **33 St Margaret's Court High Street, Dale Cottage The Green, 17 Linchmere Avenue (x2), 51 Tidy Street, 2 Eileen Avenue, 14 Meadow Close** objecting to the application for the following reasons:

- appearance of structure;
- colour not in keeping;
- corrosion of materials;
- lack of supervision;
- lack of lighting;
- potential anti-social behaviour;
- hazardous to cyclists pushchairs etc;
- safety issues from falling shingle;
- loss of quiet beach space;
- loss of public amenity;
- increase in noise;
- increase in traffic;
- biodiversity concerns.

Six (6) letters of representation have been received from **Saltdean, Rottingdean & Ovingdean Neighbourhood Watch Committee 22 Hawthorn Close, 14 Downsway, 28 Saltdean Drive, 2 Challoners Close, 34 Cranleigh Avenue, 17 Tudor Close**, supporting the application for the following reasons:

- much needed facility for young people;
- fitting tribute to Connor Saunders.

Councillor Mary Mears has written in support of the scheme; the email is appended to the report.

Rottingdean Parish Council: No objection

County Ecologist: Support. The proposed development is unlikely to have a detrimental impact on biodiversity.

Sussex Police: Support

Natural England: No objection provided no structure is attached to the cliff face or hard development in front of the cliffs.

Internal:

Environmental Health: No Objection

Sustainable Transport: No Objection subject to appropriate cycle parking spaces. There is sufficient space for pedestrians to walk around the perimeter of the arena.

Sports Facilities and Development Team: Comment: Increased opportunities/facilities for children and young people; free informal sport facilities remove barriers of cost; fits with Seafront Strategy objective of creating an active seafront.

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
TR7	Safe development
TR8	Pedestrian routes
TR14	Cycle access and parking
SU9	Pollution & nuisance control
SU7	Development within the coastal zone
SU10	Noise nuisance
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD4	Design – strategic impact
QD18	Species protection
QD17	Protection and integration of nature conservation features
QD27	Protection of amenity
SR17	Smaller scale sporting and recreational facilities
SR18	Seafront recreation
SR20	Protection of public and private outdoor recreation space
NC2	Sites of national importance for nature conservation

Brighton & Hove City Plan Part One (Submission document)

SS1 Presumption in favour of sustainable development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact on the site and the wider area, amenity, ecology and transport issues.

Principle of Development

- 8.2 The application proposes the installation of a new multisports play arena (MUGA). The arena would allow young people to participate in sports such as basketball, football and cricket.
- 8.3 Policy SR17 of the adopted plan seeks to promote smaller scale sporting and recreation facilities. Proposals which involve seafront recreation leisure facilities also have to adhere to policy SR18 Seafront Recreation. Policy SR18 supports new recreational facilities which maintain the seafront and beach as an open space. Recreational development along the seafront must also relate well in terms of design to the visual and environmental character of the seafront to which it relates and not have a detrimental impact upon strategic views along the coast line.
- 8.4 The proposal would result in a new recreational facility which maintains the seafront and beach as an open space and does not have an adverse impact on the setting of important seafront buildings or strategic views along the coast line. The Sports Facilities and Development Team have advised that the free informal sports arena removes the barriers of cost and increases opportunities

and facilities for children and young people; this fits in with the Council's Seafront Strategy objective of creating an active seafront. Therefore the application is considered acceptable in principle subject to the design and potential impact of the structure which are considered below.

Design:

- 8.5 The multi use games area (MUGA) is a standardised design in the main. The court would measure 28 metres x 16 metres. Powder coated galvanised steel railings, similar to that used in children's playgrounds, are proposed around the court which would be 1 metre in height with additional height protection (metal mesh) provided on the northern side and behind the basketball hoops and backboard to shield pedestrians. In addition, 2 no. lean back seats and an exit with chicane panel are proposed to the south of the court.
- 8.6 It is proposed that the surface of the court and the railings would be blue in colour, the same blue colour as the existing basketball court further west on Brighton seafront. The railings would be 'marine grade' quality with a 5 year guarantee. The MUGA would come apart in sections so that parts of it can be replaced when necessary without having to dismantle the whole structure. It is proposed that there would be a narrow mesh to the southern side to prevent stone drift onto the courts.
- 8.7 It is acknowledged that the MUGA would be visually prominent within the site context given the surrounding natural features. However it would not be readily visible from the area above the cliffs and, due to its low level structure and the winding nature of the cliff face, it would not be highly visible in long views further down the coast. Due to its positioning at the base of the cliff face it would not be viewed in context with any important seafront buildings.
- 8.8 Given the above and that the proposal would create a much needed free facility for local young people, it is considered that the positive effects of the development outweigh the visual prominence of the structure within the context of the site.

Impact on Amenity:

- 8.9 The MUGA is proposed on a section of the Undercliff Walk. The nearest residential properties are located above the site, to the north and west in Marine Drive some 90 metres away, so increased noise is unlikely to be an issue. No lighting is proposed so the MUGA would be mainly in use during daylight hours and there is no risk of light pollution.
- 8.10 There are 20 beach huts situated directly adjacent to the site, which are not residential properties constantly in use. Whilst it is acknowledged that a new recreational facility may lead to an increase in noise and disturbance to this area of the seafront, it is not considered to represent significant harm to the users of the beach huts. Indeed the facility would lead to more people enjoying the seafront amenity space.
- 8.11 There have been objections raised with regard to the potential for anti-social behaviour; however, again, the facility is expected to be used during daylight

hours when there would be members of the public present providing natural surveillance. Sussex Police have advised that the local Neighbourhood Policing Team has indicated its intention to incorporate routine patrols of an evening and at night of the area should the application be successful.

- 8.12 Given the above it is not considered that this development would have an adverse impact upon the amenity of the area. The Council's Environmental Health team have no objection to the scheme.

Sustainable Transport:

- 8.13 Policy TR14 of the local plan seeks the provision of cycle parking facilities for new development. It is considered that a facility of this type in this location would clearly create a number of cycle trips. It is recommended that 10 cycle parking spaces are provided. The stands should be able to endure the elements. The provision for spaces can be secured by condition.
- 8.14 Policy TR7 of the local plan states that only development that does not increase the danger to users of adjacent pavements, cycle routes and roads. The Council's Sustainable Transport team have advised that there is sufficient space for pedestrians and other users to traverse around the perimeter of the arena.

Ecology/Nature Conservation:

- 8.15 Policy NC2 confirms that planning permission should not be granted for a proposal within, or in the setting of, an existing or proposed site of national importance for nature conservation where it is likely to have an adverse impact, directly or indirectly, on the nature conservation features of the site.
- 8.16 The site is located within the Brighton to Newhaven Cliffs Site of Special Scientific Interest (SSSI). The SSSI includes the chalk cliff and the wave cut platform at the cliff base. The main interest of the SSSI is geological however some rare and uncommon plants grow on the cliff face and in the narrow strip of cliff-top chalk grassland. The cliffs support a locally important colony of breeding seabirds and a diverse community of beetles. The site is also adjacent to an area of coastal vegetated shingle, a globally rare habitat.
- 8.17 Given that the proposed development would be entirely within the existing footprint of the old swimming pool site, it is considered unlikely that there would be any negative impacts on the SSSI or the adjacent shingle habitat. In fact the MUGA has the potential to reduce current disturbance to the SSSI through the provision of fencing and containment of activities that could otherwise cause disturbance (currently it is common practice to kick a ball against the cliff face).
- 8.18 Natural England and the County Ecologist have no objections to the scheme, although it is suggested that opportunities to enhance the site include the provision of interpretation boards to raise awareness of the importance of the surrounding habitats for biodiversity and geodiversity. However, given the scale and nature of the proposal, although interpretation boards would be desirable, it is not considered an essential measure to the acceptability of the scheme.

Other issues

- 8.19 Objections have also been raised about the potential danger of falling shingle from the cliff. The concerns are acknowledged, however the MUGA would be set back at least 6 metres from the cliff face. The MUGA itself would not increase the level of falling shingle, indeed it may well reduce it if it limits balls being kicked at the cliff face. Additionally the area is already fairly intensively used by pedestrians and cyclists it is not considered that there would be any additional danger to the users of the MUGA.

9 CONCLUSION

- 9.1 The MUGA would provide a much needed and welcome recreational facility serving local residents. It would not significantly harm the character or appearance of the surrounding area and SSSI, and would not have a detrimental impact on strategic views along the seafront or on the setting of important seafront buildings. It would cause no significant impact on residential amenity.

10 EQUALITIES

- 10.1 None identified.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

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
Site Location Plan 1:200	21497-12/E/002		16/04/2013
Site Location Plan 1:1250	21497-12/E/002	A	26/04/2013
Site Location Plan 1:500	21497-12/E/002	A	26/04/2013
Block Plan	21497-12/E/003		16/04/2013
Proposed Elevations	21497-12/E/001	B	09/05/2013
Proposed plan	21497/12/G A/001	B	09/05/2013

- 3) The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the 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 first use 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.

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 MUGA would provide a much needed and welcome recreational facility serving local residents. It would not significantly harm the character or appearance of the surrounding area and SSSI, and would not have a detrimental impact on strategic views along the seafront or on the setting of important seafront buildings. It would cause no significant impact on residential amenity.

From: Mary Mears
Sent: 14 May 2013 11:55
To: Sonia Gillam
Subject: Planning Application Connor's Court.

Dear Sonia Gilliam.

Re: Planning Application BH2013/01224 Connor's Court.
Site of Rottingdean Swimming Pool under Cliff Walk

As a ward Councillor for Rottingdean Coastal ward, I am writing in support of the above planning application

Should the decision be to refuse under delegated powers, then I request this application goes to the planning committee for decision, and I reserve my right to speak.

Kind regards.

Mary.

Councillor Mary Mears
Conservative Member for Rottingdean Coastal Ward

ITEM F

12 Court Ord Road, Rottingdean

BH2013/02368

Householder Planning Consent

09 OCTOBER 2013

BH2013-02368 12 Court Ord Road, Rottingdean



LOCATION PLAN 1:1250 @ A1

<u>No:</u>	BH2013/02368	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	12 Court Ord Road Rottingdean		
<u>Proposal:</u>	Erection of extension to front and rear elevations to facilitate conversion of roof space, incorporating new front porch - Juliet balcony to rear and dormers to south west and north east elevations.		
<u>Officer:</u>	Andrew Huntley Tel 292321	<u>Valid Date:</u>	15/07/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	09 September 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	3eleven design, 47 Brighton Belle 2 Stroudley Road Brighton BN1 4ZB		
<u>Applicant:</u>	Mr Paul Daniels, 12 Court Ord Road Rottingdean Brighton BN2 7FD		

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 **REFUSE** planning permission for the reason set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The site is located on the north side of Court Ord Road at its western end. The area is residential in nature and is characterised by detached and semi-detached bungalows on regular sized plots. The property on the application site is a detached bungalow with dormer windows within the hipped roof, and an existing flat-roofed rear extension. The front garden is laid out for parking and there is a shared drive with No.10 that leads to a pair of garages. To the rear, No.2 Eley Crescent has a large two-storey and single storey flat roofed extension.

3 RELEVANT HISTORY

12 Court Ord Road

BH2013/00874 - Erection of extension to front and rear elevations to facilitate conversion of roof space, incorporating new front porch, new rear roof terrace and new dormers to South West and North East elevations. Refused 10/05/2013.

There were two reasons for refusal which stated:

1. The proposed development, 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 modest chalet bungalow 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. The roof terrace at first floor level would cause significant harm to neighbouring amenity by reason of overlooking and loss of privacy to neighbouring properties. Therefore, the proposal would be contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2000/02477/FP - Construction of front and rear roof dormers, (amendment to previously refused application no BH2000/01927/FP). Approved 23/10/2000.

BH2000/01927/FP - Front and rear roof extension with gable end with Sussex barn end. Withdrawn 12.09.2000.

BH2000/01428/FP - Enlargement of roof to form, Half hipped gable ends and construction of dormers to front and rear. Refused 06/07/2000.

2 Eley Crescent

BH2005/02184/CL - Certificate of Lawfulness for proposed roof conversion with rear dormer and half gable end and detached garage in rear. Approved 02/09/2005.

BH2002/02353/FP - Extension to form en-suite disabled unit. Approved 09/10/2002.

BH2001/01282/FP - Erection of single storey rear extension and rear roof dormer. Approved 06/08/2001.

4 THE APPLICATION

- 4.1 Planning permission is sought for extensions to the front and the rear elevations to facilitate conversion of roof space, incorporating new front porch, new rear roof terrace and new dormers to South West and North East elevations.

5 PUBLICITY & CONSULTATIONS

External

Neighbours:

- 5.1 7 letters of representation have been received from **8, 10(x2), 31, 33(x2) and 37 Court Ord Road** supporting the application for the following reasons:
 - Would not detract from the general appearance of the road.
 - Very much less appropriate buildings have gone up or are going up in the area.

- See no sensible reason why this extension should not go ahead.
- The proposal would not appear to affect nearby properties.
- The reasonable extension is much needed by a growing family who need to stay in the area for schooling reasons.

5.2 1 letter of representation has been received from **14 Court Ord Road** commenting on the application with the following points:

- This proposal shows improvements in terms of appearance and size.
- Plans incorrectly show 'assumed drainage' as the drainage actually joins No.14 Court Ord Road.
- It is only appropriate and proportionate for No.12 Court Ord Road to provide for its own independent drain before starting to extend.
- With assurances that consent for the extensions of No.12 will be subject to acceptable plans being submitted for separate drainage, they are prepared to forgo the previous views on the size and keeping of No. 12's proposal for substantial alterations to the appearance of Court Ord Road.

Internal:

None received.

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:

- QD14 Extensions and alterations
QD27 Protection of Amenity

Supplementary Planning Documents:

- SPD12 Design Guide for Extensions and Alterations

Brighton & Hove City Plan Part One (submission document)

- SS1 Presumption in Favour of Sustainable Development

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the design of the proposals, the impact of the development on the appearance of the recipient property and wider area and the impact of the development on the amenities of neighbouring residents.

Planning Policies:

- 8.2 Policy QD14 of the Brighton & Hove Local Plan states that planning permission for extensions or alterations to existing buildings, including the formation of rooms in the roof, will only be granted if the proposed development:
- is well designed, sited and detailed in relation to the property to be extended, adjoining properties and to the surrounding area;
 - would not result in significant noise disturbance or loss of privacy, outlook, daylight/sunlight or amenity to neighbouring properties;
 - takes account of the existing space around buildings and the character of the area and an appropriate gap is retained between the extension and the joint boundary to prevent a terracing effect where this would be detrimental to the character of the area; and
 - uses materials sympathetic to the parent building.
- 8.3 In considering whether to grant planning permission for extensions to residential and commercial properties, account will be taken of sunlight and daylight factors, together with orientation, slope, overall height relationships, existing boundary treatment and how overbearing the proposal will be.
- 8.4 SPD12 states that front extensions should respect the building line of the street and should normally be of a subservient scale that does not dominate the building. The design, detailing, windows and materials of all front extensions should normally match exactly that of the main building to ensure a continuity of appearance and to avoid harm to the general street scene.

- 8.5 Furthermore, not all roof spaces are suitable for extension/alteration to provide additional accommodation. For example, the scale of extensions required to enlarge a roof with a shallow or limited roof pitch may add significant and visually harmful bulk to the building and wider street scene.
- 8.6 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.
- 8.7 This application is a resubmission of application BH2013/00874 for the erection of an extension to front and rear elevations to facilitate conversion of roof space, incorporating new front porch, new rear roof terrace and new dormers to South West and North East elevations. The application was refused under delegated powers on the 10th May 2013 for the following two reasons:
- 8.8 ‘The proposed development, 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 modest chalet bungalow 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 QD1 and QD14 of the Brighton & Hove Local Plan.’
- 8.9 ‘The roof terrace at first floor level would cause significant harm to neighbouring amenity by reason of overlooking and loss of privacy to neighbouring properties. Therefore, the proposal would be contrary to policy QD27 of the Brighton & Hove Local Plan.’
- 8.10 Refused application BH2013/00874 is a material consideration in the determination of this application and significant weight should be attached to it. One material change from the previous application is that the Council has adopted Supplementary Planning Document 12: Design Guide for Extensions and Alterations, which has replaced SPGBH1.
- 8.11 This revised application has removed the roof terrace from the proposal. The size and design of the front, rear and side dormer window additions remain the same as the previous refused application. Within this proposal, the dormer windows are now shown to be brick rather than render.

Design and Character:

- 8.12 The proposal seeks permission for a two-storey front extension and a part first floor and part two-storey rear extension, in addition to two new dormer windows on either side. The existing bungalow is modest in size and has a traditional front projection and an existing large rear extension. The bungalow has a low profile within the street scene due to the modest size and roof design. The property is similar in design to the neighbouring properties on the northern side of Court Ord Road. Therefore any poorly designed or excessively bulky additions can have a significantly harmful impact on both the appearance of the property and the continuity of the streetscape.

- 8.13 The proposal involves significant alterations to the existing bungalow with front and rear additions at ground and first floor level, which are gabled. It is apparent that the aim of the extensions is to provide larger accommodation within the roof space. While the front and rear gabled projections extend only 1.85m and 1.7m respectively, there is a significant impact at first floor level due to the existing bungalow's pyramid style roof. The ridge lines of the additions run 5.7m at the front and 5.5m at the rear.
- 8.14 On detached properties such as this, a front extension should respect the building line of the street and should normally be of a subservient scale that does not dominate the building. The roof pitch of the extension should be at the same pitch as the original building so that the extension blends with the character of the building. In this instance, the proposed front extension is of a completely different design to that of the existing building and adds a significant amount of bulk at first floor level, which would be visually detrimental to the appearance of the host property and the character of the area. The proposed rear addition has a similar detrimental impact.
- 8.15 The proposed additions would be overly large and bulky, and would be out of keeping with the host building. The resultant size, scale, depth and bulk of the front and rear additions will be particularly visible when viewed from the east or west. Therefore, the front and rear additions are detrimental to the character and appearance of the host property and wider area, contrary to Policy QD14 and SPD12.
- 8.16 Guidance contained in SPD12 states that dormer windows should be kept as small as possible and clearly be subordinate addition to the roof, set appropriately in the roof space and well off the sides, ridge and eaves of the roof. The supporting structure for the dormer window should be kept to a minimum as far as possible to avoid a heavy appearance and there should be no large areas of cladding either side of the window or below. In addition, dormer windows should normally align with the windows below.
- 8.17 In this instance, the two proposed dormer windows on the western and eastern elevations are poorly designed, overly large, bulky and would appear visually dominant. Furthermore, the dormer windows would not relate to the fenestration below and the change in some of the materials from the previous application is not considered to overcome the previous harm identified. Therefore, the proposed dormer windows would be detrimental to the character and appearance of the host property and wider area, contrary to Policy QD14 and SPD12.
- 8.18 Overall, the dwelling would be dominated by overly large, bulky and poorly designed extensions to the detriment of the character and appearance of the host dwelling and the wider area.

Amenity:

- 8.19 Policy QD27 relates to amenity issues and confirms that permission will not be granted for proposals which cause material nuisance and loss of amenity to adjacent, existing or proposed occupiers.
- 8.20 The proposed extensions would not result in a loss of daylight/sunlight or outlook to neighbouring properties by reason of their siting and design in relation to the neighbours. The roof terrace on the previous application has been removed although the scheme as amended proposes a 'Juliet balcony' style rear doors and glazed balustrade. If permission, were being recommended, it would be necessary to place a condition on an approval to ensure that the flat roof was not used and that the glazed balustrade was implemented. While the proposal would increase overlooking to the rear, 2 Eley Crescent has a large flat roofed extension, which limits any overlooking. While there would be some overlooking into the neighbouring gardens of 10 and 14 Court Ord Road, this is not considered so detrimental to warrant the refusal of planning permission.
- 8.21 Therefore, the proposal is acceptable in regard to neighbouring amenity and is in accordance with Policy QD27 of the Brighton & Hove Local Plan.

Other Considerations:

- 8.22 The representation from 14 Court Ord Road stated that it is only appropriate and proportionate for No.12 Court Ord Road to provide for its own independent drain before starting to extend. This would be dealt with under Building Regulations and is not a planning consideration.

9 CONCLUSION

- 9.1 The proposed development fails to accord with policies of the Brighton & Hove Local Plan and the recently adopted SPD12, as the extensions, by virtue of their design, size, form and massing would result in a visually intrusive and bulky additions to the property, which are unsympathetic to the design of the existing modest bungalow and as a result would be detrimental to the visual amenities of the parent property and the wider area.

10 EQUALITIES

- 10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

Reason for Refusal:

1. The proposed development, by virtue of its design, size, form and massing would result in visually intrusive and bulky additions to the property, which would be unsympathetic to the design of the existing modest chalet bungalow 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 SPD12 Design Guide for Extensions and Alterations.

PLANNING COMMITTEE LIST – 9th OCTOBER 2013

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:

Plan Type	Reference	Version	Date Received
Existing Ground Floor, Location and Block Plans	148COR12/01		15.07.2013
Existing First Floor and Roof Plans	148COR12/02		15.07.2013
Existing Front and Rear Elevations	148COR12/03		15.07.2013
Existing Side Elevations and Sections	148COR12/04		15.07.2013
Proposed Ground Floor, Location and Block Plans	148COR12/05	A	15.07.2013
Proposed First Floor and roof Plans	148COR12/06	A	15.07.2013
Proposed Front and Rear Elevations	148COR12/07	A	15.07.2013
Proposed Side Elevations	148COR12/08		15.07.2013
Existing Ground Floor, Location and Block Plans	148COR12/01		15.07.2013
Existing First Floor and Roof Plans	148COR12/02		15.07.2013
Existing Front and Rear Elevations	148COR12/03		15.07.2013

ITEM G

6 Cornwall Gardens, Brighton

**BH2013/02685
Householder Planning Consent**

09 OCTOBER 2013

BH2013/02685 6 Cornwall Gardens, Brighton



<u>No:</u>	BH2013/02685	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	6 Cornwall Gardens Brighton		
<u>Proposal:</u>	Alterations to front boundary wall. (Part-retrospective)		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	12/08/2013
<u>Con Area:</u>	Preston Park	<u>Expiry Date:</u>	07 October 2013
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	AP Architectural Consultants, 20B Montague Road Lewes BN7 1EW		
<u>Applicant:</u>	Mr J Blackmore, 6 Cornwall Gardens Brighton BN1 6RJ		

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 site comprises a two storey detached house located on the west side of Cornwall Gardens, Brighton, within the Preston Park Conservation Area. The front boundary wall to the property has recently been re-built and the front garden replaced with a brick hardstanding.
- 2.2 Cornwall Gardens features a mix of traditional Edwardian semi-detached houses with the majority being set to the eastern side of the street. The western side of Cornwall Gardens comprises a predominance of detached two storey houses of non-uniform appearance. The street is generally characterised by low boundary walls with taller brick piers and iron/steel gates.
- 2.3 The Preston Park Conservation Area is covered by an Article 4 Direction that requires planning permission for the demolition, alteration, or erection of front boundary walls, fences or railings.

3 RELEVANT HISTORY

BH2013/00055- Erection of single storey porch at front elevation. Refused 11/03/2013. Appeal dismissed.

BH2012/02471- Erection of single storey porch at front of property. Refused 15/10/2012

BH2011/01347- Erection of two storey rear extension and associated roof alterations incorporating rear dormers. Approved 23/06/2011.

4 THE APPLICATION

- 4.1 Part retrospective planning permission is sought for the demolition of the front boundary wall and the erection of a new 1m high brick front wall with flint detailing, including 1.7m high brick piers and black steel gates. The walls, piers and caps have been erected however the proposed flint detailing and steel gates have not been installed.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Six (6)** letters of representation have been received from **5; 7 Cornwall Gardens; 17D Clermont Terrace; 10 Clermont Road; and the Preston & Patcham Society**, objecting to the application for the following reasons:

- The boundary wall and gate design fails to preserve or enhance the character and appearance of the conservation area, contrary to policies QD2 & HE6 and SPD9 & 12.
- The paving of the garden, type of brick wall, and the siting of the pier are out of character with the conservation area
- The removal of the entire mature well planted front garden is damaging to the character and appearance of the area. 'Well planted gardens' are identified as a 'special feature' in the character statement for the conservation area
- The northern driveway pier is not aligned with the southern side of the house and appears incongruously located, detracting from the rhythm of the street
- Although there is some variation in the front walls in the area, driveway widths appear limited to approximately 2.75m, whereas the drawings show a width of 4.7m. The previous driveway was approximately 3m in width
- Inaccurate drawings
- The proposed gate is too big to blend in with its surroundings and much higher and wider than what was there before
- The effect of the development is very bleak compared with the relaxed and leafy surrounding front gardens
- There is no properly authorised drop kerb to the property
- Flood risk from the non-permeable hardstanding

- 5.2 **Conservation Advisory Group: Objection**

The Group recommend REFUSAL to the application. The Group are concerned about the demolition of the original wall and the creation of the existing wall and pier. The Group are also concerned about the amount of garden used for hard standing and question whether the materials used would be permeable. Ideally, the Group would like to see the reinstatement of the garden in its original state and the wall reinstated to its original dimensions. The design of the new wall and the scale of the gates are not in keeping with the neighbouring properties.

Internal:

5.3 **Heritage:** No objection

This property lies within the Preston Park conservation area, which is a largely residential suburb of two storey housing dating from the mid to late 19th with some early 20th century development. Cornwall Gardens is a wide road that has Edwardian red brick terrace houses of c1900, typical of the conservation area, on the east side and larger inter-war houses on the west side, mostly detached. The inter-war houses have larger front gardens with carriage entrances but a common, unifying feature of the street is brick front boundary walls with tall pillars denoting pedestrian and carriage entrances. Many of the walls have flint panels.

Number 5 Cornwall Gardens is an inter-war detached house, rendered with half-timbering. It has a red/brown brick front boundary wall with a pedestrian opening to the right and a vehicular opening to the left, each flanked by pillars.

5.4 The existing arrangement of wall and pillars and the existing length of hard boundary treatment remains unchanged. The works involve altering the brick boundary wall to include flint panels and the installation of black metal gates to each opening. Given the form and variations of front boundary treatment in Cornwall Gardens there is no objection in principle to these alterations, subject to detail.

5.5 **Sustainable Transport:** 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 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:

QD2	Design – key principles for neighbourhoods
QD14	Extensions and alterations
QD27	Protection of Amenity
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Documents:

SPD09	Architectural Features
SPD12	Design guide for extensions and alterations

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in Favour of Sustainable Development
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8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the impact of the front boundary on the character and appearance of the Preston Park Conservation Area. Representations have been received raising concern at the replacement of the previously vegetated front garden with a large hardstanding. These works were carried out under the property’s permitted development rights and are not restricted by the Article 4 Direction in the area. The application does not seek retrospective consent for these works, only the works to the front boundary wall.

Design and Appearance:

- 8.2 Cornwall Gardens comprises large semi-detached Edwardian houses set above street level to the east side of the street. The front boundary walls to these properties comprise in the main brick retaining walls with flintwork panels and brick piers flanking pedestrian entrances. On the west side of the street the housing stock is more varied however brick boundary walls and piers generally prevail. The applicants have replaced their original low grey stone boundary wall with a 1m high brick replacement. New piers with stone caps have also been erected of similar scale and appearance to those adjacent at 4 Cornwall Gardens. The application seeks retrospective consent for these works, along with the proposed inclusion of flint panels to the walls and new black steel gates to the vehicular and pedestrian entrances.

- 8.3 It is considered that the principle of replacing the previous stone wall with a brick structure is acceptable, and would generally complement the character of the street. Whilst the boundary walls to the east side of the street are more regimented in scale and appearance, those to the west side vary in line with the more diverse housing stock. That said, there is a general pattern of low brick walls and brick piers which is broadly replicated in the applicant's proposal. It is noted that the previous low stone wall was individual to the street and did not have a significant positive impact on the appearance of the building or conservation area. As such its loss is not considered harmful to the area.
- 8.4 In terms of the gate design, there are a variety of discrete black metal gates in the street therefore the principle of gates is considered acceptable. A profile of the proposed gate has been submitted which is in keeping with those in the surrounding area, and would retain views through to the house behind. The council's heritage officer has raised no objection to the front wall and gate as detailed on the plans, subject to further detail of the flintwork panels and gate design. Such details are secured by condition.
- 8.5 Objections have been received identifying that the vehicular entrance is wider than those elsewhere in the street, with the northern pier offset from the flank wall of the house behind. Within the context of the west side of the street, the width of the vehicular entranceway is not excessive compared to others to the south and does not unduly detract from the appearance of the area. Further concern has been raised at the absence of a formal dropped kerb however it is noted that the kerb stones are consistently low along the street whilst a white line precludes parking outside the vehicular entranceway. In any case, planning permission is not required to install a dropped kerb along Cromwell Gardens as it is an unclassified road, whilst sustainable transport officers have raised no concern with the proposal's impact on highway and pedestrian safety.

9 CONCLUSION

- 9.1 Subject to conditions requiring further details of the proposed flintwork panels and metal gates, the boundary wall as part-implemented would not detract from the character or appearance of the building and wider Preston Park Conservation Area, in accordance with development plan policies.

10 EQUALITIES

- 10.1 None identified

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.

PLANNING COMMITTEE LIST – 9th OCTOBER 2013

Plan Type	Reference	Version	Date Received
Site plan	CornG/02	-	05/08/2013
Block plan	CornG/01	-	05/08/2013
Existing plans	Cornwall/02	-	25/09/2013
Proposed plans	Cornwall/01	-	25/09/2013
Gate detail	03	-	25/09/2013

- 2) Prior to the installation of the flintwork panels, a sample panel of flintwork shall be submitted to and approved in writing by the Local Planning Authority. The flintwork comprised within the development shall be carried out and completed to match the approved sample flint panel.
Reason: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.
- 3) Within three months of the date of permission full details of the proposed gates shall be submitted to and approved in writing by the Local Planning Authority. The railings shall be painted black within three months of installation 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.

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 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:-
Subject to conditions requiring further details of the proposed flintwork panels and metal gates, the boundary wall as part-implemented would not detract from the character or appearance of the building and wider Preston Park Conservation Area, in accordance with development plan policies.

PLANNING COMMITTEE	Agenda Item 82 Brighton & Hove City Council
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Information on Pre-application Presentations and Requests

Upcoming presentations – Dates TBC

Anston House, Preston Road, Brighton – site redevelopment

City College, Wilson Avenue, Brighton – additional accommodation

Date	Address	Ward	Proposal
29 th October 13	Hippodrome, Middle Street, Brighton	Regency	refurbishment and extension
17 th Sept 13	One Digital, Hollingdean Road, Brighton	Hollingdean and Stanmer	Student accommodation development
27 th Aug 13	The BOAT, Dyke Road Park, Brighton	Hove Park	Outdoor theatre
16 th July 13	Circus Street, Brighton	Queen's Park	Pre-application proposed re- development
20 th November 2012	City College, Pelham Street	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.
30 th October 2012	Brighton & Hove Bus Depot, Industrial House, Gill House, Tecore House & The Builder Centre all on Conway Street, Units 1 – 3 Ellen Street & The Agora, Ellen Street	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

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 given after scheduled site visits unless otherwise stated.

			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.
9 th October 2012	1. Hannington Lane	1. Regency	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.
	2. Brighton Square	2. Regency	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).
28 th August 2012	Infinity Foods, Norway Street	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.
15 th May 2012	1. Brighton Station, Block J	1. St Peters & North Laine	1. The commercial and residential blocks will be

	2. Woolards Field, Lewes Road	2. Moulsecomb & Bevendean	<p>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.</p> <p>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.</p>
24 th April 2012	PortZed, 9-16 Aldrington Basin, Land south of Kingsway, Basin Road North, Portslade	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.
21 st February 2012	Anston House, 137-139 Preston Road, Brighton	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.

PLANS LIST 09 October 2013

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

PATCHAM

BH2013/02180

45 & 47 Westfield Crescent Brighton

Erection of adjoining single storey rear extensions with stores below.

Applicant:M Bishop & J Lansdale

Officer:Chris Swain 292178

Approved on 09/09/13 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 extensions to Nos. 45 and 47 Westfield Crescent hereby permitted shall be built concurrently and not independently of one another.

Reason: To safeguard the amenities of the occupiers of both No.45 and No.47 Westfield Avenue from potential loss of outlook or overbearing development should only one of the properties be extended and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extension and Alterations (SPD012).

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
Existing plans, elevations and site plan		1	1 July 2013
Existing plans and elevations		2	12 July 2013
Proposed plans and elevations		3	5 September 2013

BH2013/02211

Q8 Petrol Station Mill Road Brighton

Erection of a single storey side and rear extension incorporating raising of ridge height and a retaining wall with associated landscaping to create 2no additional parking spaces.

Applicant:MRH Retail Ltd

Officer:Adrian Smith 290478

Approved on 09/09/13 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

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 all trees to be retained on site, measures for their protection in the course of development in accordance with BS5837 (2012), and full details of replacement tree planting for the development.

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

4) UNI

No development shall commence until details of disabled car parking provision for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and made available for use prior to the first 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 Local Plan policy TR18 and SPG4.

5) UNI

(i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the local planning authority: (A desktop study shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of b and c below, however, this will all be confirmed in writing).

(a) A desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice;

6) UNI

and unless otherwise agreed in writing by the local planning authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175; and, unless otherwise agreed in writing by the local planning authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought

7) UNI

into use until there has been submitted to the local planning authority verification

by a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i)c 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;
- 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 condition (i) c.

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.

8) 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.

9) 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	1369-05	A	15/07/2013
Existing site and floor plans	1369-02	A	15/07/2013
Existing elevations	1369-03	A	15/07/2013
Proposed site and floor plans	1369-01	A	15/07/2013
Proposed elevations	1369-04	A	15/07/2013

10) 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.

BH2013/02336

133 Woodbourne Avenue Brighton

Erection of rear extension to replace existing conservatory. (Retrospective).

Applicant: Mr S Hawkes

Officer:Robin K Hodgetts 292366

Approved on 06/09/13 DELEGATED

1) UNI

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

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

2) UNI

The 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 ground and roof plans, location and block plans	176WA133/01		11/07/13
Existing rear and side elevations	176WA133/02		11/07/13
Proposed ground and roof plans, location and block plans	176WA133/03		11/07/13
Proposed rear and side elevations and section	176WA133/04		11/07/13

BH2013/02338

74 Woodbourne Avenue Brighton

Loft conversion incorporating rooflights to front and rear and dormer to side to create 1no studio flat.

Applicant:Mr Wahid

Officer:Sonia Gillam 292265

Refused on 04/09/13 DELEGATED

1) UNI

The proposed dormer, by virtue of its size, bulk, siting and inappropriate design would form an incongruous and visually dominant addition which would be detrimental to the character and appearance of the building and the visual amenities enjoyed by neighbouring properties, causing harm to the character of the terrace and the street scene. Therefore the proposal would be contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guide for extensions and alterations.

2) UNI2

The proposed residential unit would result in a poor level of amenity for the future occupants by virtue of a cramped form of development, lack of outlook leading to a sense of enclosure and, in the absence of evidence to the contrary, lack of private, usable amenity space. As such, the proposal would be contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.

BH2013/02384

16 Mayfield Crescent Brighton

Certificate of Lawfulness for the proposed erection of a single storey rear extension.

Applicant:Mr Adam Hughes

Officer:Chris Swain 292178

Refused on 18/09/13 DELEGATED

BH2013/02571**169 Surrenden Road Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 2.925m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant:Mr & Mrs Hicks

Officer:Chris Swain 292178

Prior approval not required on 09/09/13 DELEGATED

BH2013/02611**81 Woodbourne Avenue Brighton**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.6m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.3m.

Applicant:Mr Jason Champion

Officer:Chris Swain 292178

Prior approval not required on 09/09/13 DELEGATED

PRESTON PARK**BH2013/01778****80 Southdown Avenue Brighton**

Erection of single storey side extension.

Applicant:Mr Adam Baines-Holmes

Officer:Pete Campbell 292359

Approved on 02/09/13 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 and to comply with policy HE6 of the Brighton & Hove Local Plan.

3) UNI

The rooflights hereby approved as part of the extension 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 plan	13/034/02		03/06/2013
Block plan	13/034/03		03/06/2013
Existing and proposed	13/034/01		04/06/2013

floor plans and elevations			
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BH2013/01846

Top Floor Flat 7 Buxton Road Brighton

Loft conversion incorporating front and rear rooflights.

Applicant:Flora Schnider

Officer:Louise Kent 292198

Approved on 02/09/13 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 and elevations	12/098/01A	Amendment	19 August 2013
Site location plan	13/002/02		6 June 2013
Block plan	13/003/03		6 June 2013

BH2013/01872

24 Grantham Road Brighton

Replacement of existing slate roof tiles with redland 49 concrete roof tiles.

Applicant:Parade Properties Ltd

Officer:Chris Swain 292178

Approved on 05/09/13 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 roof shall be finished in Redland 49 tiles (specification No.30, Slate Grey) 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

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			19 June 2013
Ground floor plan			5 June 2005
First floor plan			19 June 2013

BH2013/02155

183 Ditchling Rise Brighton

Loft conversion incorporating rooflights to front and rear.

Applicant:Mr Steve Hadder

Officer:Chris Swain 292178

Approved on 04/09/13 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, block plan, existing and proposed elevations, plans and section	013/2013/PA		10 July 2013

BH2013/02224

Yew Tree House 5B Preston Park Avenue Brighton

Erection of detached shed.

Applicant:Mr & Mrs Mick Paskins

Officer:Robin K Hodgetts 292366

Approved on 03/09/13 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			04/07/13
Proposed south elevation	PAS001		10/07/13
Proposed east elevation	PAS002		10/07/13
Proposed plan	PAS003		10/07/13
Proposed west elevation	PAS004		10/07/13
Existing south elevation	PAS005		10/07/13
Existing west elevation	PAS006		10/07/13
Existing plan	PAS007		10/07/13
Block plan	PAS008		10/07/13

BH2013/02239

11 Lancaster Road Brighton

Erection of single storey rear extension.

Applicant:Mrs Jennifer Atherton

Officer:Andrew Huntley 292321

Approved on 16/09/13 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

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 Plans and Elevations	11LR_01		01.07.2013
Proposed Plans, Elevations and Sections	11LR_02		01.07.2013

BH2013/02271

29 Dyke Road Drive Brighton

Formation of raised decking with railings set over two levels to rear of property. (Part Retrospective)

Applicant: Mrs Sarah Lacey

Officer: Chris Swain 292178

Approved on 02/09/13 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 decked area hereby approved shall not be brought into use until the boundary screening indicated on the approved drawings has been installed in its entirety. The screening shall be retained as such thereafter.

Reason: To safeguard the amenity 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.

Plan Type	Reference	Version	Date Received
Details as existing before installation	33905/1		8 July 2013
Location plan	33905/3		8 July 2013
Site plan	33905/4		8 July 2013
Details as proposed	33905/5	A	8 July 2013

BH2013/02301

14 Hamilton Road Brighton

Erection of timber shed in front garden to replace existing.

Applicant: Miss Alison Timoney

Officer:Louise Kent 292198

Approved on 29/08/13 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 and block plan			4 July 2013
Existing drawings	01		4 July 2013
Proposed drawings	02		4 July 2013

BH2013/02331

269 Preston Drove Brighton

Installation of replacement condensers to flat roof area and colour alterations to shopfront entrance.

Applicant:The Co-operative Group

Officer:Wayne Nee 292132

Approved on 02/09/13 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

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. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenities of the occupiers of neighbouring 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.

Plan Type	Reference	Version	Date Received
Existing plan	2194.01		03 July 2013
Proposed plan	2194.02		03 July 2013
OS extract	2194.03		03 July 2013

BH2013/02335

59a Beaconsfield Villas Brighton

Relocation of parking space, creation of ramp to front of property and other associated works.

Applicant:Mr & Mrs Fraser Henry

Officer:Wayne Nee 292132

Refused on 09/09/13 DELEGATED

1) UNI

The proposal parking space would be very prominent and harmful to the setting of the house and the coherence of the street scene. Furthermore the proposal would result in the loss of part of the front boundary wall, a feature which is typical of the area. The unsympathetic alterations would be to the detriment of the existing property and the street scene and would fail to preserve or enhance this part of the Preston Park Conservation Area. As such the proposed development is contrary to policies QD2, QD14 and HE6 of the Brighton & Hove Local Plan, as well as SPD09 Architectural Features.

BH2013/02341

53 Grantham Road Brighton

Loft conversion incorporating insertion of 2no rooflights, alterations to fenestration and removal of existing chimney stack.

Applicant:Mr Dimtri Mantazis

Officer:Andrew Huntley 292321

Approved on 05/09/13 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 rooflights hereby approved shall have steel or cast metal frames fitted flush with the adjoining roof surface and shall not project above the plane of the roof.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Floor Plans and Elevations	1494/1727		11.07.2013
Proposed Loft Conversion and Alterations	1494/1728	C	08.08.2013

BH2013/02357

91 Havelock Road Brighton

Loft conversion incorporating 1no rooflight to front and 1no rooflight to rear. Construction of a timber studio in the rear garden and associated works.

Applicant:Mr Mark Johnson

Officer:Liz Arnold 291709

Approved on 06/09/13 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 front 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 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
Site Location Plan	L-001	-	15th July 2013
Block Plan	L-002		15th July 2013
Existing Plans	L-003	-	15th July 2013
Proposed Drawings	L-004	-	15th July 2013

BH2013/02413

51 Old Shoreham Road Brighton

Loft conversion incorporating rooflight to the front roof slope, inset balcony to the rear and insertion of glazed roof panels to west roofslope.

Applicant: Mr Paul Seivewright

Officer: Liz Arnold 291709

Refused on 03/09/13 DELEGATED

1) UNI

The proposed cut in dormer and associated roof terrace within the rear roofslope of the property would result in an un-traditional, contrived and incongruous addition to the existing property. In addition the proposed dormer window would be of an excessive size and is of a poor design. The proposed dormer would therefore be of detriment of the parent property, the pair of semi-detached properties and the wider area. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

2) UNI2

The proposed glazed panel, by virtue of their appearance and the excessive amount proposed, would result in an un-traditional and incongruous feature with the west facing roofslope of the property, of detriment of the parent property, the pair of semi-detached properties and the wider area. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

3) UNI3

The proposed glazed panels within the west facing roofslope would represent an un-neighbourly form of development by virtue of resulting in the perceived loss of privacy and overlooking towards the east facing first floor window within no. 53 Old Shoreham Road. As such the development would be of detriment to the amenities of the neighbouring properties, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/02476

11A Preston Park Avenue Brighton

Non Material Amendment to BH2008/03339 to add conditions listing all approved drawings of the existing 27 December 2008.

Applicant: Errol Barrett

Officer: Liz Arnold 291709

Approved on 04/09/13 DELEGATED

BH2013/02706

6 Old Shoreham Road Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.77m, for which the maximum height would be 3.4m, and for which the height of the eaves would be 2.35m.

Applicant:Mr Marcus Abel

Officer:Chris Swain 292178

Prior approval not required on 12/09/13 DELEGATED

BH2013/02779

Anston House 137-139 Preston Road Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 44no residential units.

Applicant:Investec Bank

Officer:Anthony Foster 294495

Prior approval not required on 17/09/13 DELEGATED

REGENCY

BH2012/04035

43 Russell Square Brighton

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).

Applicant:AR Properties (Brighton) Limited

Officer:Christopher Wright 292097

Refused on 05/09/13 COMMITTEE

1) UNI

The intensity of use by virtue of the subdivision of the building would be harmful to the amenity of future occupiers of the building and to nearby residents contrary to policy QD27 of the Brighton & Hove Local Plan 2005.

2) UNI2

The proposed development by virtue of its high intensity residential use will lead to an imbalance of types of residential use within the surrounding area contrary to policy QD27 of the Brighton & Hove Local Plan 2005 and policies SA6 and CP21 of the emerging City Plan Part 1.

BH2013/00029

14 Sillwood Road Brighton

Internal alterations to layout of house with associated external changes including reinstatement of front light-well and timber sash window at basement level, removal of rear timber steps and doorway and reinstatement of stone steps and installation of solar slates to roof.

Applicant:Ms Shan Lancaster

Officer:Helen Hobbs 293335

Refused on 02/09/13 DELEGATED

1) UNI

The proposed basement window to be reinstated would be an inappropriate alteration for this historic building, due to the window pattern, pane sizes and non-traditional joinery sections. The proposals are therefore contrary to policy HE 1 of the Brighton & Hove Local Plan.

2) UNI2

Insufficient information has been submitted with the application in relation to the reopening of the archway between the front and rear ground floor rooms, the conversion of the basement rear room, the reinstatement of the basement stairs, joinery details of the basement light well window and the rear basement courtyard stone steps and their railings, to ensure that the works would not have an adverse impact upon the Grade II listed building and therefore is contrary to policy HE 1 of the Brighton and Hove Local Plan.

BH2013/01230

Mitre House 149 Western Road Brighton

Application for Approval of Details reserved by condition 13 of application BH2011/03434.

Applicant: Mr Anthony Crabtree

Officer: Guy Everest 293334

Approved on 10/09/13 DELEGATED

BH2013/01835

Flats 3 & 4 34 Bedford Square Brighton

External alterations to front elevation including installation of timber box frame sash windows to second and third floor bay windows and installation of new cornices.

Applicant: Bindreley Ltd

Officer: Christopher Wright 292097

Approved on 02/09/13 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 all existing and new sash windows and their reveals and sills, including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The windows shall be painted timber vertical sliding sashes with concealed trickle vents. The works shall be carried out and completed fully in accordance with the approved details and retained 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.

3) UNI

No works shall take place until full details of the existing and proposed second and third floor level cornices, including 1:20 scale sample elevations and 1:1 scale profiles of the existing and new cornices, 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 policies HE1 and 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
Location Map			3 Jun 2013
Photographs x 7			3 Jun 2013
Existing and Proposed Front Elevations	PL01	Rev A	3 Jun 2013
Bay windows - details	PL02		3 Jun 2013

BH2013/01838

Flats 3 & 4 34 Bedford Square Brighton

External alterations to front elevation including installation of timber box frame sash windows to second and third floor bay windows and installation of new cornices.

Applicant: Bindreley LTD

Officer: Christopher Wright 292097

Approved on 02/09/13 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 existing and proposed second and third floor level cornices, including 1:20 scale sample elevations and 1:1 scale profiles of the existing and new cornices, 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 policies HE1 and HE6 of the Brighton & Hove Local Plan.

3) UNI

No works shall take place until full details of all existing and new sash windows and their reveals and sills, including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The windows shall be painted timber vertical sliding sashes with concealed trickle vents. The works shall be carried out and completed fully in accordance with the approved details 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.

BH2013/01901

10-12 Grand Junction Road Brighton

Display of externally illuminated scaffolding shroud.

Applicant: Mr Steven Tokaya

Officer: Adrian Smith 290478

Approved on 02/09/13 DELEGATED

1) UNI

This consent expires on 1 April 2014 or until the scaffolding is no longer required for the buildings works, whichever is the sooner. At the end of this period of consent the advertisement shall be removed.

Reason: In the interests of the visual amenity and to preserve the character of the Old Town Conservation Area and to comply with policies QD12 and HE9 of the Brighton & Hove Local Plan.

2) UNI

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) UNI

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) UNI

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) UNI

The intensity of the illumination of the advertisement display shall not exceed 600 candelas per square metre.

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

6) UNI

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) UNI

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

The advertisement shall not be illuminated except between the hours of 07:00 and 23:00 daily.

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

9) UNI

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.

BH2013/02044

128 Western Road Brighton

Display of externally illuminated fascia sign and advertisement awning (retrospective).

Applicant:Mr Adil

Officer:Helen Hobbs 293335

Refused on 13/09/13 DELEGATED

1) UNI

The method of illumination, due to the excessive size and projection of the lamps, represents an inappropriate and unduly prominent feature, to the detriment of the visual amenity of the street scene and the surrounding conservation area. The proposal is thereby contrary to Policies QD12 and HE9 of the Brighton & Hove Local Plan and Supplementary Planning Document 'Advertisements' (SPD07).

2) UNI2

The canopy, due to its height from the pavement, could cause an obstruction or compromise public safety. The proposal is thereby contrary to Policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document 'Advertisements' (SPD07).

BH2013/02118

4 Powis Square Brighton

Application for Approval of Details Reserved by Conditions 2, 6 and 7 of application BH2013/00159.

Applicant:Ms Hilary Morison

Officer:Robert McNicol 292322

Approved on 03/09/13 DELEGATED

BH2013/02227

4 Powis Grove Brighton

Relocation and widening of front entrance to facilitate vehicle crossover, formation of hardstanding and dropped kerb.

Applicant:Mr Matthew Hyde

Officer:Jason Hawkes 292153

Refused on 09/09/13 DELEGATED

1) UNI

The scheme results in a significant gap in an attractive boundary wall and would result in a prominent hardstanding which would slope up from the road. Given the appearance and prominence of the proposal, the scheme would stand out in the street scene and would result in an inappropriate alteration to the detriment of the character of the street scene and conservation area. The proposal is therefore contrary to policies QD2, QD14 and HE6 of the Brighton & Hove Local Plan and the guidance set out in SPD9: Architectural Features and SPD12: Design Guide for Extensions and Alterations.

BH2013/02232

4A Powis Square Brighton

Application for Approval of Details Reserved by Conditions 2 and 6 of application BH2013/00158.

Applicant:Ms Hilary Morison

Officer:Robert McNicol 292322

Approved on 03/09/13 DELEGATED

BH2013/02248

1 Hampton Place BN1 3DA

Conversion of first floor 1no three bedroom flat to form 2no one bedroom flats.

Applicant:Mrs Natasha Hay

Officer:Jason Hawkes 292153

Refused on 05/09/13 DELEGATED

1) UNI

Policy HO9 of the Brighton & Hove Local Plan states that planning permission will be granted for the conversion of dwellings into smaller units of self-contained accommodation when the original floor area of the unit is greater than 115 square metres or the unit has more than 3 bedrooms as originally built. The policy also states at least one unit of accommodation provided should be suitable for family accommodation and has a minimum of two bedrooms. The floor area of the existing flat is less than 115 square metres and the unit does not have more than 3 bedrooms as originally built. Additionally, the proposed conversion results in the formation of two one-bedroom flats which are not suitable for family accommodation. The scheme is therefore contrary to the above policy and results in the loss of a unit of accommodation which is suitable for smaller households.

BH2013/02255

Former Royal Alexandra Hospital 57 Dyke Road Brighton

Display of 2no non-illuminated pole mounted free standing stack boards.

Applicant: Taylor Wimpey South West Thames

Officer: Guy Everest 293334

Approved on 11/09/13 DELEGATED

1) UNI

This consent shall expire on 6th June 2014. At the end of this period of consent the advertisement shall be removed unless further consent to display has been given by the Local Planning Authority.

Reason: In the interests of the visual amenity and to preserve the character of the Montpelier and Clifton Hill Conservation Area and to comply with policies QD12 and HE9 of the Brighton & Hove Local Plan.

2) UNI

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) UNI

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.

4) UNI

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) UNI

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) UNI

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.

BH2013/02259

Waitrose Ltd 130 - 134A Western Road Brighton

Replacement of 2no existing plant chiller units with 2no mechanical water cooled plant chiller units.

Applicant:Waitrose Ltd

Officer:Steven Lewis 290480

Approved on 02/09/13 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	13-024-AZ(p)-020	-	02/07/2013
Existing Roof Plant Elevations	13-024-YE(p)-010	-	10/07/2013
Proposed Roof Plant Elevations	13-024-AE(P)-010	-	10/07/2013
Roof Plan - Proposed Layout	13-024-AG-R01	(P)	02/07/2013
Roof Plan - Existing Layout	13-024-YA(P)-R01	-	02/07/2013
Plant Noise Impact Assessment	-	-	02/07/2013

BH2013/02273

4 Windlesham Court Windlesham Gardens Brighton

Replacement of existing timber framed single glazed windows with UPVC double glazed windows.

Applicant:Ian Hill

Officer:Jason Hawkes 292153

Approved on 10/09/13 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			19th July 2013
Proposed Window Specification			9th July 2013
Existing Window Photographs			9th July 2013
Synerjy Brochure			9th July 2013

BH2013/02287

130 - 134A Western Road Brighton

Alterations to shopfront, extension of existing canopy and associated works.

Applicant:Waitrose Ltd

Officer:Steven Lewis 290480

Approved on 02/09/13 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 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	13-024-AZ(P)-001	-	12/07/2013
Block Plan	13-024-AZAZ-002	-	12/07/2013
External Elevations	13/-24-AE(P)-001	-	12/07/2013

BH2013/02360

31 Victoria Street Brighton

Erection of rear conservatory to replace existing, insertion of bi-folding doors to replace rear window and replacement of existing first floor bathroom window.

Applicant:Ms Corinne Blackburn

Officer:Jason Hawkes 292153

Approved on 09/09/13 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 & proposed elevations	0229-13-01		15th July 2013
Existing & proposed floor plans	0229-13-02		15th July 2013
Location plan	0229-13-04		15th July 2013
Site plan	0229-13-05		15th July 2013

BH2013/02391

73 Upper North Street Brighton

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr P Sharp

Officer: Jason Hawkes 292153

Refused on 10/09/13 DELEGATED

BH2013/02420

Flats 3 & 4 15 Montpelier Crescent Brighton

Internal alterations to convert 1no first floor one bedroom flat and 1no second floor two bedroom flat into 1no three bedroom maisonette.

Applicant: Suzanne Hodgart

Officer: Helen Hobbs 293335

Approved on 09/09/13 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 cables, wires, aerials, pipe work (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 the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

4) UNI

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained except where otherwise agreed in writing with the Local Planning Authority.

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

BH2013/02474

The Old Ship Hotel 31-38 Kings Road Brighton

Installation of glazed screens to pavement to the front elevation to facilitate the creation of external seating area.

Applicant: The Old Ship Hotel (Brighton) Ltd

Officer: Steven Lewis 290480

Refused on 10/09/13 DELEGATED

1) UNI

The permanent screens would be prominent and very visible in views along the seafront and would significantly alter the setting of the hotel. The screens are at odds with the open setting of the hotel and adjacent buildings and would visually clutter the otherwise simple public realm, detracting from the historic environment, and would fail to preserve the open character and setting of the seafront and the coherent building line of Kings Road and Old Town Conservation Area This is contrary to policy HE6 of the Brighton & Hove Local Plan 2005.

BH2013/02482

6-6A Stone Street & 13A Castle Street (and Adjacent Garage) Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 6no residential units.

Applicant: Mr Arif Bhimji

Officer: Christopher Wright 292097

Prior Approval is required and is refused on 16/09/13 DELEGATED

1) UNI

In accordance with the provisions of paragraph N (3) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the proposed development, in the opinion of the local planning authority, would not result in either a material increase or a material change in the character of traffic in the vicinity of the site. As such the proposal is contrary to policies TR1, TR14, TR19 and HO7 of the Brighton & Hove Local Plan 2005.

2) UNI2

In accordance with the provisions of paragraph N (8)(c) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the site will not be contaminated land. As such the proposal is contrary to policy SU11 of the Brighton & Hove Local Plan 2005.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Site location & block plans	TA730/01		22 Jul 2013
Existing lower ground floor plan	TA730/02		22 Jul 2013
Existing ground floor plan	TA730/03		22 Jul 2013
Existing first floor plan	TA730/04		22 Jul 2013
Existing second floor plan	TA730/05		22 Jul 2013
Existing elevations 1	TA730/06		22 Jul 2013
Existing elevations 2	TA730/07		22 Jul 2013
Existing elevations 3	TA730/08		22 Jul 2013
Existing sections 1	TA730/09		22 Jul 2013
Existing sections 2	TA730/10		22 Jul 2013
Existing sections 3	TA730/11		22 Jul 2013
Proposed lower ground plan	TA730/20		22 Jul 2013
Proposed ground floor plan	TA730/21		22 Jul 2013
Proposed first floor plan	TA730/22		22 Jul 2013
Proposed second floor plan	TA730/23		22 Jul 2013

BH2013/02529

Ovest House 58 West Street Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 16no residential units.

Applicant:Property Investment Holdings Limited

Officer:Christopher Wright 292097

Prior Approval is required and is refused on 18/09/13 DELEGATED

1) UNI

In accordance with the provisions of paragraph N (3) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the proposed development, in the opinion of the local planning authority, would not result in either a material increase or a material change in the character of traffic in the vicinity of the site. As such the proposal is contrary to policies TR1, TR14 and TR19 of the Brighton & Hove Local Plan 2005.

2) UNI2

In accordance with the provisions of paragraph N (8)(c) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the site will not be contaminated land. As such the proposal is contrary to policy SU11 of the Brighton & Hove Local Plan 2005.

This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Location Plan			24 Jul 2013
Proposed Floor Plans	24	B	24 July 2013

ST. PETER'S & NORTH LAINE

BH2013/01127

125 Queens Road Brighton

Removal of existing air conditioning units and replacement of windows with weather intake louvres for internal plant room to rear elevation.

Applicant:Williams Southern

Officer:Robert McNicol 292322

Approved on 03/09/13 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 air conditioning units hereby approved shall only operate between the hours of 07.00 and 23.00 daily.

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 air conditioning system hereby approved, including all plant and ductwork,

shall be installed with anti-vibration mounts and shall be isolated from the building structure.

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

4) UNI

2.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 location and block plans	R13/17 D/00		19 April 2013
Existing floor plan	R13/17 D/01	A	21 June 2013
Existing rear elevation	R13/17 D/06		8 April 2013
Existing side elevation	R13/17 D/07		21 June 2013
Proposed floor plan	R13/17 D/211	A	21 June 2013
Proposed rear elevation	R13/17 D/215		8 April 2013
Proposed side elevation	R13/17 D217		21 June 2013
Proposed extract and intake a/c layout	RF84446 SK002A		19 April 2013
Plant noise assessment	April 2013		26 April 2013
Inverter heat pump specifications	SRK-ZJ		8 April 2013

BH2013/01316

Telephone Boxes New Road Brighton

Change of use of phone boxes to food and drink kiosks (A1).

Applicant:Thinking Outside The Box

Officer:Anthony Foster 294495

Approved on 10/09/13 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 used except between the hours of 0800 and 2100 Monday to Sundays, 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 tables, seating or paraphernalia associated with the use hereby approved shall be placed on the highway immediately to the west of the phone boxes.

Reason: In the interests of highway safety and to comply with policies TR7 and TR8 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	DN001		02/05/2013
Location Plan	DN002		02/05/2013
Existing Plans, Elevations,	DN003		02/05/2013

Sections			
Proposed Plans, Elevations, Sections	DN004		02/05/2013
Proposed Module Plans, Elevations, Sections	DN005		02/05/2013
Details	DN005		02/05/2013

BH2013/01437

25 Guildford Street Brighton

Replacement of existing windows to front with enlarged timber windows.

Applicant:Ms C Downes

Officer:Louise Kent 292198

Approved on 05/09/13 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

Within one month of their installation, the window sills hereby approved shall be painted to match the colour of the front elevation.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE6 and QD14 of the Brighton & Hove Local Plan.

3) UNI

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.

Plan Type	Reference	Version	Date Received
Elevations	001		8 May 2013
Sections for windows	003		8 May 2013
Site and location plan	00		8 May 2013

BH2013/01609

24-25 Queens Road and 30 Crown Gardens Brighton

Refurbishment and alterations to existing house including raised roof height and front dormer. Erection of adjoining 3-bedroom house (Use Class C3) to South of existing dwelling and provision of basement storage area for use by Masonic Centre.

Applicant:P.G.L.S. Ltd

Officer:Jonathan Puplett 292525

Approved on 03/09/13 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 shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents 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

No cables, wires, aerials, pipe work (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 policy HE6 of the Brighton & Hove Local Plan.

4) UNI

All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron 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

No extension, enlargement, alteration or provision within the curtilage of the of the dwelling house(s) 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.

6) UNI

Other than the requirement for a covered entrance, 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.

7) 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.

8) UNI

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 new dwelling hereby approved, 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.

9) UNI

No development shall take place until joinery details at 1:20 and 1:1 scales of all proposed external windows and doors have been submitted to and approved in

writing by the Local Planning Authority.

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

10) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the new dwelling hereby approved achieves a Code for Sustainable Homes rating of Code level 3 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) UNI

Notwithstanding the details shown in the approved drawings, the development hereby permitted shall not be commenced until full details of the proposed cycle parking facilities 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.

12) 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 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.

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.

13) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling hereby approved shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the new dwelling hereby approved 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.

14) 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.

15) 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.

16) UNI

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			17/05/2013
Block Plan			29/05/2013
Proposed Floor Plans, Elevations and Sections	01	A	30/05/2013
Proposed Floor Plans, Elevations and Sections	02		17/05/2013
Proposed Street scene	03		17/05/2013
Proposed Floor Plans	04		17/05/2013

BH2013/01610

24-25 Queens Road and 30 Crown Gardens Brighton

Refurbishment and alterations to existing house including raised roof height and front dormer. Erection of adjoining 3-bedroom house (Use Class C3) to South of existing dwelling and provision of basement storage area for use by Masonic Centre.

Applicant:P.G.L.S. Ltd

Officer:Jonathan Puplett 292525

Approved on 03/09/13 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 joinery details at 1:20 and 1:1 scales of all proposed external windows and doors have been submitted to and approved in writing by the Local Planning Authority.

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

3) UNI

All new and replacement rainwater goods, soil and other waste pipes shall be in cast iron 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

All new windows shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents 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

No cables, wires, aerials, pipe work (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 policy HE6 of the Brighton & Hove Local Plan.

BH2013/01957

Brighton Station Queens Road Brighton

Internal alterations to facilitate creation of new retail unit to unit 9 of Mocotta building with installation of external signage and relocation of roof top air conditioning unit (Retrospective).

Applicant:WH Smith

Officer:Liz Arnold 291709

Approved on 02/09/13 DELEGATED

1) UNI

Within two months of the date of this consent, where conduit supports and/or cable tray fixings have already been made into beams they shall be removed and re-fixed to the flat areas of ceiling only as shown in drawing no. 04 Rev. D received on the 21st August 2013. No fixings for the lighting conduit supports and/or cable trays shall be made into the down stand beams or mouldings.

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

2) UNI

Within 2 months of the date of the consent, the existing doors to the office and stockroom areas shall be replaced with the new doors hereby approved, as shown in drawing no. 03 Rev. C received on the 21st August 2013.

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

3) UNI

Within two months of the date of this consent, the riser to the internal pipe work/cabling to the air conditioning unit shall be clad in galvanised ducting as shown in drawing no. 04 Rev. D received on the 21st August 2013.

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

BH2013/02017

The Wine & Tasting Room 9 Jubilee Street Brighton

Display of non-illuminated projecting sign (Retrospective).

Applicant:Mr Sam Devaney

Officer:Liz Arnold 291709

Approved on 02/09/13 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.

BH2013/02094

68 Park Crescent Road Brighton

Erection of a single storey rear extension.

Applicant:Mr C Demetriou

Officer:Sonia Gillam 292265

Refused on 29/08/13 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 and the Supplementary Planning Document SPD12.

2) UNI2

The proposed development, by virtue of its height, level of projection and siting directly adjacent to the boundary with the neighbouring property, no. 69 Park Crescent Road, would result in an unneighbourly form of development, which, due to the potentially non-permanent form of screening between the properties,

could appear overbearing and potentially result in a material loss of outlook and light to this dwelling. As such, the proposal would adversely impact on the residential amenity of the occupiers of this property contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and the Supplementary Planning Document SPD12.

BH2013/02105

35 Marlborough Place Brighton

Internal and external renovation works including alterations of front boundary wall, repairs to front elevation, boxing out in basement stairwell, replacement of external basement door, alterations to boundary walls to rear garden, natural slate roofing to rear lean-to extension, raised decking in rear garden, 6no downlighters to kitchen, fireplace to ground floor living room and first floor bedroom and replacement of skirting boards and architraves (Retrospective).

Applicant:Mrs C Lewin

Officer:Anthony Foster 294495

Refused on 02/09/13 DELEGATED

1) UNI

Cumulatively the alterations to the front entrance, by virtue of inappropriate detailing and proportions, detract from the character and appearance of the grade II Listed Building contrary to policies HE1 & HE4 of the Brighton & Hove Local Plan and Supplementary Planning Document 9: Architectural Features.

2) UNI2

The internal alterations to the 2nd floor bedrooms, by virtue of inappropriate detailing, detract from the character and appearance of the grade II Listed Building contrary to policies HE1 & HE4 of the Brighton & Hove Local Plan and Supplementary Planning Document 9: Architectural Features.

BH2013/02178

Flat at 3 Lewes Road Brighton

Replacement of first floor bay window with UPVC double glazed unit.

Applicant:Mr Jian Ming Shi

Officer:Andrew Huntley 292321

Approved on 05/09/13 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			16.07.2013
Window Detail			28.06.2013
Window Profiles			28.06.2013
Window Photo			28.06.2013

BH2013/02315

67A Upper Gloucester Road Brighton

Erection of a single storey rear extension to replace existing incorporating external fire escape and creation of open courtyard with associated alterations.

Applicant:Mr Frederick Wassenaar

Officer:Andrew Huntley 292321
Refused on 10/09/13 DELEGATED

1) UNI

The proposed railings and stairs would appear as a visually incongruous addition to the building by reason of the inappropriate materials being proposed. This, together with the poor roofing materials and large expanse of wall would detract from the appearance of the property and the West Hill Conservation Area. In addition, the resultant exposure of the air conditioning unit at first floor level would also harm the character and appearance of the building and the conservation area. The proposal is therefore contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2013/02330

55 Frederick Street Brighton

Erection of single storey rear extension.

Applicant:Mr Robin Thompson

Officer:Chris Swain 292178

Refused on 10/09/13 DELEGATED

1) UNI

The proposed addition, by reason of scale, design, siting, form and depth would result in an unsympathetic and contrived addition that detracts from the original form of the building, resulting in an overextended property to the detriment of the appearance and character of the building, the wider terrace and the North Laine Conservation Area, contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012)

BH2013/02334

125 Queens Road Brighton

Alterations to shop front including installation of automatic sliding entrance door.

Applicant:Mr Steve Fitzgerald

Officer:Louise Kent 292198

Approved on 09/09/13 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 and block plan	D/00		11 July 2013
Existing floor plan	D/01	Rev. A	11 July 2013
Existing front elevation	D/05		11 July 2013
Proposed floor plan	D/11		11 July 2013
Proposed front elevation	D/15		11 July 2013

BH2013/02506

The Level Ditchling Road Brighton

Application for approval of details reserved by condition 6 of application BH2012/01598.

Applicant: Mrs Gill Thompson

Officer: Liz Arnold 291709

Approved on 02/09/13 DELEGATED

BH2013/02607

Brighton Station Queens Road Brighton

Erection of single storey storage building on Platform 8.

Applicant: Southern Railway Ltd

Officer: Liz Arnold 291709

Approved on 11/09/13 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.

WITHEAN

BH2012/03673

Blocks A & B Kingsmere London Road Brighton

Erection of additional storey to Blocks A and B to create 8 no flats with private roof gardens, with associated cycle storage. (Amended description)

Applicant: Anstone Properties Ltd

Officer: Steven Lewis 290480

Approved after Section 106 signed on 04/09/13 COMMITTEE

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
Site Plan	A2112/02	-	22/01/2013
Existing Plan	A2112/03	A	20/11/2012
Existing elevations	A2112/04	A	20/11/2012
Existing Side elevations	A2112/05	A	20/11/2012
Proposed Plan & West Elevation	A2112/06	A	20/11/2012
Proposed Elevations	A2112/07	A	20/11/2012
Existing Roof Plan	A2112/08	A	20/11/2012
Proposed Plan	A2112/10	A	20/11/2012
Proposed Plan	A2112/11	A	20/11/2012

3) 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.

4) 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.

5) UNI

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

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and

(b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

6) UNI

No development or other operations shall commence on site in connection with the development hereby approved, (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Construction Specification/Method Statement for the construction of the cycle storage has been submitted to and approved in writing by the Local Planning Authority. This should provide for the long-term retention of the trees. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.

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

Prior to the commencement of development, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

(a) A plan showing the location of, and allocating a reference number to, each existing tree, shrub and hedgerow on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees, shrubs and hedgerows are to be retained and the crown spread of each retained tree.

(b) Details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply.

(c) Details of any proposed topping or lopping of any retained tree or any tree on land adjacent to the site.

(d) Details of any proposed alterations in existing ground levels, and the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site, or within a distance from any retained tree or any tree on land adjacent to the site, equivalent to half the height of that tree.

(e) Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of the development. In this condition "retained tree" means an existing tree that is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: To protect the arboricultural and visual amenity of protected trees within the vicinity of the development and to enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

9) UNI

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.

10) UNI

Prior to the commencement of the development, details of a scheme of works to lower the kerb and footway to improve the pedestrian link in front of the proposed site are to be submitted to and 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 interest of highway safety and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

11) 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 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.

12) UNI

Notwithstanding the approved floor plans, the development hereby permitted shall not commence until revised floor plans incorporating lifetime home standards have been submitted and agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the agreed details and retained 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.

BH2013/00293

Land West of Redhill Close Brighton

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 in respect of plots 1-14 and block 1, and Sustainable Homes Code Level 5 in respect of plots 15-22 and block 2.

Applicant: Bellway Homes (South East) Ltd

Officer: Guy Everest 293334

Approved after Section 106 signed on 29/08/13 COMMITTEE

1) UNI

No residential development pursuant to plots 15-22 (inclusive) or Block 2 (plots 27-31) 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.

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 the development hereby approved.

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

3) UNI

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.

4) UNI

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.

5) 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.

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

Plots 15-22 (inclusive) and Block 2 (plots 27-31) 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.

8) UNI

Plots 1-14 (inclusive) and Block 1 (plots 23-26) 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.

9) 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 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.

10) UNI

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) UNI

The development hereby permitted shall be commenced before 13th 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.

12) UNI

a) Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval before 13th 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.

13) UNI

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
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

14) 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.

15) 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 dwelling houses 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.

16) UNI

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.

17) UNI

No residential development pursuant to plots 1-14 (inclusive) or Block 1 (plots 23-26) 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.

BH2013/02071

35 Tivoli Road Brighton

Certificate of lawfulness for proposed single storey side extension.

Applicant:Dr Maryam Teschke-Panah

Officer:Mark Thomas 292336

Refused on 16/09/13 DELEGATED

1) UNI

The development is not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended. The proposal is to enlarge an existing extension. The enlarged extension would have a width greater than half the width of the original dwelling house, and would protrude in excess of 4m beyond the rear elevation of the main house, contrary to criteria (e) and (h) of Class A.

BH2013/02218

70 Windmill Drive Brighton

Removal of existing rear balcony, alterations to rear flat roof, installation of dormer and rooflight to front roofslope and alterations to existing front porch.

Applicant:Mr R Smithson

Officer:Robert McNicol 292322

Approved on 05/09/13 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

Access to the flat roof over the rear extension 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

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 ground floor plan	02-0613		28 June 2013
Existing first floor plan	02-0613a		28 June 2013
Existing elevations	02-0613b		28 June 2013
Proposed ground floor plan	02-0613c		28 June 2013
Proposed first floor plan	02-0613d	Revised 29/08/2013	29 August 2013
Proposed elevations	02-0613k	Revised 29/08/2013	29 August 2013
Site location plan	02-0613n		28 June 2013
Existing block plan	02-0613o		28 June 2013
Proposed block plan	02-0613p		28 June 2013

BH2013/02220

70 Windmill Drive Brighton

Removal of existing rear balcony, installation of replacement balcony incorporating alterations to rear flat roof, balustrading and obscure glass panels.

Applicant: Mr R Smithson

Officer: Robert McNicol 292322

Refused on 05/09/13 DELEGATED

1) UNI

The enlarged roof terrace would represent an unneighbourly form of development and allow additional views toward the rear garden of 68 Windmill Drive, resulting in adverse levels of overlooking, a loss of privacy causing demonstrable harm to residential amenity currently enjoyed by residents of that dwelling. The proposal is therefore contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The addition of 1.8m high obscure glazed screens to either end of the enlarged roof terrace would give this part of the recipient property an excessively enclosed and bulky appearance. Due to their position, form and size, these high end screens would also be unsympathetic to the domestic scale and appearance of the recipient property. The proposal is therefore contrary to policy QD14 of the

Brighton & Hove Local Plan and SPD12, design guide for extensions and alterations.

BH2013/02266

38 Maldon Road Brighton

Erection of single storey rear extension.

Applicant:Mr Andy Barr

Officer:Mark Thomas 292336

Refused on 05/09/13 DELEGATED

1) UNI

The proposed infill side/rear extension, by virtue of its height, depth, positioning and proximity to the shared boundary with no. 40 Maldon Road, would have an overbearing impact on occupiers of this neighbouring property, resulting in a loss of outlook, overshadowing and an increased sense of enclosure. As such, the proposed development would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan, and Supplementary Planning Document (SPD) 12: design guide for extensions and alterations.

2) UNI2

The proposed sliding doors to the rear elevation would appear unduly large, lacking in vertical emphasis and would therefore relate poorly to the scale and proportions of existing fenestration to the rear elevation. As such, the development would result in unacceptable harm to the character and appearance of the recipient property, contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document (SPD) 12: design guide for extensions and alterations.

BH2013/02272

15 Glen Rise Brighton

Application to extend time limit for implementation of previous approval BH2010/02275 for erection of two storey extensions to front, rear and side elevations. Erection of rear conservatory. Roof alterations including raising of the ridge height and installation of rooflights to rear and side roofslopes. Alterations to windows and doors to all elevations.

Applicant:Mr Manoj Agrawal

Officer:Mark Thomas 292336

Approved on 09/09/13 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	A766/01/A	-	13 September 2010
Block plan	A766/02/A	-	13 September 2010

Existing plans and elevations	A766/03	-	22 July 2010
Proposed ground floor plan	A766/04	-	22 July 2010
Proposed first floor plan	A766/05	-	22 July 2010
Proposed roof plan	A766/06	-	22 July 2010
Proposed elevations	A766/07/A	-	13 September 2010
Existing roof plan	A766/08	-	4 August 2010
Proposed contextual elevation	A766/11	-	13 September 2010
Proposed roof plan	A766/10	-	13 September 2010

BH2013/02293

6 Loyal Parade Brighton

Change of use from retail (A1) to medical/health services (D1).

Applicant: Miss Allison Jeffery

Officer: Mark Thomas 292336

Refused on 06/09/13 DELEGATED

1) UNI

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

2) UNI2

The applicant fails to confirm the type of D1 use proposed, and in the absence of this information an open D1 could cause harm to the amenity of occupiers of neighbouring properties, in particular occupiers of the residential uses above. As such, the proposed change of use would be contrary to policies SR7 and QD27 of the Brighton & Hove Local Plan.

BH2013/02323

Land adjacent to 1 Woodside Avenue Brighton

Erection of detached 3 bedroom three storey dwelling house.

Applicant: Mr Bill Faust

Officer: Clare Simpson 292454

Approved on 05/09/13 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 the development hereby approved.

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

3) UNI

No scrub clearance or site set-up shall take place during the months of March to September inclusive. Scrub clearance shall take place under the supervision of a qualified ecologist at all times.

Reason: To protect nesting bird habitat and ensure the impact of the development on existing nature conservation features is minimised in accordance with policy QD17 of the Brighton & Hove Local Plan and Supplementary Planning Document 11 on Nature Conservation.

4) UNI

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) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwelling house(s) 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.

6) UNI

The windows in the south west elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

Reason: To safeguard the privacy of the occupiers of the adjoining property and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

7) UNI

The development shall be carried out in accordance with following approved samples. Walls: Painted white render, Roof: Spanish Slate. These materials shall be retained in place thereafter.

Reason: To ensure a satisfactory appearance to the development in accordance with QD1 and QD2 of the Brighton & Hove Local Plan.

8) UNI

Notwithstanding the landscaping details shown on drawing number 099-PA-100 a revised landscaping plan shall be submitted to a approved by the Local Planning Authority in writing. The plan shall accurately show the roof plan on the building and identify the exact species, numbering, location and maturity of the proposed planting and the location and detail of hard surfaces.

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

9) UNI

All planting, seeding or turfing 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

10) 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.

11) UNI

No development shall take place until samples of the proposed window materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. 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.

12) UNI

No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason: To safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policies QD2 and QD27 of the Brighton & Hove Local Plan.

13) 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.

14) UNI

Prior to the commencement of development on site, detailed drawings including levels, sections and construction details of the proposed vehicle access, shall be submitted to and approved by the Local Planning Authority in writing. The development shall not be occupied until these works have been fully implemented in accordance with the approved details

Reason: As insufficient information has been submitted and to ensure that works constitute safe development and to comply with policies TR1, TR7, TR8 and TR19 of the Brighton & Hove Local Plan.

15) UNI

No development shall commence until full details of the proposed amendments to the boundary wall structure, including a cross section of the entrance, depth of footings, retained height, thickness of wall and construction materials, have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the stability of the boundary wall structures and to comply with Policy TR7 of the Brighton & Hove Local Plan.

16) UNI

No development shall take place until 1:50 scale drawings and samples of the proposed balconies and screening for the terraces are submitted to and approved by the Local Planning Authority in writing.

Reason: As insufficient information has been submitted and to ensure the

development does not cause any significant loss of amenity to neighbouring occupiers to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

17) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

18) 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 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

19) 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 location and block plan	0997-PA-001	A	22nd August 2013
Existing topographical Survey	0997-PA-002		9th July 2013
Existing section and elevation	0997-PA-003		9th July 2013
Proposed ground floor plan	0997-PA-010		9th July 2013
Proposed first floor plan	0997-PA-011		9th July 2013
Proposed second floor plan	0997-PA-012		9th July 2013
Proposed third floor plan	0997-PA-013	A	22nd August 2013
Proposed roof plan	0997-PA-014	A	22nd August 2013
Proposed south east facing elevation	0997-PA-015		9th July 2013
Proposed south west facing elevation	0997-PA-016	A	22nd August 2013
Proposed north east facing elevation	0997-PA-017	A	22nd August 2013
Proposed north west facing elevation	0997-PA-018		9th July 2013
Proposed south east facing street elevation	0997-PA-018		22nd August 2013
Proposed Section A-A	0997-PA-020		9th July 2013

Landscaping Plan	0997-PA-100	22nd August 2013
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BH2013/02326

2 Glen Rise Brighton

Certificate of lawfulness for proposed single storey rear extension and associated alterations.

Applicant:Mr & Mrs Sanders

Officer:Helen Hobbs 293335

Refused on 02/09/13 DELEGATED

1) UNI

Due to the proposed extension projecting from further than 4 metres from the original rear elevation, the development is not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2013/02339

43 Surrenden Road Brighton

Loft conversion incorporating rooflights to front and side. Installation of decking to rear with stairs to garden.

Applicant:Mrs Vivienne Alder

Officer:Andrew Huntley 292321

Approved on 02/09/13 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 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

No development shall take place until full details of a privacy screen on the southern boundary of the terrace has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details prior to first use of the terrace and 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

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 Loft Conversion and Rear Terrace	AL/02/A		16.08.2013

BH2013/02348

52 Bramble Rise Brighton

Certificate of lawfulness for proposed hip to gable roof extension to facilitate loft conversion, incorporating rear dormer and 3no front rooflights. Alterations to

pitched roof of existing rear extension to form flat roof.

Applicant:Dr Brian Dalley

Officer:Mark Thomas 292336

Refused on 06/09/13 DELEGATED

BH2013/02351

St Bernadettes RC Primary School London Road Brighton

Replacement of window with new main entrance door, erection of new canopy, rebuilding of existing low level wall with balustrading above and associated works.

Applicant:The Governors of St Bernadettes Catholic Primary School

Officer:Wayne Nee 292132

Approved on 17/09/13 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 location plan	1302-P-01		03 July 2013
Proposed block plan	1302-P-02		03 July 2013
Existing plan	1302-P-03		03 July 2013
Proposed plan	1302-P-04	A	23 July 2013
Existing elevations	1302-P-05	A	23 July 2013
Proposed elevations	1302-P-06	A	23 July 2013

BH2013/02436

53 Surrenden Crescent Brighton

Erection of a single storey rear extension with associated external alterations including insulated render to all elevations and additions and alterations to fenestration.

Applicant:Ms M Lucas

Officer:Mark Thomas 292336

Approved on 12/09/13 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 site location and block plan	1303/100/*	-	19 July 2013
Proposed site location and block plan	1303/300/*	-	19 July 2013
Existing ground and first floor plans	1303/101/*	-	19 July 2013
Existing second floor and roof plan	1303/102/*	-	19 July 2013
Existing elevations	1303/103/*	-	19 July 2013
Proposed ground and first floor plans	1303/301/A	-	28 August 2013
Proposed second floor and roof plan	1303/302/*	-	19 July 2013
Proposed elevations	1303/303/*	-	19 July 2013

BH2013/02487

32 Friar Road Brighton

Creation of pitched roof structure with timber support posts over existing entrance porch and adjacent lounge window.

Applicant: Alan & Carole Gilchrist

Officer: Helen Hobbs 293335

Approved on 13/09/13 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 canopy roof 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	F47PC/HP/01		19th July 2013
Block plan	F47PC/HP/02		19th July 2013
Part plan, elevation and location plan as existing	F47PC/HP/03		19th July 2013
Part floor plan as proposed	F58PC/HP/04		19th July 2013
East elevation and roof plan as proposed	F47PC/HP/05		19th July 2013
North elevation as proposed	F47PC/HP/06		19th July 2013

BH2013/02510

4 Green Ridge Brighton

Creation of additional floor and remodelling of existing dwelling to facilitate creation of two storey house incorporating garage to side.

Applicant: Mr A Banks

Officer:Adrian Smith 290478

Approved on 17/09/13 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 first floor windows in the east and west elevations of the development hereby permitted 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.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or doors other than those expressly authorised by this permission shall be constructed in the east and west elevations of the dwelling without planning permission obtained from the Local Planning Authority.

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

4) UNI

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

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

Plan TypeReferenceVersionDate Received

Site plan, block plan, existing and proposed elevations and proposed floor plans JW/13/047-23/07/2013

Existing floor plan--23/07/2013

Proposed street context --23/07/2013

5) 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.

BH2013/02559

28 North Road Preston Brighton

Erection of single storey rear extension and side conservatory, replacement of rear critical windows with timber sash windows and removal of external fire escape and first floor access door to rear. (Retrospective)

Applicant:Mr M James

Officer:Steven Lewis 290480

Refused on 06/09/13 DELEGATED

1) UNI

The works result in an inappropriate open-plan feel to the north-eastern part of the listed building and a consequent loss of distinction between the original plan form of the house and the modern extension. The alterations are harmful to the character of the building and result in the loss of historic fabric and have failed to preserve the special character of the listed building and its architectural and historic significance contrary to policy HE1 of the Brighton & Hove Local Plan, Supplementary Planning Guidance Note 11 (SPGBH11 - Listed Building Interiors)

BH2013/02560

28 North Road Preston Brighton

Erection of single storey rear extension and side conservatory, replacement of rear critical windows with timber sash windows and removal of external fire escape and first floor access door to rear. (Retrospective)

Applicant:Mr M James

Officer:Steven Lewis 290480

Refused on 05/09/13 DELEGATED

1) UNI

The works result in an inappropriate open-plan feel to the north-eastern part of the listed building and a consequent loss of distinction between the original plan form of the house and the modern extension. The alterations are harmful to the character of the building and result in the loss of historic fabric and have failed to preserve the special character of the listed building and its architectural and historic significance contrary to policy HE1 of the Brighton & Hove Local Plan, Supplementary Planning Guidance Note 11 (SPGBH11 - Listed Building Interiors).

BH2013/02707

31 Hillcrest Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.6m, for which the maximum height would be 3.8m, and for which the height of the eaves would be 2.4m.

Applicant:Matt Buchanan

Officer:Mark Thomas 292336

Prior approval not required on 12/09/13 DELEGATED

BH2013/02787

109 Windmill Drive Brighton

Certificate of lawfulness for proposed loft conversion incorporating 4 no rooflights to the front and dormer to the rear. Erection of single storey rear extension.

Applicant:Mr & Mrs Fuchs

Officer:Mark Thomas 292336

Approved on 10/09/13 DELEGATED

EAST BRIGHTON

BH2013/01704

151-153 Eastern Road Brighton

Application for approval of details reserved by conditions 2 and 3 of application BH2012/03922.

Applicant:Dr Steven Cox

Officer:Wayne Nee 292132

Approved on 18/09/13 DELEGATED

BH2013/01739

155 Eastern Road Brighton

Certificate of lawfulness for proposed erection of single storey side/rear extension and installation of window to first floor side elevation.

Applicant:Mr P Forrest

Officer:Robert McNicol 292322

Refused on 02/09/13 DELEGATED

1) UNI

The existing floor plans submitted with the application indicate that the building, at the time of the application, was subdivided horizontally. The property cannot therefore be considered to constitute a dwelling house, as the Town and Country Planning (General Permitted Development) Order 1995 states that a dwelling house does not include a building containing one or more flats, or a flat contained within such a building.

2) UNI2

Whilst the proposed extension is not attached directly to any rear wall, it would extend beyond the rear wall of the dwelling house by 9 metres. The proposed extension is therefore not permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended.

BH2013/01755

138 Whitehawk Road Brighton

Erection of single storey habitable outbuilding with pitched roof. (Retrospective)

Applicant: Adrian Westwood

Officer: Mark Thomas 292336

Refused on 12/09/13 DELEGATED

1) UNI

The outbuilding, by virtue of its excessive footprint, scale, height, bulk and elevated positioning has caused significant detriment to the character and appearance of the application property and the wider locality. The development is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: design guide for extensions and alterations.

2) UNI2

The occupation of, and activities associated with the use the outbuilding would result in significant detriment to the amenity of occupiers of neighbouring properties, in particular occupiers of nos. 137 and 139 Whitehawk Road. There would be a potential, and moreover a likelihood, of significantly increased levels of overlooking, loss of privacy and increased levels of noise and disturbance. As such the development is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/01803

20 Manor Close Brighton

Erection of rear conservatory extension.

Applicant: Mr Vandyk

Officer: Pete Campbell 292359

Approved on 03/09/13 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 windows in the north east elevation, which abuts the boundary with No. 18 Manor Close, of the development hereby permitted 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.

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
Block plan	06/13/04 - sheet 1	Rev 01	01/08/2013
Existing floor plan and location plan	06/13/04 - sheet 2	Rev 01	01/08/2013
Proposed floor plan	06/13/04 - sheet 3	Rev 01	01/08/2013
Existing and proposed elevations	06/13/04 - sheet 4	Rev 01	01/08/2013

BH2013/01924

Sorrell 1-47 Chadborn Close Hazel 1-24 Turton Close Jasmine 2-48 Meadowsweet 74-120 & Allamanda 146-192 Donald Hall Road Brighton

Installation of insulated render cladding to all elevations, replacement of existing windows with UPVC windows, new roof edge hand rails and roof coverings and associated alterations to 5no blocks of flats.

Applicant:Brighton & Hove City Council

Officer:Andrew Huntley 292321

Approved on 09/09/13 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 render finishes of the development hereby permitted shall be those as submitted on 7th August 2013 and detailed below:

Walls - Render (off white and grey)

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.

3) UNI

Within 3 months of the installation of the railings, the railings shown on the approved plans shall be painted grey and shall be retained as such.

Reason: In the interests of the character and appearance of the development and the visual amenities of the area and to comply with policy 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
Location Plan	L1		11.06.2013
Existing and Proposed Elevations	001	C	06.08.2013
Existing and Proposed Elevations	002	C	06.08.2013
Existing and Proposed Elevations	003	C	06.08.2013
Existing and Proposed Elevations	004	C	06.08.2013
Existing and Proposed Elevations	005	C	06.08.2013

BH2013/02068

Flat 4 157 Marine Parade Brighton

Formation of roof terrace with composite decking, rooflights and associated alterations. Installation of photovoltaic panels to side roof slope.

Applicant:Mr Richard Tredgett

Officer:Andrew Huntley 292321

Approved on 29/08/13 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.

BH2013/02070

Flat 4 157 Marine Parade Brighton

Formation of roof terrace with composite decking, rooflights and associated alterations. Installation of photovoltaic panels to side roof slope.

Applicant:Mr Richard Tredgett

Officer:Andrew Huntley 292321

Refused on 29/08/13 DELEGATED

1) UNI

The roof terrace at first floor level would cause significant harm to neighbouring amenity by reason of overlooking and loss of privacy to Flat 10, 155 - 156 Marine Parade. Therefore, the proposal would be contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/02089

11 St Marys Square Brighton

Replacement of existing timber windows and doors with UPVC.

Applicant:Mr Bruce Sandeman-Craik

Officer:Louise Kent 292198

Approved on 16/09/13 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

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			21 June 2013
Site plan			21 June 2013
Proposed uPVC windows and doors	A131	31	21 June 2013
Window drawings			21 June 2013
Door drawings			21 June 2013

BH2013/02242

28 St Marys Square Brighton

Installation of replacement UPVC windows and doors, removal of existing timber.

Applicant:Ms Linda Boswell

Officer:Louise Kent 292198

Approved on 16/09/13 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			1 July 2013
Site plan			1 July 2013
Proposed and existing elevations	A131 33	Rev. A	17 July 2013
Window drawing			1 July 2013
Door drawing			17 July 2013

BH2013/02263

2 Chichester Place and Chichester House Chichester Terrace Brighton

Removal of external rear fire escape.

Applicant: Mrs Juliette Wright

Officer: Wayne Nee 292132

Approved on 04/09/13 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 fire escape structure shall be removed in its entirety, and directly following its removal the walls shall be made good to match the original profiles and finishes in matching materials.

Reason: To ensure that there is no future corrosion which would cause structural problems and to ensure a satisfactory appearance in line with policy HE1 of the Brighton & Hove Local Plan 2005.

BH2013/02265

25 Peel Road Brighton

Certificate of lawfulness for proposed loft conversion incorporating a hip to gable roof extension, two new rooflights to front roofslope, new second floor side window and revised rooflight on rear roofslope

Applicant: Mr & Mrs Podsiadly

Officer: Chris Swain 292178

Approved on 29/08/13 DELEGATED

BH2013/02296

4 Chichester House Chichester Terrace Brighton

Replacement of existing single glazed timber casement windows with double glazed timber casement windows to front elevation.

Applicant: Mr D McCarthy

Officer: Wayne Nee 292132

Refused on 03/09/13 DELEGATED

1) UNI

The proposed replacement double-glazed windows are inappropriately designed

and detailed, and would represent a harmful alteration to the character and appearance of the Grade I Listed Building, and would also fail to preserve or enhance the character and appearance of Kemp Town Conservation Area. The proposal is therefore contrary to policies HE1, HE6 and QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document SPD09: Architectural Features.

BH2013/02297

4 Chichester House Chichester Terrace Brighton

Replacement of existing single glazed timber casement windows with double glazed timber casement windows to front elevation.

Applicant:Mr D McCarthy

Officer:Wayne Nee 292132

Refused on 03/09/13 DELEGATED

1) UNI

The proposed replacement double-glazed windows are inappropriately designed and detailed, and would represent a harmful alteration to the character and appearance of the Grade I Listed Building. This would be contrary to policy HE1 of the Brighton and Hove Local Plan, and Supplementary Planning Document SPD09: Architectural Features.

BH2013/02308

2 Chichester Place Brighton

Application for approval of details reserved by condition 4 of application BH2013/00771.

Applicant:Mrs Juliette Wright

Officer:Wayne Nee 292132

Approved on 11/09/13 DELEGATED

BH2013/02395

2 Chichester Place Brighton

Application for approval of details reserved by condition 3 of application BH2013/00770.

Applicant:Mrs Juliette Wright

Officer:Wayne Nee 292132

Approved on 11/09/13 DELEGATED

HANOVER & ELM GROVE

BH2012/03828

64 Elm Grove Brighton

Change of use from palmist (Sui Generis) to hair and beauty salon (A1) (Part Retrospective).

Applicant:Mrs Marjorie Cullen

Officer:Pete Campbell 292359

Approved on 02/09/13 DELEGATED

1) UNI

The use hereby permitted shall not be open to customers except between the hours of 08.00 and 19.30 Monday to Saturdays and between 09:00 and 17:00 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 2005.

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	-	-	24/12/2012
Existing and proposed floor plans	-	-	24/12/2012

BH2013/01566

Woodvale Crematorium Lewes Road Brighton

Installation of 16 no illuminated bollards to South driveway.

Applicant:Brighton & Hove City Council

Officer:Liz Arnold 291709

Approved on 04/09/13 COMMITTEE

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 lighting bollards hereby approved shall not be lit other than between the hours of 8:00 and 19:00.

Reason: To safeguard these protected species from the impact of the development and ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

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
External Lighting to Drive Site Location Plan	278/100	Rev. P1	16th May 2013
External Bollard Lighting to Drive Block Plan	278/101	Rev. P1	16th May 2013
Site Plan Road Lighting	1274/ES1	Rev. 3	22nd July 2013

BH2013/02113

43 Jersey Street Brighton

Certificate of Lawfulness for removal of existing rear conservatory and erection of single storey ground floor extension with rooflights, loft conversion incorporating rear dormer with Juliette balcony and rooflights to front roof slope.

Applicant:Mr Sarang Pandit

Officer:Sonia Gillam 292265

Approved on 04/09/13 DELEGATED

BH2013/02206

212 Elm Grove Brighton

Application for Approval of Details Reserved by Conditions 10, 11, 13, 14 and 19 of application BH2012/03761.

Applicant:Mr L Cooper

Officer:Jonathan Puplett 292525

Approved on 30/08/13 DELEGATED

BH2013/02253

31 Melbourne Street Brighton

Erection of three storey block containing 5no self contained flats.

Applicant:Mrs Alyousif

Officer:Wayne Nee 292132

Refused on 13/09/13 DELEGATED

1) UNI

The proposed development, by reason of its design, scale, architectural detailing and height, would not sympathetically relate to either the modern development to the north of the site or to the traditional terraced properties to the south. The development would therefore fail to justify the loss of the visual gap which acts as a transition break between the two styles of development. As a result the proposed development would appear incongruent and overly dominant causing harm to the character of the street scene contrary to Brighton & Hove Local Plan policies QD1, QD2, QD3 and HO4.

2) UNI2

The applicant has failed to demonstrate that the development will accord to Lifetime Homes Standards contrary to policy HO13 of the Brighton & Hove Local Plan and Planning Advice Note 03 Accessible Housing and Lifetime Homes.

BH2013/02369

101 Queens Park Road Brighton

Demolition of existing two storey rear outrigger and erection of two storey rear extension.

Applicant:Mrs Samantha Hopkins

Officer:Andrew Huntley 292321

Refused on 11/09/13 DELEGATED

1) UNI

The proposed development, by virtue of its design, size, form and massing would result in visually intrusive and bulky additions to the property, which are unsympathetic to the design of the existing dwelling. In addition, it would result in the loss of the traditional outrigger and the loss of the traditional plan form of the property by reason of being swamped by overly large, dominant and unsympathetic additions. This would visually harm the host dwelling, relate poorly to adjoining properties and be detrimental to the character and appearance of the area. The proposal is therefore contrary to policies contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

HOLLINGDEAN & STANMER

BH2013/01296

Land To Rear of 141 Stanmer Park Road Brighton.

Erection of 1no two bedroom detached dwelling.

Applicant:Mr Daniel Barker

Officer:Liz Arnold 291709

Approved on 02/09/13 COMMITTEE

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 shall not be occupied until the parking area has been completed and the vehicle turning table has been installed and is fully operational in accordance with the approved plans. The parking area and vehicle turning table shall thereafter be retained and shall not be used other than for the parking and turning of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and entering/leaving the public highway and to comply with policy TR7 of the Brighton & Hove Local Plan.

3) UNI

No extension, enlargement, alteration or provision within the curtilage of the dwelling house hereby approved 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 QD1 and QD27 of the Brighton & Hove Local Plan.

4) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed within the eastern or southern elevations of the dwelling house hereby approved without planning permission obtained from the Local Planning Authority.

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

5) UNI

Access to the flat roof over the dwelling house 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.

6) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwelling hereby permitted shall be constructed to Lifetime Homes standards prior to 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) 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.

8) 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.

9) UNI

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.

10) UNI

No works to trees on the site shall take place until a visual check for bats has been carried out by a competent climbing arborist in accordance with the recommendation set out in the RW Green Limited Bat Survey, submitted on 17 July 2013. Tree felling shall only take place when a suitably qualified bat surveyor is available on site in accordance with the recommendation set out in the RW Green Limited Bat Survey.

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

11) UNI

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 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 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.

12) 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 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.

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.

13) 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.

14) 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.

15) UNI

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 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.

16) 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 Plans	AL-100	-	24th April 2013
Proposed Ground Floor Plan	AL-101	Rev. B	26th June 2013
Proposed Roof Plan	AL-102	Rev. A	26th June 2013
Proposed South and East Elevations and Sections	AL-103	Rev. A	27th June 2013
Proposed North and West Elevations	AL-104	-	24th April 2013
Proposed Site Sections	AL-105	-	24th April 2013
Existing Site Plan	AL-106	-	3rd May 2013

BH2013/02355

35 Uplands Road Brighton

Application for approval of details reserved by conditions 3 and 4 of application BH2013/01366.

Applicant:Mr David Tamplin

Officer:Jonathan Puplett 292525

Approved on 10/09/13 DELEGATED

BH2013/02419

Land to Rear of 141 Stanmer Park Road Brighton

Application to extend time limit for implementation of previous approval BH2009/03177 for erection of a 2 storey residential dwelling to the rear of 141.

Applicant:Mr Daniel Barker

Officer:Liz Arnold 291709

Approved on 11/09/13 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 extension, enlargement or other alteration of the dwelling house as provided for within Schedule 2, Part 1, Classes A, B and C 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 for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The new dwelling 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

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) UNI

No works to trees on the site shall take place until a visual check for bats has been carried out by a competent climbing arborist in accordance with the recommendation set out in the RW Green Limited Bat Survey, submitted on 17th July 2013. Tree felling shall only take place when a suitably qualified bat surveyor is available on site in accordance with the recommendation set out in the RW Green Limited Bat Survey.

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

6) 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.

7) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 4 overall as a minimum, with Code Level 5 credits for the water category, for the residential unit 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 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 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 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.

9) 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 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.

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

10) UNI

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.

11) 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 overall as a minimum, with Code Level 5 credits for the water category, 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.

12) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be occupied until the parking area has been completed and the vehicle turning table has been installed and is fully operational in

accordance with the approved plans. The parking area and vehicle turning table shall thereafter be retained and shall not be used other than for the parking and turning of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and entering/leaving the public highway and to comply with policy TR7 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.

Plan Type	Reference	Version	Date Received
Site Sections with Levels	AL-250	-	5th May 2010
Proposed Plans, Elevations & Sections	AL-200	Rev. B	10th June 2010

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 HE6 of the Brighton & Hove Local Plan.

BH2013/02444

Unit 3 Wholesale Meat Market Upper Hollingdean Road Brighton

Application for Approval of Details Reserved by Conditions 4 and 5 of application BH2013/00896.

Applicant: Mr Jamie Malpass

Officer: Liz Arnold 291709

Approved on 10/09/13 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2013/01356

American Express Community Stadium Village Way Brighton

Application for removal of condition 1 and variation of condition 36 of application BH2011/03861. (Variation of condition application to increase maximum number of spectators at American Express Community Stadium to 30,750 and to change parking provision within 1.5km to between 1500 and 3000 vehicular parking spaces). Wording for condition 1 to be removed currently reads - "Of the additional 8,250 capacity hereby approved, only 5,991 seats of the additional capacity shall be brought into use for the 2012/2013 football season". Wording for condition 36 to be varied to read as follows - "When the 650 space temporary car park on land to the east of the Stadium (planning application reference LW/11/0466) ceases to be in use, of the additional 8,250 capacity hereby approved, only 5,991 seats of the additional capacity shall continue to be in use. None of the remaining capacity of 2,259 seats shall be returned to use unless details of a permanent park and ride solution, or other permanent transport

solution to the satisfaction of the Local Planning Authority, to replace the 650 space temporary car park, has been agreed in writing by the Local Planning Authority and until the permanent park and ride solution, or other permanent transport solution, has been implemented."

Applicant:The Community Stadium Limited

Officer:Kathryn Boggiano 292138

Approved on 02/09/13 DELEGATED

1) UNI

The Transport Interchange as approved by the application to Lewes District Council ref: LW/02/1595, the development proposed in Applications C & D (ref: BH2003/02499 & LW/03/1618) and other means of access and parking for vehicles and cyclists and pedestrian facilities which form part of this permission which have been laid out, constructed and provided, including the Transport Interchange, access, parking and other facilities shall be retained as such at all times.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in compliance with policies TR1, TR2, TR4, TR6, TR14, TR18 and TR19 of the Brighton & Hove Local Plan.

2) UNI

At least 28 days prior to any outdoor music concert a detailed feasibility study examining the likely propagation of music noise from the proposed event shall be submitted in writing for the approval of the Local Planning Authority. The study shall have reference to the guidance of The Noise Council's Code of Practice on Environmental Noise Control at Concerts (1995) or any subsequent alternative guidance and shall include, though not necessarily be restricted to, information on timing, programme and duration of the music entertainment and sound checks the proposed maximum music noise levels within the Stadium bowl audience area and at any front of house mixing desks; the likely music noise levels at Laeq and Leq, 15 min at the 63 Hz and 125 Hz octave bands, 1 metre from the façade of the nearest noise sensitive property, which for the avoidance of doubt shall include all the University of Brighton's academic and residential buildings at the University of Brighton's Falmer Campus, residential dwellings at Falmer Village and the University of Sussex's academic and residential buildings; the location, type and directionality of all sound systems associated with the event; the measures and steps that will be in place to manage music noise levels to ensure that the music noise level criterion of 75 dB L Aeq, 15 min is unlikely to be exceeded 1 metre from the façade of the nearest noise sensitive property.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in compliance with policies SU9, SU10, NC6 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The total number of Outdoor Events within the Stadium shall not exceed in any period of 12 months 50 of which not more than two shall be music concerts. Any proposed events in addition to these shall be subject to the prior written approval of the Local Planning Authority.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution and disturbance in compliance with policies NC6 and QD27 of the Brighton & Hove Local Plan.

4) UNI

All events within indoor bars and indoor function areas shall only take place between 8am and midnight Monday to Saturday and 8am and 11pm on Sundays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in compliance with policies NC6 and QD27 of the Brighton & Hove

Local Plan.

5) UNI

The Public Address (PA) system (both internally and externally) shall be operated such that its Rating Level, measured or calculated at 1m from the façade of the nearest noise sensitive premises, shall not exceed a value 5 dB(A) above the existing LA90 background noise level. The Rating level of the PA noise and existing background noise levels shall be determined as per the guidance provided in BS4142:1997.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in compliance with policies SU9, SU10, NC6 and QD27 of the Brighton & Hove Local Plan.

6) UNI

The use of the PA system shall be limited to between 9.00am and 11.00pm Monday to Saturday and 9.00am and 10.30pm Sundays and Bank Holidays, and the use of the external PA system (outside the stadium) shall be restricted to public safety announcements and shall not be used for general crowd entertainment.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in compliance with policies SU9, SU10, NC6 and QD27 of the Brighton & Hove Local Plan.

7) UNI

No car park to the west of the stadium shall be used for events finishing after 11.00 pm.

Reason: In order to protect the amenity of nearby residents and to minimise noise pollution in compliance with policy QD27 of the Brighton & Hove Local Plan.

8) UNI

Noise associated with plant and machinery used at the development shall be controlled such that the Rating Level, measured or calculated at 1m from the façade of the nearest existing noise sensitive premises, shall not exceed 5 dB (A) below the existing LA90 background noise level. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS4142: 1997.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in compliance with policies SU9, SU10, NC6 and QD27 of the Brighton & Hove Local Plan.

9) UNI

Refuse collection and deliveries shall only take place between 06:00 and 18:00 daily, except at those parts of the application site forming part of the campus of the University of Sussex and Falmer School.

Reason: In order to protect the amenity of adjoining occupiers and to avoid vehicle congestion at peak hours in compliance with policies NC6 and QD27 and TR7 of the Brighton & Hove Local Plan.

10) UNI

a) The Link Road between Stanmer Park Road and the University of Sussex as shown on Plan No. HED/307. VWN.PP.002.REV B shall continue to be made available at all times to provide vehicular access and egress to the University of Sussex;

b.)The previous access to the University of Sussex from the A27 to Falmer House Road shall continue to be closed to all vehicular traffic.

c.)Vehicular access to the Stadium and the University of Brighton from the westbound A27 on slip shall be restricted to emergency vehicles by a locked gate or demountable bollards.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4 and TR6 of the

Brighton & Hove Local Plan.

11) UNI

The new pedestrian footway/cycleway from Falmer High School (from the new junction on the A270) to the Stadium shall continue to be made available for use by the public at all times.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4, TR6, TR8, TR11, TR12, TR14 and TR15 of the Brighton & Hove Local Plan.

12) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the approved access ramp located at the western end of the footway/cycleway from the former Falmer High School to Stadium and the transportation method for people with limited mobility, shall be fully constructed and carried out in accordance with the details previously approved (by letter on 14 October 2010) and as shown on drawing nos. N71041 - FL (01) revision D, N71041 - FL (01) revision G submitted on 8 October 2010, and drawing ref: 220 submitted on 29 March 2012 by the 31 December 2012 and retained as such thereafter.

Reason: In order to provide an accessible route between the car park and the American Express Community Stadium and to comply with policy TR1 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note No.4 'Parking Standards'.

13) UNI

No use of the Stadium for Outdoor Events shall occur unless Park & Ride facilities within a total minimum capacity of 1,300 car parking spaces are available for use by persons attending Outdoor Events at the Stadium and such spaces shall be maintained for use in accordance with the Travel Management Plan.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4, TR6, TR18 and TR19 of the Brighton & Hove Local Plan.

14) UNI

Unless otherwise agreed in writing with the Local Planning Authority, no use of the Stadium for Outdoor Events shall occur unless a minimum of 1500 car parking spaces and a maximum of 3,000 car parking spaces at Sussex University and land at the former Falmer High School or at alternative locations within 1.5km of the Stadium as shown on the car parking plan within Document 6 of the Addendum to the Transport Assessment (Appendix 2.1 of Environmental Statement) which was received on the 15 March 2012, are made available for use by persons attending the said Outdoor Event. Any proposed change to the approved aforementioned parking would need to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4, TR6, TR18 and TR19 of the Brighton & Hove Local Plan.

15) UNI

No event shall take place at the Stadium with an attendance in excess of 30,750 people.

Reason: In the interests of public safety and to avoid excessive noise and disturbance in accordance with policies NC6 and QD27 of the Brighton & Hove Local Plan.

16) UNI

No indoor or outdoor event(s) (which for the avoidance of doubt will include

conferences and banquets) with an anticipated individual or cumulative attendance at any time of 250 or more shall take place at the Stadium other than in accordance with the Travel Management Plan or such separate Travel Management Plan as shall have been submitted to and approved in writing by the Local Planning Authority specific to that Event.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4, TR6, TR8, TR14, TR18 and TR19 of the Brighton & Hove Local Plan.

17) UNI

The Stadium shall operate at all times in accordance with the approved Stewarding Plan. No event with an anticipated attendance of 500 or more shall take place at the Stadium other than in accordance with the Stewarding Plan or such separate Stewarding Plan as shall have been submitted to and approved in writing by the Local Planning Authority specific to that Event.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4, TR6, TR8, TR14, TR18 and TR19 of the Brighton & Hove Local Plan.

18) UNI

The car parking within the stadium itself shall only be available for use by occupiers and users of the stadium.

Reason: In order to prevent increasing the general availability of car parking spaces in the area and to meet sustainable transport objectives in compliance with policies TR1, TR2, TR19 of the Brighton & Hove Local Plan

19) UNI

No use of the Stadium for Outdoor Events shall take place unless in accordance with the approved Outdoor Event day Controlled Parking Zone which shall be brought into operation for the duration of each Outdoor Event and for three hours either side of the start and finish times of each Outdoor Event. The area covered by the Controlled Parking Zone is identified in Application No BH2001/02418/FP inquiry documents BHA 251/253 and 252 at Plans 3 and 2 respectively, but for the avoidance of doubt shall include the village of Falmer, The Controlled Parking Zone will in every case operate to prevent visitors to the Outdoor Event from parking their vehicles within the area controlled by the Controlled Parking Zone.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4, TR6, TR8, TR14, TR18 and TR19 of the Brighton & Hove Local Plan

20) UNI

The Stadium shall continue to make the following accommodation available within the Stadium building:

1. A study support centre to be operated jointly with the Learning and Skills Council or with any such other agency or agencies as may be agreed in writing with the Local Planning Authority of not less than 81 square metres.
2. A Skills Training Centre which may be operated in conjunction with such commercial or educational agencies as may wish to participate to provide such range of courses as may be agreed in writing with the Local Planning Authority of not less than 1224 square metres.
3. Such internal space as may be reasonably required and subject to the prior needs of the Company's football and other commercial activities to be provided on a not for profit basis for the agreed periods of use by the local residents and other groups to be agreed in writing by the Local Planning Authority.

Reason: In order to ensure the delivery of the community educational benefits by the club which partly enabled the tests to be met for allowing an exception to

policy to be made under policies NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

21) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the chalk re-profiling aftercare measures shall be carried out in accordance with the Soil Handling and Agricultural Land Restoration Method Statement set out in Appendix 7.3 of the Environmental Statement on BH2008/2732.

Reason: In order to ensure the satisfactory handling of soils and restoration of agricultural land in accordance with policies NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

22) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the chalk re-profiling and soil restoration 5 year aftercare programme shall be carried out in strict accordance with the details set out in the Agricultural Method Statement.

Reason: In order to ensure the satisfactory handling of soils and restoration of agricultural land in accordance with policies NC6, NC7 and NC8 of the Brighton & Hove Local Plan.

23) UNI

Within 28 days of the date of this decision, details of a minimum provision of 80 motorcycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The motorcycle parking shall be implemented fully in accordance with the approved details prior to the additional capacity hereby approved being first brought into use and retained as such thereafter.

Reason: In order that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4, TR6, TR8, TR14, TR18 and TR19 of the Brighton & Hove Local Plan

24) UNI

When the 650 space temporary car park on land to the east of the Stadium (planning application reference LW/11/0466) ceases to be in use, of the additional 8,250 capacity hereby approved, only 5,991 seats of the additional capacity shall continue to be in use. None of the remaining capacity of 2,259 seats shall be returned to use unless details of a permanent park and ride solution, or other permanent transport solution to the satisfaction of the Local Planning Authority, to replace the 650 space temporary car park, has been agreed in writing by the Local Planning Authority and until the permanent park and ride solution, or other permanent transport solution, has been implemented.

Reason: As the capacity of the Stadium will need to be restricted unless a permanent Park and Ride solution to replace the 650 space temporary car park and to ensure that the transport arrangements in respect of the use of the Stadium are capable of operating effectively and safely and meet sustainable transport objectives in accordance with policies TR1, TR2, TR4, TR6, TR8, TR14, TR18 and TR19 of the Brighton & Hove Local Plan.

25) UNI

The use of the car park approved under planning application BH2012/00384, or any car park subsequently approved at this site, plus the use of the adjacent Brighton Aldridge Community Academy site, for parking to serve this development, shall not exceed 1,000 car parking spaces at any one time.

Reason: Planning application BH2012/00384 has been assessed on the basis of no more than 1,000 cars being parked on the two sites and no more than 1,000 cars accessing the site from the A270 via the railway-bridge, and an increased number of trips has not been considered in terms of the impact on the local highway network and highway safety and neighbouring amenity, and in relation to polices TR1, TR7, TR19 and QD27 of the Brighton & Hove Local Plan.

26) UNI

The overall maximum attendance at an indoor event or events in the conferencing/banqueting facilities within the Stadium shall not exceed 2510.

Reason: In order to avoid excessive noise and disturbance in accordance with policies NC6 and QD27 of the Brighton & Hove Local Plan.

27) 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
East stand section - consented and proposed	05099 201	C	19 December 2012
North stand elevation - consented and proposed	11566 300	B	19 December 2012
East stand elevation - consented and proposed	11566 301	C	19 December 2012
South stand elevation - consented and proposed	11566 302	B	19 December 2012
West stand elevation - consented and proposed	11566 303	B	19 December 2012
Proposed bowl plan	11566 150	E	09 January 2012
Site plan	11566 001	D	30 April 2013
Existing phase 1 - Cycle stand and motorcycle provision	11566 003	A (Phase 1)	29 March 2012
Proposed phase 2 - Cycle stand and motorcycle provision	11566 003	A (Phase 2)	29 March 2012
Sheffield cycle stands	11566 004	A	29 March 2012
Routes from car park to Stadium	22082 220		29 March 2012
Taxi drop off and collection point plan			29 March 2012
Disabled parking plan			5 April 2012

28) UNI

As part of the 2013/14 Travel Management Plan and all subsequent Travel Management Plans required by the Brighton Agreement 1 and subsequent Deed of Variations, the applicant shall provide details of measures to encourage spectator traffic and bus services (including park and ride bus services) to use alternative routes than the Falmer Interchange (A27/B2123 junction) when travelling to and from the Stadium, parking sites operated by the applicant and park and ride sites.

Reason: For highway safety reasons and to ensure that the Falmer Interchange (A27/B2123 junction) operates effectively, efficiently and safely and to comply with policies TR1 and TR7 of the Brighton & Hove Local Plan.

29) UNI

Any trees or plants which within 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 interests of the amenity of the area in compliance with policies QD1 and QD15 of the Brighton & Hove Local Plan.

30) UNI

Within 28 days of the date of this decision, a scheme for the integrated provision

of suitable secure covered bicycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme has been fully implemented prior to the additional capacity hereby approved being first brought into use and retained as such thereafter. and retained as such thereafter.

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

31) UNI

The external lighting, pitch floodlighting, security fencing and CCTV cameras as set out in the approved scheme - NG Bailey titled 'The Community Stadium - Brighton - Pitch Lighting' ref: 68708/DOC/026 Rev P01 and 'The Community Stadium - Brighton - CCTV Technical Submittal' ref: 68708/DOC/028 Rev C and security fencing shall be retained as such.

Reason: In order to ensure that the stadium operates in a safe manner and that crime prevention measures are incorporated in compliance with policy QD7 of the Brighton & Hove Local Plan.

32) UNI

The pitch floodlighting shall not be used other than for an Outdoor Event and shall be turned off after each Outdoor Event no later than 11.00 pm.

Reason: In order to minimise light pollution and avoid any harmful impact on the amenity of occupiers of adjoining properties in compliance with policies QD26 and QD27 of the Brighton & Hove Local Plan.

33) UNI

No events involving motor vehicles (including static vehicles) shall take place within the Stadium.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in the countryside in compliance with policies NC6 and QD27 of the Brighton & Hove Local Plan.

34) UNI

There shall be no laser or pyrotechnics/firework displays other than within the confines of the Stadium and none of which shall exceed the highest point of the roof, excluding the roof arches. Any such display shall be limited to no more than 4 times in any 12 month period and shall only take place between 9.00 am and 11.00 pm Monday to Saturday and between 9.00 am and 10.30 pm on Sundays and Bank Holidays.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in the countryside in compliance with policies NC6 and QD27 of the Brighton & Hove Local Plan.

35) UNI

All external lighting, including pitch floodlighting and lighting for the Falmer High School car park, shall be of a nature and design having a zero upward lighting requirement so as to eliminate upward glare.

Reason: In order to minimise light pollution and avoid any harmful amenity impact on occupiers of adjoining properties in compliance with policies QD26 and QD27 of the Brighton & Hove Local Plan.

36) UNI

Notwithstanding the provisions of the Town and Country Planning (General Development) Order 1995 (as amended) (or amendments or re-enactment thereof) the elevations of the building(s) hereby permitted shall not be painted other than in such colours as shall be agreed in writing by the Local Planning Authority.

Reason: The Local Planning Authority considers that any changes in the colours of the materials hereby approved could cause harm to the character and amenity of the area and would wish to control future changes in compliance with policies

QD1, QD27 and NC6 of the Brighton & Hove Local Plan.

37) UNI

Amplified sound from outdoor concerts within the Stadium shall be controlled in accordance with the guidance provided by the Code of Practice on Environmental Noise Control at Concerts, The Noise Council 1995, such that noise levels do not exceed 75 dB LAeq 15 min, 1 metre from the façade of any noise sensitive premises, which for the avoidance of doubt shall include all the University of Brighton's Falmer Campus, residential dwellings at Falmer Village and the University of Sussex's academic and residential buildings.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in compliance with policies SU9, SU10, NC6 and QD27 of the Brighton & Hove Local Plan.

38) UNI

All Outdoor Events within the Stadium shall only take place between 9.00 am and 11.00 pm Monday to Saturday, and between 9.00 am and 10.30 pm on Sundays and Bank Holidays.

Reason: In order to protect the amenity of adjoining occupiers and to minimise noise pollution in compliance with policies NC6 and QD27 of the Brighton & Hove Local Plan.

BH2013/01977

60 Bevendean Crescent Brighton

Change of use from dwelling house (C3) to a small House in Multiple Occupation (C4).

Applicant:Mr Nick Blewitt

Officer:Liz Arnold 291709

Refused on 03/09/13 DELEGATED

1) UNI

The proposed change of use from dwelling house (Class C3) to purposes falling within 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.

BH2013/02035

45 Hornby Road Brighton

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

Applicant:Mr Stephen Rice

Officer:Jonathan Puplett 292525

Approved on 30/08/13 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
Location Plan			19/06/2013
Site Plan			19/06/2013
Existing Floor Plans			19/06/2013
Proposed Floor Plans			19/06/2013

BH2013/02133

48 Medmerry Hill Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2013/01141.

Applicant: Miss Karen Taaffe

Officer: Anthony Foster 294495

Approved on 02/09/13 DELEGATED

BH2013/02230

89 Norwich Drive Brighton

Removal of existing garage and erection of single storey side and rear extension. (Part retrospective).

Applicant: Mr Marcus Willies

Officer: Chris Swain 292178

Refused on 02/09/13 DELEGATED

1) UNI

The proposed addition, by reason of scale, design, siting, bulk and depth would result in an unsympathetic and overly dominant addition that relates poorly to the existing building and detracts from the appearance and character of the building and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012)

BH2013/02400

77 Widdicombe Way Brighton

Certificate of Lawfulness for proposed single storey rear extension and loft conversion incorporating rear dormer and front rooflights.

Applicant: Mr M Shah

Officer: Jonathan Puplett 292525

Refused on 10/09/13 DELEGATED

BH2013/02751

46 Heath Hill Avenue Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.16m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 2.45m.

Applicant:Mr D Brain

Officer:Jonathan Puplett 292525

Prior Approval is required and is refused on 12/09/13 DELEGATED

1) UNI

The proposed extension in conjunction with the garage it would adjoin would result in a structure of a depth in excess of 6 metres. It is therefore considered that the extension does not fall within the restrictions set out in the Town and Country Planning (General Permitted Development) Order 1995, Schedule 2, Part 1, Class A, A.1(ae) (as amended by SI 2008 No. 2362 and SI 2013 No. 1101). This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Application Form			12/08/2013
Location and Block Plans	13456-Loc		12/08/2013
Proposed Floorplans and Elevations	13456-01		12/08/2013

QUEEN'S PARK

BH2012/04086

33 Mighell Street and 70a Carlton Hill Brighton

Demolition of existing garage and flint wall. Rebuilding of flint wall and construction of new part five and part four storey building comprising of office space on the lower ground floor and part of ground floor and 9no flats on the ground, first, second and third floors and associated works.

Applicant:Seinwood Investments Ltd

Officer:Sue Dubberley 293817

Approved after Section 106 signed on 06/09/13 COMMITTEE

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 detailed drawings showing the levels of the site and proposed development related to the levels of adjoining land and highways to OS Datum have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details.

Reason: In order to ensure the accuracy of the development and to comply with policy QD1, QD27 and HE6 of the Brighton & Hove Local Plan.

3) UNI

The office uses (B1) located at the lower ground floor and ground floor shall not be in use for hours other than 07:00 to 19:00 hours Monday to Friday and 08:00 to 17:00 hours Saturdays.

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

4) UNI

Deliveries shall not be made to or from the office premises between the hours of

08:00 hours to 18:00 hours Monday to Friday and 09:00 hours to 17:00 hours Saturdays.

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

5) UNI

Unless otherwise agreed in writing, 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 existing flints from the flint wall to be demolished shall be re-used within the new flint wall which shall have a rendered coping.

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

7) UNI

No pipe work, meter boxes, flues or aerials shall be fixed to any elevation fronting a highway.

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

8) UNI

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 4 for all residential units have been submitted to the Local Planning Authority; and

(b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

9) UNI

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) 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.

10) 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

11) UNI

The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.

(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) (c) above that any remediation scheme required and approved under the provisions of (i) (c) 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)

12) UNI

No development shall commence until full details of the retaining boundary wall structure, including cross section, depth of footings, retained height, thickness of wall and construction materials, have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the stability of the adjacent pavement and to comply with Policy TR7 of the Brighton & Hove Local Plan.

13) UNI

Prior to the commencement of the development, details of the treatment of the existing cellars in front of the development including any scheme of works to backfill the cellars shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed prior to the commencement of the development hereby permitted and shall thereafter be retained.

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

14) UNI

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.

15) 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 HE6 of the Brighton & Hove Local Plan.

16) UNI

No works shall take place until full details of the following have been submitted to and approved in writing by the Local Planning Authority.

: 1:20 scale details of all boundary walls and gates.

: 1:20 scale details of the refuse store doors and cycle store doors.

: 1:20 scale details of the front entrance canopy.

: 1:20 scale sample section through window openings to confirm depth of reveals.

: Details of downpipes.

The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

17) UNI

No development shall take place until a method statement for demolition and rebuilding of the flint wall, including extent of demolition and the proposed mortar mix 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: To ensure a satisfactory appearance to the development and to comply with policy HE6 of the Brighton & Hove Local Plan.

18) UNI

No development shall take place until a sample panel of new flint wall has been constructed on site and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

19) 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.

20) UNI

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 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

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.

22) 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	No number		24/12/12
Block plan	1201/01		24/12/12
Existing site plan	1201/02		24/12/12
Existing elevations	1201/03		24/12/12
Existing elevations	1201/04		24/12/12
Lower ground floor	1201/05	A	10/02/13
Ground floor plan	1201/06	A	10/02/13
First floor plan	1201/07	B	13/05/13
Second floor plan	1201/08	A	10/02/13
Third floor plan	1201/09	A	10/02/13
Proposed elevations	1201/10	C	13/05/13
Proposed elevations	1201/11	A	13/05/13
Contextual elevations	1201/12	B	13/05/13
Contextual elevations	1201/13	A	13/05/13
Proposed elevations street view	1201/14	C	13/05/13
Entrance details	1201/05	A	27/02/13

BH2013/01202

9-10 St James Street Brighton

Installation of 3no air conditioning condenser units, 2no satellite dishes and associated timber screen to flat roof to rear elevation.

Applicant: William Hill Organisation Ltd

Officer: Wayne Nee 292132

Approved on 18/09/13 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

Prior to the installation of the satellite dishes, full details of the timber screen shall

be submitted to and approved in writing by the Local Planning Authority. The timber screen shall be fully installed before the installation of the satellite dishes. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as long as the satellite dishes are in situ.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

3) 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. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

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

4) UNI

The air conditioning condenser units hereby permitted shall not be used at the premises 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 occupiers of adjoining properties and to comply with policies SU10 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.

Plan Type	Reference	Version	Date Received
Existing and proposed	FINAL/E/NL/700/506	C	01 August 2013
Site plan	n/a		13 May 2013
Condenser technical information	n/a		16 April 2013
Satellite dish technical information	n/a		13 May 2013

6) UNI

The satellite dish and associated timber screen hereby approved shall be removed once they are no longer in use and the listed building restored to its former condition.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

BH2013/01203

9-10 St James Street Brighton

Installation of 3no air conditioning condenser units, 2no satellite dishes and associated timber screen to flat roof to rear elevation.

Applicant:William Hill Organisation Ltd

Officer:Wayne Nee 292132

Approved on 18/09/13 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

Prior to the installation of the satellite dishes, full details of the timber screen shall

be submitted to and approved in writing by the Local Planning Authority. The timber screen shall be fully installed before the installation of the satellite dishes. The works shall be carried out and completed fully in accordance with the approved details and shall be retained as long as the satellite dishes are in situ.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

3) UNI

The satellite dish and associated timber screen hereby approved shall be removed once they are no longer in use and the listed building restored to its former condition.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policy HE 1 of the Brighton & Hove Local Plan.

BH2013/01558

Flat 2 144 Queens Park Road Brighton

Replacement of wooden framed single glazed windows with UPVC double glazed windows.

Applicant: Mrs Simona Vakili

Officer: Sonia Gillam 292265

Approved on 02/09/13 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			15/05/2013
Window plans and elevation			15/05/2013
Larger scale window detail			15/05/2013

BH2013/01955

17 Bedford Street Brighton

Formation of roof terrace with glazed balustrade, decking, installation of roof hatch and associated internal alterations to allow access to roof.

Applicant: Ms Nicky Blundred

Officer: Andrew Huntley 292321

Refused on 29/08/13 DELEGATED

1) UNI

The proposal will have an adverse impact upon the architectural and historic character and appearance of the Regency terraced townhouse, which is a Grade II Listed Building by introducing an uncharacteristic feature in the roofscape, which would be harmful not only to the building itself but also to the group of which it is part. In addition, the provision of a new stair case and partition walls is considered to harm the character of the building by altering the regular proportions of the third floor room. Therefore, the proposal is contrary to policy HE1 of the Brighton & Hove Local Plan, the Council's Supplementary Planning Guidance Notes SPGBH13: Listed Buildings - General Advice and Supplementary Planning Documents 9 Architectural Features.

BH2013/01956

17 Bedford Street Brighton

Formation of roof terrace with glazed balustrade, decking and creation of roof hatch.

Applicant:Ms Nicky Blundred

Officer:Sonia Gillam 292265

Refused on 29/08/13 DELEGATED

1) UNI

The proposed development would have an adverse impact on the historic and architectural character of the Grade II listed building and the character and appearance of the East Cliff conservation area, by virtue of the introduction of an uncharacteristic feature in the roofscape, which would be harmful not only to the building itself but also to the group of which it is part. The proposal would be contrary to policies HE1 and HE6 of the Brighton & Hove Local Plan, the Council's Supplementary Planning Guidance Notes SPGBH13: Listed Buildings - General Advice, and Supplementary Planning Documents SPD9 Architectural Features and SPD12 Design Guide for Extensions and Alterations.

BH2013/02114

Ground Floor Flat 34 Devonshire Place Brighton

Erection of single storey ground floor rear extension.

Applicant: Anglecourt Ltd

Officer: Andrew Huntley 292321

Approved on 29/08/13 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 Plan			21.06.2013
Block Plan			21.06.2013
Survey of Existing	DWG. No. 1.		21.06.2013
Proposed Rear Extension	DWG. No. 2.		21.06.2013

BH2013/02144

38B St James's Street Brighton

Display of 2no externally-illuminated fascia signs. (Retrospective).

Applicant:Mr Hassan

Officer:Andrew Huntley 292321

Refused on 05/09/13 DELEGATED

1) UNI

The advertisement on the western elevation, by virtue of its size, scale, prominent and visually incongruous siting above the flat roof and unsympathetic design and

materials and the numerous and bulky illumination, results in extraneous visual clutter and detracts from the character and appearance of the host building and wider East Cliff Conservation Area to the detriment of local amenity. Therefore, the proposals are contrary to policies HE9 and QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document 07 'Advertisements'.

BH2013/02145

38B St James's Street Brighton

Installation of retractable canopies to West elevation and extract vent to North elevation. (Retrospective).

Applicant:Mr Hassan

Officer:Andrew Huntley 292321

Approved on 05/09/13 DELEGATED

BH2013/02197

9a Bristol Road Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 1 no self contained flat.

Applicant:Mr Stewart Gray

Officer:Christopher Wright 292097

Prior approval not required on 29/08/13 DELEGATED

BH2013/02275

42 & 43 George Street Brighton

Prior approval for change of use of the ground floor offices (B1) at nos 42 & 43 to residential (C3) to form five student rooms with a shared kitchen facility.

Applicant:Meadowbridge Properties Ltd

Officer:Christopher Wright 292097

Prior Approval is required and is refused on 05/09/13 DELEGATED

1) UNI

In accordance with the provisions of paragraphs N (3) and N (7) of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and is refused because the proposal would result in a material increase and a material change in the character of traffic in the vicinity of the site. As such the proposal is contrary to policies TR1, TR7 and HO7 of the Brighton & Hove Local Plan 2005.

BH2013/02332

31 Upper St James Street

Alterations to third floor front and rear elevations and formation of first floor terrace to rear. (Part-Retrospective).

Applicant:Ms Z Trow

Officer:Liz Arnold 291709

Refused on 29/08/13 DELEGATED

1) UNI

The proposed first floor rear roof terrace, by virtue of its large size and positioning has potential to result in significant noise and disturbance to nearby properties, and in particular no. 30 St. James Street, the eastern neighbouring property. As such the development is considered to be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

ROTTINGDEAN COASTAL

BH2013/01251

Land to Rear of 28 Eastern Place Brighton

Erection of 4no two bedroom dwellings and 1no commercial unit.

Applicant:Mr Christopher Pearce & Mrs Lucy Lauener

Officer:Anthony Foster 294495

Refused on 06/09/13 DELEGATED

1) UNI

The proposal, by reason of its inappropriate form, roof material, elevation treatment, architectural detailing and plot size, fails to demonstrate a high standard of design characteristic to the area or make a positive contribution to the visual quality of the environment contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

2) UNI

The proposed development would result in an un-neighbourly form of development which would result in a detrimental impact upon the amenity of the adjoining occupiers by virtue of loss of outlook and overbearing impact, over-dominance and visual intrusion, the applicant has also fail to demonstrate that the proposal would not result in adverse loss of daylight to the adjoining properties in Lewes Mews contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI

The applicant has failed to demonstrate that the proposed development would provide a suitable level of amenity for the future occupiers of the site in relation to outlook and levels of daylight as such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/01455

Public Toilets Rottingdean Undercliff Marine Drive Rottingdean Brighton

Change of use from public toilets (sui generis) to café (A3) including installation of 2no extraction fans to the side and rear, installation of bi-folding doors and concrete steps to the front and removal of existing door to side and installation of serving hatch and other associated works.

Applicant:Mollys

Officer:Anthony Foster 294495

Approved on 10/09/13 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 café hereby permitted shall not be used except between the hours of 07.30 and 22.30 Monday to Sundays, 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

The development hereby permitted shall not be occupied until full details for the storage of refuse and recycling, including an elevation drawing, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full as approved prior to first occupation of the development and the refuse and recycling storage facilities shall thereafter be retained 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

Noise associated with plant and machinery incorporated within the development shall be controlled such that 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 locality and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

5) 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.

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.

Plan Type	Reference	Version	Date Received
Site Location Plan			04/07/2013
Side Elevation - Existing			11/06/2013
Side Elevation - Proposed			11//06/2013
Existing Floor Plan			11/06/2013
Floor Plan - Proposed			11/06/2013
Rear Elevation - Proposed & Existing			11/06/2013
Visiofold 1000 Technical Manual			24/07/2013

7) UNI

No deliveries or waste collections shall occur at the premises except between the hours of 09:00 and 18:00 on Monday to Saturdays and not at anytime on Sundays, Bank or Public Holidays.

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

BH2013/01548

2 Saltdean Drive & Annexe 2 Saltdean Drive Saltdean Brighton

Subdivision of property to create self contained flat. Loft conversion incorporating raising of ridge height, new front gable ends, rear dormer and front and rear Juliet balconies. Erection of two storey front extension and a single storey rear extension to lower ground floor. Alterations and additions to fenestration and associated external alterations. (Part Retrospective)

Applicant: Martyn Budd

Officer: Andrew Huntley 292321

Refused on 11/09/13 DELEGATED

1) UNI

The proposed extensions, by virtue of their contrived design, size and bulk would result in visually bulky, intrusive and incongruous additions to the property, which

are unsympathetic to the design of the existing dwelling, and as a result would be detrimental to the visual amenities of the parent property, the street scene and the wider area. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

BH2013/01688

Unit 11 Waterfront Brighton Marina Brighton

Change of Use from retail (A1) to dance, rehearsal and training studio (D2) with associated officer and WCs.

Applicant: Mrs Annelies Omari

Officer: Andrew Huntley 292321

Approved on 18/09/13 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 operational except between the hours of 10:00 and 22:00 on Mondays to Sundays, including Bank or Public Holidays.

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

3) UNI

The 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			10.06.2013
Existing Plan	001		10.06.2013
Proposed Plan	002		10.06.2013
Existing and Proposed Shopfront Elevations	003		10.06.2013

BH2013/01738

9 Ainsworth Avenue Brighton

Remodelling of existing dwelling including creation of additional floor, roof alterations, erection of single storey side extension, creation of balcony to front elevation and associated works.

Applicant: Mr & Mrs Westgate

Officer: Robin K Hodgetts 292366

Approved on 04/09/13 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

Samples of Materials Non-Cons Area (extensions) No development shall take place until samples of the materials (including colour of render, paintwork and timber boarding) 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 permitted development (extensions) (amenity) No extension, enlargement or other alteration of the dwelling house(s) as provided for within Schedule 2, Part 1, Classes A, B and C 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 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
Existing plans and elevations	Drawing 1		14/06/13
Proposed plans and elevations	Drawing 2		14/06/13
Location and block plans	Drawing 3		29/05/13

BH2013/01893

58 Dean Court Road Rottingdean Brighton

Erection of two storey side and rear extension with a loft conversion incorporating roof extensions, rooflights and associated external alterations.

Applicant: Mr Adam Gander

Officer: Chris Swain 292178

Approved on 12/09/13 COMMITTEE

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) 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	L-100		10 June 2013
Block plan	L-101		10 June 2013
Site photographs	L-102		10 June 2013

Existing plans and elevations	L-103		10 June 2013
Proposed plans and elevations	L-104	A	10 June 2013
Planning Statement			6 August 2013

BH2013/02143

Pavilion Bristol Place Brighton

Application for Approval of Details Reserved by Conditions 5, 6 and 8 of application BH2013/01194.

Applicant:Anthony Dale Trust

Officer:Liz Arnold 291709

Split Decision on 04/09/13 DELEGATED

1) UNI

The details pursuant to condition 5 of approved application BH2013/01194 subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 6 and 8 are NOT APPROVED

The applicant has failed to provide a sufficient scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, in accordance with condition 6 of approved application BH2013/01194.

2) UNI2

The applicant has failed to provide a sufficient Construction Specification/Method Statement for the new disabled access ramp, in accordance with condition 8 of approved application BH2013/01194.

BH2013/02245

21 Lustrells Vale Saltdean Brighton

Demolition of existing conservatory and erection of a two storey rear extension with pitched roof.

Applicant:Mrs J Moriarty

Officer:Andrew Huntley 292321

Refused on 02/09/13 DELEGATED

1) UNI

The proposed extension, by virtue of its design, size, form and massing would result in a visually intrusive and bulky addition to the rear of the property which is unsympathetic to the design of the existing modest chalet bungalow 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 QD1 and QD14 of the Brighton & Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

BH2013/02264

Land at Brighton Marina comprising Outer Harbour West Quay and Adjoining Land

Application for approval of details reserved by condition 4 of application BH2012/04048.

Applicant:Brunswick Developments Group Plc

Officer:Maria Seale 292232

Approved on 09/09/13 DELEGATED

BH2013/02299

55 High Street Rottingdean Brighton

Display of externally illuminated projecting sign, non illuminated lettering, wall mounted name sign and car park wall signs.

Applicant:Lloyds Banking Group

Officer:Sonia Gillam 292265

Approved on 10/09/13 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.

BH2013/02327

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 05/09/13 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 Document 12 Design Guide for Extensions and Alterations.

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 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.

BH2013/02342

9 Lustrells Close Saltdean Brighton

Certificate of lawfulness for proposed loft conversion incorporating rooflights to front, dormer to rear and revised fenestration.

Applicant:Mr & Mrs Poole

Officer:Chris Swain 292178

Approved on 05/09/13 DELEGATED

BH2013/02414

15 Founthill Avenue Saltdean Brighton

Erection of part one part two storey side extension incorporating dormers to extended pitched roof. Creation of new vehicle crossover and access with associated boundary wall alterations.

Applicant:Mr & Mrs Parker

Officer:Anthony Foster 294495

Refused on 18/09/13 DELEGATED

1) UNI

The proposed extension would be harmful to the character and appearance of the host property and the wider area, by reason of its size, depth, width, roof form and design, and by virtue of breaking the defined building lines which forms part of the character of the area and street scene. Therefore, the proposal is contrary to Policy QD14 of the Local Plan and SPD 12 Design Guide for Extensions and Alterations.

BH2013/02418

Top Flat 7 Arundel Road Brighton

Installation of dormer infills with rooflights to front elevation.

Applicant:Mr Mark Johnson

Officer:Liz Arnold 291709

Refused on 03/09/13 DELEGATED

1) UNI

The proposed dormer infills would create one front dormer window of an excessive size which is overly bulky and of a poor design, including large areas of

cladding either side and below the proposed velux windows. The proposal would be of detriment to the visual amenities of the parent property, the Arundel Road street scene and the wider area, including the setting of the Listed Building located within the vicinity of the site. As such the proposal is contrary to policies QD14 and HE3 of the Brighton and Hove Local Plan and SPD12 Design Guide for Extensions and Alterations.

BH2013/02564

37 Coombe Vale Saltdean Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.85m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.5m.

Applicant: Mr E Reid

Officer: Jonathan Puplett 292525

Prior approval not required on 09/09/13 DELEGATED

WOODINGDEAN

BH2013/01368

81 Stanstead Crescent Brighton

Erection of single storey rear extension to replace workshop and shed.

Applicant: Mr Mowett & Mr Smith

Officer: Robert McNicol 292322

Refused on 05/09/13 DELEGATED

1) UNI

The combined depth of the resulting extension would be greater than half the depth of the recipient property. The proposed extension would also project beyond the side wall of the existing property. This combined depth and width would give the recipient property an over-extended appearance, contrary to the guidance set out in SPD12, design guide for extensions and alterations. The bulk of the resulting extension, its depth and width, and the flat roof form of the structure would result in the extended part of the building having the appearance of a separate and distinct structure rather than being an ancillary or sympathetic addition to the property. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

BH2013/02200

11 Balsdean Road Brighton

Re-cladding of existing front dormer and replacement of side and rear dormers with a wrap around dormer incorporating a rear terrace on existing flat roof with privacy screens and balustrading.

Applicant: Mrs Susan Ashley

Officer: Chris Swain 292178

Refused on 03/09/13 DELEGATED

1) UNI

The proposal, by reason of scale, design, siting, materials and bulk would result in a contrived and overly dominant roof extension that relates poorly to the existing roof form and detracts from the appearance and character of the building and the wider surrounding area, contrary to policy QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012)

2) UNI2

The raised terrace area, due to its elevated position, would result in real and

perceived overlooking and a subsequent loss of privacy towards the gardens of the adjoining properties (No.9 and No.13 Balsdean Road) to the detriment of the residential amenity of the occupiers of these dwellings. As such, the proposal is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012)

BH2013/02480

73 Balsdean Road Brighton

Erection of single storey infill extension to front with pitched roof.

Applicant:Mr Richard Smith

Officer:Wayne Nee 292132

Refused on 17/09/13 DELEGATED

1) UNI

The proposed front extension by virtue of its form would disrupt the visual pattern of the immediate properties on the street. The creation of a single full width building frontage with varying eaves heights would appear as an overly dominant and inappropriate addition. The proposal would harm the appearance of the street scene, and would therefore be contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

BRUNSWICK AND ADELAIDE

BH2013/02184

Basement Flat 71 Lansdowne Place Hove

Internal alteration to layout to facilitate creation of additional bedroom with en-suite.

Applicant:Colin Woffinden

Officer:Mark Thomas 292336

Approved on 05/09/13 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 proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of the new bedroom door and details of the drainage/ pipe work for the relocated kitchen 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.

BH2013/02298

Flat 1 36 Brunswick Terrace Hove

Internal alterations to layout.

Applicant:Mr Andrew Noon

Officer:Jason Hawkes 292153

Approved on 10/09/13 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.

BH2013/02333

Flat 4 7 Brunswick Terrace Hove

Repair and refurbishment of ground floor studio flat including alterations to layout, reinstating light well in bathroom, repairing floorboards, removal of two non original walls and associated works.

Applicant: Mrs Mary Warner

Officer: Steven Lewis 290480

Approved on 05/09/13 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 works shall be implemented in strict accordance with the agreed panelling and door and architrave details upon drawings number 0231-13-02 & 001 received on 11/07/2013 and maintained 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 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.

4) UNI

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

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

5) UNI

All existing architectural features including staircases, balustrades, windows, doors, architraves, skirtings, dados, picture rails, panel work, fireplaces, tiling, corbelled arches, cornices, decorative ceilings and other decorative features shall be retained or repaired as specified in the approved Plans and Heritage Statement except where otherwise agreed in writing with the Local Planning Authority.

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

CENTRAL HOVE

BH2013/01806

48 Blatchington Road Hove

Change of use from retail (A1) to beauty salon offering treatments and product sales (sui generis/A1).

Applicant: No+Vello Hove

Officer: Christopher Wright 292097

Approved on 02/09/13 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
Location Plan			21 Jun 2013
Existing Ground Floor Plan	TA684/02		28 Aug 2013
Proposed Ground Floor Plan	TA684/10		28 Aug 2013

2) 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.

BH2013/01837

6 George Street Hove

Relocation of 2no satellite dishes and 2no external air handling plants to flat roof at rear.

Applicant:Ladbrokes Betting Ltd

Officer:Helen Hobbs 293335

Approved on 02/09/13 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

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. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

Reason: To safeguard the amenities of the occupiers of neighbouring 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.

Plan Type	Reference	Version	Date Received
Existing and proposed roof plan and rear elevation	01	B	8th July 2013
Site plan			5th July 2013

BH2013/02009

Lloyds TSB Bank Plc 74-78 Church Road Hove

Display of 1no internally illuminated fascia sign, 1no internally illuminated projecting sign, 1no non illuminated fascia sign, 1no non illuminated projecting sign and 2no non illuminated vinyl overlays.

Applicant:Lloyds Banking Group

Officer:Christopher Wright 292097

Approved on 02/09/13 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.

BH2013/02055

Flat 2 Courtenay Lodge 4 Courtenay Terrace

Internal alterations to layout of flat to facilitate new bathroom and kitchen.

Applicant:Mr Milton Simanowitz

Officer:Helen Hobbs 293335

Approved on 30/08/13 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 Parquet flooring in the bathroom shall be restored following the removal of the partition and thereafter retained as such.

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

3) UNI

The works shall be carried out and completed fully in accordance with the approved drawings and maintained 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

This approval is limited to the works shown on the approved drawings and does not indicate approval for associated or enabling works that may be necessary to carry out the scheme. Any further works must be submitted to and approved in writing by the Local Planning Authority prior to any works commencing.

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

BH2013/02322

4 Albany Villas Hove

Application for approval of details reserved by condition 2iv of application BH2012/04057.

Applicant:Dr Dinshaw Master

Officer:Mark Thomas 292336

Approved on 04/09/13 DELEGATED

BH2013/02344

Flat 8 Windsor Lodge 26 - 28 Third Avenue Hove

Replacement of existing single glazed white timber framed windows with double glazed white UPVC windows.

Applicant:Mr Xiaojun Xu

Officer:Christopher Wright 292097

Approved on 16/09/13 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			19 Jul 2013
Replacement window details			12 Jul 2013
Photographs (x 6 pages)			12 Jul 2013

BH2013/02407

91 St Aubyns Hove

Application for approval of details reserved by conditions 2 and 4 of application BH2012/03826.

Applicant:Regent Land Ltd

Officer:Steven Lewis 290480

Approved on 04/09/13 DELEGATED

BH2013/02431

Audley House Hove Street Hove

Prior approval for change of use from offices (B1) to residential (C3).

Applicant:Alexander James Contracts Ltd

Officer:Christopher Wright 292097

Prior Approval is required and is refused on 13/09/13 DELEGATED

1) UNI

In accordance with the provisions of paragraph N (8)(c) of Class J, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, as amended, prior approval for the change of use from office to residential is required and hereby refused because it has not been demonstrated that the site will not be contaminated land. As such the proposal is contrary to policy SU11 of the Brighton & Hove Local Plan 2005.

BH2013/02454

Harewood Court, Wilbury Road Hove

Installation of lead cladding to brickwork above bay windows and lead flashings to existing pre-cast concrete lintel nibs to East and West blocks.

Applicant:Royal Masonic Benevolent Institution

Officer:Mark Thomas 292336

Approved on 16/09/13 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

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 west elevation of East Block	6575/50/PL1	-	22 July 2013
Existing east elevation of West Block	6575/51/PL1	-	22 July 2013
Existing northern elevations	6575/52/PL1	-	22 July 2013
Existing east elevation of East Block	6575/53/PL1	-	22 July 2013
Existing southern elevations	6575/54/PL1	-	22 July 2013
Existing west elevation of West Block	6575/55/PL1	-	22 July 2013
Proposed west elevation of East Block	6575/57/PL1	-	22 July 2013
Proposed east elevation of West Block	6575/58/PL1	-	22 July 2013

Proposed northern elevations	6575/59/PL1	-	22 July 2013
Proposed east elevation of East Block	6575/60/PL1	-	22 July 2013
Proposed southern elevations	6575/61/PL1	-	22 July 2013
Proposed west elevation of West Block	6575/62/PL1	-	22 July 2013
Proposed partial elevation	6575/70/PL1	-	21 August 2013

BH2013/02514

Flat 2 1 Kings Gardens Hove

Application for approval of details reserved by condition 2 of application BH2013/00242.

Applicant:Mr Ali Ariyan

Officer:Jason Hawkes 292153

Approved on 18/09/13 DELEGATED

BH2013/02572

44 Belfast Street Hove

Certificate of lawfulness for proposed loft conversion incorporating rear dormer and 2no rooflights to the front. Erection of single storey rear extension to second floor level and alterations to fenestration.

Applicant:Mr James Hunt

Officer:Steven Lewis 290480

Approved on 30/08/13 DELEGATED

BH2013/02781

19 & 21 Norton Close Hove

Application for approval of details reserved by condition 15 and 16 of application BH2013/00173.

Applicant:James Cubitt & Partners Ltd

Officer:Guy Everest 293334

Approved on 09/09/13 DELEGATED

GOLDSMID

BH2012/03968

84 - 86 Denmark Villas Hove

Erection of three storey rear extension to provide 9no one and two bedroom flats at first, second and third floor levels, with associated cycle spaces.

Applicant:The Baron Homes Corporation

Officer:Guy Everest 293334

Approved after Section 106 signed on 29/08/13 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 approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be

retained for use at all times.

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

3) 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 lower sections of bedroom windows to the southern elevation at second and third floor levels, as indicated on approved drawing nos. 0894-PA-56D & 0894-PA-58A, shall not be glazed otherwise than with fixed shut obscured glass and shall thereafter permanently retained as such.

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

5) UNI

No development shall take place until samples of the materials, including rainwater goods, (including colour) 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 QD14 and HE6 of the Brighton & Hove Local Plan.

6) UNI

Notwithstanding drawing no. 0894-PA-55D the development hereby permitted shall not be occupied until details of secure parking facilities for 12 cycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be fully implemented and made available for use for occupants of, and visitors to, the development prior to the first occupation of the development. The 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 private motor vehicles and to comply with policy TR14 of the Brighton & Hove Local Plan.

7) UNI

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

(a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 3 for all residential units have been submitted to the Local Planning Authority; and

(b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-assessment estimator will not be acceptable.

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

8) UNI

No development shall commence until a scheme for sound insulation and alternative means of ventilation to north and east facing rooms 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

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 future occupants of the development and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

10) UNI

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) 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 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.

12) 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 Plan & Aerial Views	0894-PA-50B		12/12/2012
Existing Plans (1 of 2)	0894-PA-51		20/12/2012
Existing Plans (2 of 2)	0894-PA-52		12/12/2012
Existing Elevations (1 of 2)	0894-PA-53		12/12/2012
Existing Elevations (2 of 2)	0894-PA-54		20/12/2012
Proposed Plans (1 of 2)	0894-PA-55D		12/03/2013
Proposed Plans (2 of 2)	0894-PA-56D		12/03/2013
Proposed Elevations (1 of 2)	0894-PA-57B		12/12/2012
Proposed Elevations (2 of 2)	0894-PA-58A		20/12/2012

13) UNI

No development shall take place until details of privacy screening to the southern boundary of roof terraces at first and second floor levels have been submitted to and approved in writing by the Local Planning Authority. The privacy screening shall be implemented in accordance with the agreed details prior to first occupation of the development and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2013/01112

Land Rear of 37 & 38 Cromwell Road Hove

Erection of two storey three bedroom eco house with associated improvements.

Applicant: Mrs Maureen Wheeler

Officer: Guy Everest 293334

Approved on 13/09/13 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 approved shall not be occupied until photovoltaic panels, as outlined on approved drawing nos. AD100 & AD101, have been installed on the roof of the approved building. The panels shall be maintained and permanently retained in place thereafter.

Reason: To secure micro-generation technologies for the site and to comply with policy SU2 of the Brighton & Hove Local Plan and the Supplementary Planning Document on Sustainable Building Design SPD08.

3) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwelling house as provided for within Schedule 2, Part 1, Classes A and 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) 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.

5) UNI

No development shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land adjoining the site by means of spot heights and cross-sections, proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason: To safeguard the amenities of nearby properties and to safeguard the character and appearance of the area, in addition to comply with policies QD2 and QD27 of the Brighton & Hove Local Plan.

6) 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 policies QD1 and HE6 of the Brighton & Hove Local Plan.

7) 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 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.

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) 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.

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 5 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.

10) UNI

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) 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.

12) UNI

No development shall take place until details of the retaining boundary wall structure, including cross sections, depth of footings, retained height, thickness of wall construction and construction materials, 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 the stability of the adjacent pavement and to comply with policy TR7 of the Brighton & Hove Local Plan.

13) UNI

Notwithstanding the submitted plans no development shall take place until details of Lifetime Homes standards to be incorporated in the design 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 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.

14) UNI

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 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.

15) 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 Floor Plans & Sections	AD100	-	08/04/2013
Proposed Elevations	AD101	-	08/04/2013

BH2013/01714

11 Cromwell Road Hove

External works to gas pipe.

Applicant: Mr D Martin

Officer: Robert McNicol 292322

Refused on 10/09/13 DELEGATED

1) UNI

By virtue of insufficient information having been supplied with the application, it has not been able to fully assess the impact of the proposal on the historic character and appearance of the grade II listed building. The proposal is therefore contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2013/01815

Flat 15 52-54 The Drive Hove

Internal alterations to layout of flat. (Retrospective)

Applicant:Mr Stephen Beard

Officer:Adrian Smith 290478

Approved on 02/09/13 DELEGATED

BH2013/01860

Police Station Holland Road Hove

Change of use from police station (sui generis) to junior school (D1), including part two and part three storey extension to rear to create school hall and 2no classrooms, partial demolition of rear garages and alterations to fenestration, boundary fences and landscaping.

Applicant:Brighton & Hove City Council

Officer:Adrian Smith 290478

Approved on 04/09/13 COMMITTEE

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 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 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 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.

4) UNI

No part of the site shall be used for vehicular car parking other than that associated with deliveries to and from the development.

Reason: To ensure the development maintains a sustainable transport strategy and not to cause any highway safety issues and to comply with policies TR1, TR7 and TR19 of the Brighton & Hove Local Plan.

5) 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. The Rating Level and existing background noise levels are to be determined as per the guidance provided in BS 4142:1997.

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

6) UNI

Excluding use for access and egress to the school building, the outside areas of the school shall not be use for play or recreational purposes except between the hours of 8.30am and 6pm Mondays to Fridays.

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.

7) UNI

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

8) UNI

All trees to be retained as part of the development, including those street trees fronting the site, shall be protected during the duration of works by fences erected in accordance with BS5837 (2012), 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.

9) UNI

The landscaping scheme detailed on drawing no.022 rev B received on 14 August 2013 shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced 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.

10) UNI

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate disturbance during demolition and construction works from noise and dust, plant and equipment and transport movements in addition to details of any temporary external lighting to be installed at the site and measures to prevent light spillage. The development shall be carried out in accordance with the approved CEMP unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that construction operations, vehicles, materials and waste do not impact on highway safety and the operation of the school, to protect the amenities of adjacent occupiers and to comply with policies TR7, SU13 and QD27 of the Brighton & Hove Local Plan.

11) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the sustainability checklist received on the 10 June 2013 have been fully implemented, and such measures shall thereafter be retained as such.

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

12) UNI

The development hereby permitted shall not be occupied until the acoustic attenuation measures detailed within the BB93 School Acoustics (Acoustics Issues) report received on 14 August 2013 have been fully implemented, and such measures shall thereafter be retained as such.

Reason: To seek to reduce noise disturbance from the use of the site and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

13) UNI

The development hereby permitted shall not be occupied until a scheme detailing improvements to footways, pedestrian crossing facilities and public transport in the vicinity of the site, including the Holland Road, Church Road corridor and the Eaton Road corridor, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been carried out in strict accordance with the approved measures and thereafter retained as such.

Reason: To ensure that the proposed development provides for the demand for travel it creates and does not increase the danger to pedestrians walking to and from the site and to comply with policies TR1, TR8, TR11, QD28 and SU15 of the Brighton & Hove Local Plan.

14) UNI

At least six months prior to the first occupation of the development hereby approved a School Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out a package of measures to meet the needs of the site, promote sustainable travel choices and reduce reliance on private motor vehicles for staff, pupils and visitors. The Travel Plan shall be implemented in accordance with the approved details and shall subject to annual review in accordance with details submitted to and approved in writing by the Local Planning Authority.

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

15) UNI

Prior to the first occupation of the development hereby approved a Playground Management Plan for the school shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out a package of measures to minimise noise from use of the playground, including details of hours of use and means of supervision. The Plan shall be implemented in accordance with the approved details.

Reason: To seek to reduce noise disturbance from the use of the site and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

16) 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	002		10/06/2013
Existing floor plans and roof plan	003		10/06/2013
	004		10/06/2013
	005		10/06/2013
	006		10/06/2013
	007		10/06/2013
Existing elevations	008		10/06/2013
	009		10/06/2013
Site levels plan			10/06/2013

Proposed block plan	002		10/06/2013
Proposed floor plans and roof plan	010 011 012 013 014		10/06/2013 10/06/2013 10/06/2013 10/06/2013 10/06/2013
Proposed elevations	015 016A	B	13/08/2013
Proposed street elevation	024	B	13/08/2013
Proposed landscaping plan	022	B	14/08/2013
External lighting details	4no. plans and 1 no. specification sheet		13/08/2013

BH2013/02213

Flat 2 Richmond House 21 Wilbury Villas Hove

Removal of existing conservatory and replacement with timber framed single storey extension. Revised fenestration to existing extension.

Applicant:Mr & Mrs Etienne

Officer:Helen Hobbs 293335

Refused on 05/09/13 DELEGATED

1) UNI

The siting and scale of the extension would have an overbearing impact leading to an increased sense of enclosure to the neighbouring property, No. 19 Wilbury Villas, to the detriment of residential amenity and contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan 2005.

2) UNI

The proposal would, by reason of the design, size, siting and materials, would have a discordant and unsympathetic relationship with the recipient building, giving it an overextended appearance, to the detriment of visual amenity and the character of the dwelling house. The proposal is thereby contrary to the requirements of policy QD14 of the Brighton & Hove Local Plan 2005.

BH2013/02294

23 Cissbury Road Hove

Erection of single storey rear extension.

Applicant:Mr Sayer

Officer:Helen Hobbs 293335

Approved on 10/09/13 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 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, elevations, ordnance survey plan and site plan	1313-01		17th July 2013
Proposed plans and elevations	1313-02		17th July 2013

BH2013/02310

Flats D & E 13 Denmark Villas Hove

Conversion of 2no ground floor bedsits to form 1no self-contained flat.

Applicant:Brighton & Hove City Council

Officer:Steven Lewis 290480

Approved on 04/09/13 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 elevations	13-DV-03	-	05/07/2013
Proposed plans, site plan and elevations	13-DV-04	-	05/07/2013
Design and Access Statement	-	-	05/07/2013

3) UNI

The development hereby permitted shall not be occupied until the sustainability measures including insulation, boilers detailed within the Sustainability Checklist received on the 05th July 2012 have been fully implemented, and such measures shall thereafter be retained as such.

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

BH2013/02318

Flat 4 83 Lorna Road Hove

Loft conversion incorporating rooflight to the front roof slope and rooflight and dormer to the rear.

Applicant:Miss A Chiverton

Officer:Mark Thomas 292336

Approved on 10/09/13 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
Block plan	02/1302558	-	4 July 2013
Existing first floor plan	03/1302558	-	4 July 2013
Existing second floor plan	04/1302558	-	4 July 2013
Existing roof plan	05/1302558	-	4 July 2013
Existing elevations	06/1302558	-	4 July 2013
Existing section	07/1302558	-	4 July 2013
Proposed first floor plan	13/1302558	-	4 July 2013
Proposed second floor plan	14/1302558	-	4 July 2013
Proposed roof plan	15/1302558	-	4 July 2013
Proposed elevations	16/1302558	-	4 July 2013
Proposed section	17/1302558	-	4 July 2013

BH2013/02428

Top Floor Flat 81 Lorna Road Hove

Loft conversion incorporating front and rear rooflights.

Applicant: Mr Philip M Nelson

Officer: Mark Thomas 292336

Approved on 09/09/13 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 and block plan	848/04	Rev. A	15 July 2013
Existing floor plans	848/01	Rev. A	15 July 2013
Existing elevations	848/02	Rev. A	15 July 2013
Existing side elevation	848/03	Rev. A	15 July 2013
Proposed floor plans	848/05	Rev. A	15 July 2013
Proposed elevations	848/06	Rev. A	5 September 2013
Proposed side elevation	848/08	Rev. A	15 July 2013

HANGLETON & KNOLL

BH2013/01485

33 Hardwick Road Hove

Replacement of existing windows and door with UPVC windows and door.

Applicant: Ms Rosemary Davies

Officer: Helen Hobbs 293335

Approved on 02/09/13 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 plan	/	/	5th June 2013
Window details	/	/	31st May 2013

BH2013/01855

The Bungalow 11 Hangleton Lane Hove

Erection of single storey side, front and rear extension incorporating associated roof alterations.

Applicant: Mr Jerjes Philips

Officer: Adrian Smith 290478

Approved on 04/09/13 COMMITTEE

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 site plan	11HL.01		07/06/2013
Existing block plan	11HL.02		07/06/2013
Proposed site plan	11HL.03		07/06/2013
Proposed block plan	11HL.04		07/06/2013
Existing plans and elevations	11HL.06, 1HL.07		07/06/2013
Proposed plans and elevations	11HL.12, 1HL.13 11HL.14		31/07/2013

3) UNI

No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the developer has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved scheme.

Reason: In order to provide a reasonable opportunity to record the history of the site and to comply with policy HE12 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until a method statement setting out how the existing listed boundary wall is to be protected, maintained and stabilised during

and after demolition and construction works, has been submitted to and approved in writing by the local planning authority. Works shall be carried out in strict accordance with the approved method statement.

Reason: To ensure the satisfactory preservation of the listed wall and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) 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 policies QD14 and HE6 of the Brighton & Hove Local Plan.

BH2013/02484

33 Broad Rig Avenue Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.8m, for which the maximum height would be 2.6m, and for which the height of the eaves would be 2.46m.

Applicant:Mr Peter Todd

Officer:Jonathan Puplett 292525

Prior approval not required on 10/09/13 DELEGATED

BH2013/02563

16 Steyning Avenue Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 6m, for which the maximum height would be 3.825m, and for which the height of the eaves would be 2.9m.

Applicant:Mr I Salama

Officer:Chris Swain 292178

Prior approval not required on 09/09/13 DELEGATED

BH2013/02568

116 Stapley Road Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.24m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.8m.

Applicant:Mrs Fatheha Hussain

Officer:Chris Swain 292178

Prior Approval is required and is refused on 03/09/13 DELEGATED

1) UNI

The proposed rear extension, by reason its height, mass and depth would result in a significantly overbearing impact, an unacceptable sense of enclosure and a loss of light to the adjoining property, No.118 Stapley Road. As such the proposal is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and Alterations (SPD012). This decision is based on the information listed below:

Plan Type	Reference	Version	Date Received
Application form outlining the dimensions of the proposed development.			29 July 2013
Block plan			29 July 2013
Existing and proposed plans and site photos			29 July 2013

BH2013/02649**3 Park Rise Hove**

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.6m.

Applicant:Mr David Miles

Officer:Jonathan Puplett 292525

Prior approval not required on 11/09/13 DELEGATED

NORTH PORTSLADE**BH2013/01476****Downs Park School Foredown Road Portslade**

Installation of ventilation system including external ducting and plant machinery on first floor flat roof.

Applicant:Property & Design

Officer:Robert McNicol 292322

Approved on 05/09/13 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 and block plans	J026 001		10 May 2013
Existing and proposed plans	J026 300		10 May 2013
Existing and proposed elevations and roof plan	J026 301		10 May 2013
Kitchen supply and exhaust technical details			14 June 2013

SOUTH PORTSLADE**BH2013/01933****67A Station Road Portslade**

Change of Use of Lower ground floor and part of ground floor from hairdressers (A1) to self contained flat (C3) with alterations including revised fenestration to rear.

Applicant:Mr Faris Wahab

Officer:Christopher Wright 292097

Refused on 09/09/13 DELEGATED

1) UNI

The proposed rear extension would, by reason of the design, scale, form, footprint and siting, have an over-developed and dominant appearance that would relate poorly with the character, plan form and appearance of the recipient building, resulting in an over-extended appearance, to the detriment of visual amenity. As such the proposal is contrary to policies QD1, QD2, QD3, QD14 and

HO4 of the Brighton & Hove Local Plan and SPD12: Design Guide for Extensions and Alterations.

2) UNI2

The proposed ground floor bedroom at the rear of the property would be adjacent to the private amenity space belonging and used by the existing first floor flat and would therefore compromise the capacity of the neighbouring occupiers to use the garden. The proposed glass block screen would not fully preclude overlooking and loss of privacy and would reduce the limited amount of light reaching the windows of the proposed lower ground floor bedroom, which would in any case have a limited outlook and levels of natural daylight. As such the proposal would have a detrimental impact on neighbour and future occupiers' amenity and living conditions, contrary to the objectives of policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2013/02049

Aldi Stores Ltd 7 Carlton Terrace Portslade

Application for variation of condition 12 of BH2011/02857 for a reduction in the free parking allowance to read: The first one and a half hours of parking shall be free of charge for visitors of the Portslade Shopping Centre.

Applicant:Aldi Stores Ltd

Officer:Steven Lewis 290480

Refused on 03/09/13 DELEGATED

1) UNI

The application fails to adequately demonstrate in the context of the present operation of the car park, the store and the District Shopping Centre Parking; that the reduction of parking hours from 2hrs to 1hr 30mins for the additional parking granted in excess to the adopted parking standards; would not hinder visitors wishing to access the wider district centre and support the wider viability and vitality of the Boundary Road/Station Road shopping centre contrary to policies SR6 and TR2 of the Brighton and Hove Local Plan and Supplementary Planning Guidance Note 4 (Parking).

BH2013/02203

57-58 Station Road Portslade

Display of internally illuminated projecting signs and lettering and display of non illuminated vinyl name plate.

Applicant:Lloyds Banking Group

Officer:Christopher Wright 292097

Approved on 09/09/13 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.

BH2013/02250

9 Highlands Road Portslade

Erection of single storey rear extension.

Applicant: Dr & Mr D Kabole

Officer: Adrian Smith 290478

Approved on 10/09/13 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 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, block plan and proposed elevations	13/12/1	a	23/08/2013
Existing floor plans and elevations	12/19/1	a	08/07/2013
Proposed floor plans and sections	13/12	a	23/08/2013

BH2013/02284

73 Applesham Way Brighton

Erection of single storey rear extension with pitched roof.

Applicant:Mr Peter Williams

Officer:Mark Thomas 292336

Approved on 18/09/13 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 opaque screen shown on drawing no. 472(PL)1b shall be erected prior to the terrace/ access to garden first being brought into use, and retained as such.

Reason: To safeguard the amenity of occupiers of neighbouring 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.

Plan Type	Reference	Version	Date Received
Site location and block plan	472(PL)2a	-	3
Existing and proposed plans and elevations	472(PL)1b	-	8 July 2013

HOVE PARK

BH2013/01505

162 Woodland Drive Hove

Demolition of existing bungalow and erection of 2no five bedroom dwellings (part retrospective)

Applicant:Mr Kevin Fitzpatrick

Officer:Steven Lewis 290480

Approved on 29/08/13 COMMITTEE

1) UNI

The development hereby permitted shall be completed in accordance with the

approved drawings and details listed below.

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

Plan Type	Reference	Version	Date Received
Site Plan	-	-	14/05/2013
Block Plan	-	-	14/05/2013
Existing Floor Plan	12011/09.001	-	21/05/2013
Existing Elevations	12011/09.002	-	21/05/2013
Land Levels	12011/10.001	B	30/07/2013
Street Elevation	12011/10.002	A	30/07/2013
Ground Floor Plan (Plot 1)	12001/11.001	D	30/07/2013
First Floor Plan (Plot 1)	12001/11.002	D	30/07/2013
Second Floor Plan (Plot 1)	12001/11.003	C	30/07/2013
Roof Plan (Plot 1)	12001/11.004	C	30/07/2013
Ground Floor Plan (Plot 2)	12001/11.005	B	30/07/2013
First Floor Plan (Plot 2)	12001/11.006	B	30/07/2013
Second Floor Plan (Plot 2)	12001/11.007	B	30/07/2013
Roof Plan (Plot 2)	12001/11.008	B	30/07/2013
Front Elevation (Plot 1)	12001/13.001	B	30/07/2013
Rear Elevation (Plot 1)	12001/13.002	B	30/07/2013
Side Elevation (Plot 1)	12001/13.003	C	06/08/2013
Side Elevation (Plot 1)	12001/13.004	B	30/07/2013
Front Elevation (Plot 2)	12001/13.005	B	30/07/2013
Rear Elevation (Plot 2)	12001/13.006	B	30/07/2013
Side Elevation (Plot 2)	12001/13.007	B	30/07/2013
Side Elevation (Plot 2)	12001/13.008	C	06/08/2013
Arboricultural Report - May 2010	-	-	14/05/2013
Supporting Arboricultural Information - Dec 2012	-	-	14/05/2013
Materials Schedule	-	-	
Cycle and Refuse Storage Sheds	-	-	14/05/2013

2) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwelling house(s) 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.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed dwelling hereby approved without planning permission obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and to

comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

The first floor windows in 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.

5) UNI

The proposed side screening serving the balconies shall be obscurely glazed and shall be implemented in strict accordance with the approved details. The privacy screen shall be of a minimum height of 1.7metres above the terrace level and thereafter retained as such

Reason: To ensure adequate screening and to prevent mutual overlooking to accord with policies QD1 and QD27 of the Brighton & Hove Local Plan

6) 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.

7) UNI

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 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.

8) UNI

The agreed materials used in the development shall be natural slate, white render (Manufacturer is Monocouche - White B00), timber door, white uPVC frames and a light grey aluminium window frames and in strict accordance with the schedule of material received on 14/08/2013.

Reason: In the interests of the visual amenity of the are and to accord with Policy QD1 of the Brighton & Hove Local Plan

9) UNI

The finished land levels of the site and building heights shall be in strict accordance with detail of drawing 12011.10.001B.

Reason: To ensure the protection of amenities of adjacent residential occupiers, for the avoidance of doubt, in the interests of the visual amenity of the area and to comply with policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

10) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans and in accordance with the details provided have been fully implemented and made available for

use. These facilities shall thereafter be retained for use at all times.

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

11) UNI

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been fully implemented and in accordance with the details provided 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.

12) UNI

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.

13) UNI

The details set out in the Arboricultural Report dated May 2010 and the Supporting Arboricultural Information dated December 2012 shall be implemented on site

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.

BH2013/01591

14 Hill Brow Hove

Remodelling of existing dwelling including erection of rear and side extensions, roof terraces to the rear at ground, first and second floor levels, loft conversion with roof alterations and other associated works.

Applicant: Mr & Mrs D Jackson

Officer: Robert McNicol 292322

Refused on 09/09/13 DELEGATED

1) UNI

By virtue of its increased bulk and width, the proposed development would unduly dominate the plot and have a cramped appearance. The development would also result in the loss of important visual gaps between the application property and its adjacent neighbours. The proposed development would therefore fail to make a positive contribution to the visual quality of the environment and would be unsympathetic to the positive qualities of the local neighbourhood, contrary to policies QD1 and QD2 of the Brighton & Hove Local Plan and SPD12, design guide for extensions and alterations.

2) UNI2

The form and appearance of the development, in particular the form of the two front projecting parts, the roof form of the building, and the various projecting elements, roof forms and arrangement of fenestration at the rear of the building, would give the resulting building an overly complex and confused appearance that would fail to demonstrate a high standard of design or make a positive contribution to the visual quality of the environment, contrary to policy QD1 and QD14 of the Brighton & Hove Local Plan and SPD12, design guide for extensions and alterations.

3) UNI3

The first and second floor roof terraces would give opportunities for overlooking of

properties to the rear and side of the application site, resulting in a significant loss of privacy and having a detrimental impact on the amenity of neighbouring residents, contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI4

Insufficient information has been supplied regarding the ventilation and treatment of the proposed swimming pool. It has not therefore been possible to fully assess the impact of the proposed development on the amenity of neighbouring residents, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2013/01693

Cardinal Newman Catholic School The Upper Drive Hove

Erection of a new three storey detached building to the north of the existing school, alterations to existing Newman building, relocation of 40no car parking spaces to south east corner and associated works.

Applicant: The Governors of Cardinal Newman School

Officer: Jason Hawkes 292153

Approved after Section 106 signed on 04/09/13 COMMITTEE

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

Within 3 months of occupation of the new sixth form building hereby approved, the school or developer shall submit to the Local Planning Authority for approval in writing, a detailed Travel Plan (a document that sets out a package of measures and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (pupils, parents/carers, staff, visitors, residents & suppliers).

Reason: To ensure the promotion of safe, active and sustainable forms of travel and comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

3) 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.

4) 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 employees 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) UNI

No development shall commence until details showing the type, number, location and timescale for implementation of the compensatory bird boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be carried out in strict accordance with the approved details.

Reason: To ensure appropriate integration of new nature conservation and enhancement features in accordance with policy QD17 and QD18 of the Brighton & Hove Local Plan.

6) UNI

No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' of relevant BREEAM assessment 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.

7) UNI

No development shall commence until a feasibility study for rainwater harvesting has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in strict accordance with the agreed details.

Reason: To ensure the development is sustainable in terms of rain water harvesting and in accordance with policy SU2 and SPD8: Sustainable Building Design of the Brighton & Hove Local Plan.

8) UNI

The development hereby permitted shall not be commenced until full details of secure cycle parking facilities for the students and staff of, and visitors to, the sixth form college and the school as a whole 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 full details of the new pedestrian access onto The Upper Drive, including elevation drawings, have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed details and thereafter retained as such.

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

10) UNI

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

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

11) 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 hard surfacing, boundary treatments (including new fencing), planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1 and QD15 of the

Brighton & Hove Local Plan.

12) 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. The development hereby permitted shall not be brought into use until the archaeological site investigation has been completed in accordance with the approved programme.

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.

13) 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.

14) UNI

The non-residential development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 60% 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.

15) 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	1228_P_001	P2	5th June 2013
Block Plan	1228_P_002	P3	31st July 2013
Parking Provision	1228_P_005	P3	31st July 2013
Existing Site Plan	1228_P_009	P1	24th May 2013
Proposed Site Plan	1228_P_010	P2	31st July 2013
Ground Floor Plan	1228_P_110	P2	24th May 2013
First Floor Plan	1228_P_111	P2	24th May 2013
Second Floor & Roof Plan	1228_P_112	P2	24th May 2013
Modifications to Newman Building	1228_P_113	P1	5th June 2013
Proposed Elevations	1228_P_200	P3	24th May 2013
Elevation from the Upper Drive	1228_P_300	P2	24th May 2013
Section 1-1	1228_P_150	P3	24th May 2013

Cardinal Newman Catholic School - New Sixth Form Centre Material Samples			6th August 2013
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BH2013/01720

Aldrington C of E Primary School Eridge Road Hove

Extensions and alterations to school building including erection of two storey block and creation of link corridor, erection of single storey extension to school hall, erection of single storey extension and creation of new main entrance to school. Internal remodelling, creation of new parking spaces, landscaping, alteration to West boundary and associated works.

Applicant:Ms Gillian Churchill

Officer:Adrian Smith 290478

Approved on 06/09/13 COMMITTEE

1) UNI

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of measures to mitigate disturbance during demolition and construction works from noise and dust, plant and equipment and transport movements in addition to details of any temporary external lighting to be installed at the site and measures to prevent light spillage. The development shall be carried out in accordance with the approved CEMP unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that construction operations, vehicles, materials and waste do not impact on highway safety and the operation of the school, to protect the amenities of adjacent occupiers and to comply with policies TR7, SU13 and QD27 of the Brighton & Hove Local Plan.

2) UNI

The development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' has been submitted to, and approved in writing by, the Local Planning Authority.

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

3) UNI

The development hereby permitted shall not be occupied until a scheme detailing improvements to footways, pedestrian crossing facilities and public transport in the vicinity of the site, including the Nevill Road corridor, the area to the north of Nevill Road, Nevill Avenue and the area to the south and the area to the west of Holmes Avenue, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been carried out in strict accordance with the approved measures and thereafter retained as such.

Reason: To ensure that the proposed development provides for the demand for travel it creates and does not increase the danger to pedestrians walking to and from the site and to comply with policies TR1, TR8, TR11, QD28 and SU15 of the Brighton & Hove Local Plan.

4) UNI

At least six months prior to the first occupation of the development hereby approved a School Travel Plan for the development shall be submitted to and

approved in writing by the Local Planning Authority. The Travel Plan shall set out a package of measures to meet the needs of the site, promote sustainable travel choices and reduce reliance on private motor vehicles for staff, pupils and visitors. The Travel Plan shall be implemented in accordance with the approved details and shall be subject to annual review in accordance with details submitted to and approved in writing by the Local Planning Authority.

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

5) UNI

The development hereby permitted shall not be occupied until the disabled parking bays detailed on drawing no. 007 rev C received on 22/07/2013 have been fully implemented and made available for use, and these areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure that satisfactory facilities for the parking of vehicles are provided and to comply with policies TR1 and TR19 of the Brighton & Hove Local Plan.

6) 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.

7) 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.

8) 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.

9) 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 plan	003	-	29/05/2013
Existing elevations	004	-	29/05/2013
Site plan	001	-	29/05/2013
Proposed block plan	002	A	10/06/2013
Proposed external works plan	007	C	22/07/2013

Proposed plans	005, 006		29/05/2013
Proposed elevations	009,		29/05/2013
Proposed elevations	011		10/06/2013
Proposed contextual elevations	010	-	29/05/2013
Proposed external finishes	016	A	07/08/2013
Site Fire Strategy	111	-	15/07/2013

10) UNI

All new 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 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.

11) UNI

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

12) UNI

No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Excellent' 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.

13) 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 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 accordance with BS5837 (2012) during the course of development.

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

14) UNI

No development shall commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority, in accordance with the measures detailed within the Ecological Appraisal Report received on 29 May 2013 and the standards described in Annex 6 of SPD 11. The agreed 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 and Supplementary Planning Document SPD11 Nature Conservation and Development.

BH2013/02014**Unit 1 Goldstone Retail Park Newtown Road Hove**

Alterations to elevations to provide new glazed shop front.

Applicant: Scottish Widows Investment Partnership Unit Trust

Officer: Steven Lewis 290480

Approved on 02/09/13 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	-	-	18/06/2013
Existing and Proposed External Elevation	HVE_C50	-	18/06/2013
Mezzanine Floor Plan	TKM_HOVE-3086-CL	Rev A	11/07/2013
Ground floor	130202/E001		11/07/2013
Shopfront section	130202/E006b	-	11/07/2013

BH2013/02048**6 & 8 Kelly Road Hove**

Application for Approval of Details Reserved by condition 3 and 11 of application BH2012/03216.

Applicant: Ms Eman Barakat

Officer: Guy Everest 293334

Approved on 05/09/13 DELEGATED

BH2013/02063**41 Hove Park Road Hove**

Remodelling and extension of main roof to facilitate loft conversion incorporating rooflights and a lantern light. Installation of lantern lights to flat roof at rear.

Applicant: Mr & Mrs Guy Barwell

Officer: Clare Simpson 292454

Refused on 04/09/13 COMMITTEE

1) UNI

The development by reason of its design and form in relation to the existing house and in the context of the surrounding area would create contrived and disjointed roof to the building which fails to respect the existing features of the property and harm the existing character and appearance of Hove Park Road. The development is therefore considered contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document - Design Guide for Extensions and Alterations (SPD12)

BH2013/02103**21A Lloyd Road Hove**

Erection of single storey extension to pool house and installation of window to garage.

Applicant:Mr Nicholas Powell

Officer:Clare Simpson 292454

Approved on 02/09/13 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 proposed layouts	LR/2013/21/01		20th June 2013
Pool house west elevations existing and proposed layouts	LR/2013/21/02		20th June 2013
Pool house east elevations existing and proposed layouts	LR/2013/21/03		20th June 2013
Pool house front and rear elevations existing and proposed layouts	LR/2013/21/04		20th June 2013
Existing and proposed plans	LR/2013/21/06		20th June 2013
Existing and proposed elevations	LR/2013/21/07		20th June 2013
Site location plan			20th June 2013
Block Plan			20th June 2013

BH2013/02210

24 Tongdean Road Hove

Extension and alterations at lower ground and ground floor to side extension including rooflight, resurfacing of exterior at first floor, installation of rooflight to front elevation and associated works.

Applicant:Ms Lucy Davis

Officer:Helen Hobbs 293335

Refused on 12/09/13 DELEGATED

1) UNI

The proposed side extension, by virtue of its design, bulk, siting and roof form, would form an inappropriate and incongruous addition that would poorly relate to the main dwelling. Overall the proposal would detract from the character and appearance of the existing property. The proposal is therefore contrary to policy QD14 of the Brighton & Hove Local Plan.

BH2013/02307

10 Chalfont Drive Hove

Erection of single storey rear extension, first floor side extension and other

associated alterations.

Applicant:Mr Phil Turner

Officer:Robert McNicol 292322

Refused on 06/09/13 DELEGATED

1) UNI

The proposed two storey side extension would have an excessive width, greater than half the width of the recipient property. The ridge line of the side extension would not be lower than that of the main part of the house. For these reasons, the proposed side extension would not appear subservient to the dwelling house but would dominate the appearance of the building. This would be exacerbated by the forward projection and additional width of the enlarged garage, which would appear as a distinct bulk beneath the two storey side extension rather than as an incorporated feature of the property. The development would therefore be detrimental to the appearance of the recipient property and the wider area, contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12 'design guide for extensions and alterations'.

BH2013/02402

55 The Drove Hove

Erection of single storey rear extension.

Applicant:Mr Graham Knight

Officer:Helen Hobbs 293335

Approved on 12/09/13 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 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	134(20)001		18th July 2013
Existing elevations	134(20)002		18th July 2013
Proposed plans	134(21)001		18th July 2013
Proposed elevations	134(21)002		18th July 2013
Proposed site location plans	134(10)000		18th July 201
Existing site location plans	134(11)000		18th July 2013

BH2013/02416

33 Sandringham Drive Hove

Erection of single storey rear extension and repositioning of existing raised deck.

Applicant:Mr Steve Lynn

Officer:Jason Hawkes 292153

Refused on 10/09/13 DELEGATED

1) UNI

Due to the position and bulk of the extension, the proposal would result in a loss of outlook, light, overshadowing and a heightened sense of enclosure to 35 Sandringham Drive. The proposal would therefore lead to an unacceptable material loss of amenity and is contrary to policies QD14 & QD27 of the Brighton & Hove Local Plan and SPD: Design Guide for Extensions and Alterations and Alterations.

BH2013/02498

7 Mill Drive Hove

Erection of a single storey side and rear extension.

Applicant:Trevor White

Officer:Mark Thomas 292336

Refused on 17/09/13 DELEGATED

1) UNI

The proposed extension, by virtue of its scale, bulk, height, projection and proximity to the shared boundary with no. 9 Mill Drive, would have a significantly detrimental and overbearing impact on the occupiers of the adjoining neighbour, with resultant overshadowing, loss of outlook and increased sense of enclosure. As such, the proposed development would be contrary to policy QD27 of the Brighton & Hove Local Plan, and SPD12: Design guide for extensions and alterations.

2) UNI

The proposed extension is considered of poor design which relates poorly to the existing dwelling, failing to preserve the buildings original plan. The southern end of the extension would be readily visible within the street scene, and as such the proposed development would have a significantly detrimental impact on the character and appearance of the host property and the wider street scene, contrary to policy QD14 of the Brighton & Hove Local Plan, and SPD12: Design guide for extensions and alterations.

BH2013/02683

2 Chalfont Drive Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 8m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant:Mr Luke Howlett

Officer:Adrian Smith 290478

Prior approval not required on 12/09/13 DELEGATED

WESTBOURNE

BH2013/02137

153 Kingsway Hove

Extension of top floor and conversion of existing conference suite to create 10 no. additional guest bedrooms.

Applicant:Mr Martin Ailion

Officer:Robert McNicol 292322

Approved on 29/08/13 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 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, QD14 and HE6 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 location plan			24 June 2013
Block plan			24 June 2013
Existing floor plan			24 June 2013
Proposed floor plan			24 June 2013
Existing north elevation			24 June 2013
Existing east elevation			24 June 2013
Existing south elevation			24 June 2013
Existing west elevation			24 June 2013
Proposed north elevation			24 June 2013
Proposed east elevation			24 June 2013
Proposed south elevation			24 June 2013
Proposed west elevation			24 June 2013

5) UNI

Within 3 months of occupation of the development hereby approved, the Developer or owner shall submit to the Local Planning Authority for approval in writing a detailed Travel Plan (a document that sets out a package of measures tailored to the needs of the site, which is aimed at promoting sustainable travel choices by residents, visitors, staff, deliveries and parking management) for the development. The Travel Plan shall include such commitments as are considered appropriate, and should include as a minimum the following initiatives and commitments:

- (i) Promote and enable increased use of walking, cycling, public transport use, car sharing, and car clubs as alternatives to sole car use:
- (ii) A commitment to reduce carbon emissions associated with business and commuter travel:
- (iii) Increase awareness of and improve road safety and personal security:
- (iv) Undertake dialogue and consultation with adjacent/neighbouring tenants/businesses:
- (v) Identify targets focussed on reductions in the level of business and commuter car use:
- (vi) Identify a monitoring framework, which shall include a commitment to

undertake an annual staff travel survey utilising iTrace Travel Plan monitoring software, for at least five years, or until such time as the targets identified in section (v) above are met, to enable the Travel Plan to be reviewed and updated as appropriate:

(vii) Following the annual staff survey, an annual review will be submitted to the Local Planning Authority to update on progress towards meeting targets:

(viii) Identify a nominated member of staff or post to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.

Reason: To ensure the promotion of sustainable forms of travel and comply with policies TR1 and TR4 of the Brighton & Hove Local Plan.

BH2013/02362

34 New Church Road Hove

Replacement of front boundary wall.

Applicant:Mr A Hyman

Officer:Christopher Wright 292097

Refused on 10/09/13 DELEGATED

1) UNI

The proposed front boundary wall would, by reason of the additional width of the vehicular opening, the spacing and number of piers, and the overall height, would have an unduly dominant appearance that would not relate sympathetically to the layout or form of the main dwelling house and would detract from the character of the Pembroke and Princes Conservation Area, to the detriment of visual amenity. As such the proposal is contrary to policy HE6 of the Brighton & Hove Local Plan 2005, SPD09: Architectural Features, and SPD12: Design Guide for Alterations and Extensions.

WISH

BH2013/00741

331 Kingsway Hove

Application for approval of details reserved by condition 17ii and 23b of application BH2012/00988.

Applicant:Mr Andrew Lock

Officer:Guy Everest 293334

Approved on 03/09/13 DELEGATED

BH2013/01017

Wickenden Garage Scott Road Hove

Addition of first floor with pitched roof to form 1no two bed flat with associated works.

Applicant:Mr F Wickenden

Officer:Helen Hobbs 293335

Refused on 29/08/13 DELEGATED

1) UNI

Insufficient information has been submitted in respect of levels of noise and disturbance generated by the existing automobile engineer/garage use and how the amenity and living conditions of future occupants of the proposed flat may be affected by noise and disturbance. As such no assurance is provided that future occupiers' amenity would not be compromised and the proposal is therefore contrary to policies SU10 and QD27 of the Brighton & Hove Local Plan.

2) UNI2

The proposed development would compromise the day to day running of the existing garage (B2) as a result of noise and disturbance complaints from potential occupiers of the proposed residential unit. The proposal is therefore contrary to policy EM6 of the Brighton & Hove Local Plan.

BH2013/01496

33 Grange Road Hove

Erection of single storey side/rear extension and erection of two storey rear extension.

Applicant:Mr M Emre

Officer:Mark Thomas 292336

Refused on 30/08/13 DELEGATED

1) UNI

The proposed infill side/rear extension, by virtue of its height, depth, positioning and proximity to the shared boundary with no. 31 Grange Road, would have an overbearing impact on occupiers of this neighbouring property, resulting in a loss of outlook, overshadowing and an increased sense of enclosure. As such, the proposed development would be contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan, and Supplementary Planning Document (SPD) 12: design guide for extensions and alterations.

BH2013/02110

291 Kingsway Hove

Certificate of lawfulness for proposed loft conversion incorporating front rooflight, rear dormers and side window.

Applicant:Mr M Van Leusen

Officer:Mark Thomas 292336

Approved on 30/08/13 DELEGATED

BH2013/02160

149 Portland Road Hove

Conversion of first and second floor from bank to 1 no. studio flat and 1 no. 2 bed maisonette.

Applicant:Mr S Ajmi

Officer:Steven Lewis 290480

Approved on 09/09/13 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

Access to the flat roof over the existing rear extension 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

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	13/253/OS	-	08/07/2013
Floor Plans and Elevations - Existing	13/253/01	-	08/07/2013
Floor Plans and Elevations - Proposed	13/253/02	D	08/07/2013

BH2013/02388

40-42 Portland Villas Hove

Demolition of existing garages and erection of 1no three bedroom house.

Applicant:Mr Kevin Grice

Officer:Clare Simpson 292454

Approved on 10/09/13 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 extension, enlargement, alteration or provision within the curtilage of the of the dwelling house(s) 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.

3) UNI

The new dwelling 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

No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5) 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.

6) UNI

Prior to the first occupation of the development hereby permitted the redundant vehicle crossover immediately in front of the new house shall be reinstated back to a footway by raising the existing kerb and footway in accordance with a specification that has been approved in writing by the Local Planning Authority.

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

7) UNI

No development or other operations shall commence on site until a scheme which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, 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 protection scheme. Timing of operation regarding lifting of hard standing and laying of new frontage to be included in the tree protection scheme. Any drainage / service runs laid within

Root Protection Zones should be included in this document.

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

8) UNI

9.(i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:

(a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.

9) UNI

(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) (c) above that any remediation scheme required and approved under the provisions of (i) (c) 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) (c).

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.

10) 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.

11) 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 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.

12) 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 site plan	EX01		16TH July 2013
Existing elevations of neighbouring buildings	EX02		16TH July 2013
Proposed plans sections and elevations	PL01		16TH July 2013
Proposed location and block plan	PL02		16TH July 2013

13) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 3 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.

BH2013/02718

364 Portland Road Hove

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr Graham Aitken

Officer: Steven Lewis 290480

Approved on 09/09/13 DELEGATED

BH2013/02774

37 Brittany Road Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.65m.

Applicant:Roger M C Abrahams

Officer:Jonathan Puplett 292525

Prior approval not required on 11/09/13 DELEGATED

Withdrawn Applications

BH2013/02292

6 Braemore Road Hove

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, 2no rooflights to the front roof slope, 2no dormers to the rear and installation of window to the side. Removal of front porch and other associated works.

Applicant:Mr James Pritchett

Officer: Robert McNicol 292322

WITHDRAWN ON 02/09/13

PLANS LIST 9 October 2013**PATCHAM**

**Application No: BH2013/02901
15 Old Patcham Mews, Old London Road**

1no Silver Birch (T1) - reduce in height by 3-4m and reduce lateral spread by no more than 2m.

Applicant: Mr Peter Reeve
Approved on 06 Sep 2013

**Application No: BH2013/02959
35 Church Hill, Patcham, Brighton**

Fell 1no Blue Cedar in rear garden - although the tree does have some public visibility, its location and proximity to residential dwellings makes even its short-term retention unfeasible. Also this species does not lend itself to any form of regular pruning.

Applicant: Mrs A Brack
Approved on 19 Sep 2013

**Application No: BH2013/03051
45 Brangwyn Drive, Brighton**

Fell 1no Hawthorn (T1) and 1no Sapling (T2). The trees being felled are quite small and not visible from a public area, thus have little public amenity value.

Applicant: Mr Stephen Daniel
Approved on 13 Sep 2013

**Application No: BH2013/03119
Forge Cottage, 43 Old London Road**

1no Fir (T1) - reduce height and width. 1no Hawthorn (T2) - prune and reshape. 1no Magnolia (T3) - prune and reshape.

Applicant: Ms J Goodman
Approved on 13 Sep 2013

PRESTON PARK

Application No: BH2013/02955

Whistler Court, 26 Preston Park Avenue, Brighton

Removal of limbs up to 2m above rear garage roofs on a Norway Maple, Mountain Ash, Whitebeam, and Silver Birch.

Applicant: Mr R Creaton

Approved on 06 Sep 2013

Application No: BH2013/03052

132 Beaconsfield Villas

1no Eucalyptus (T1) - crown reduce by 30%.

Applicant: Alexander Harrison

Approved on 13 Sep 2013

Application No: BH2013/03122

16 and 18 St Andrews Road, Brighton

1no Hawthorn at No 16 (T1) and 1no Beech at No 18 (T2) - crown thin by 20-30%, crown lift to a height of 2-3 metres and crown reduce by shortening branches by 1-2 metres on the Hawthorn and 2-3 metres on the Beech.

Applicant: Mr Paul Edwards

Approved on 13 Sep 2013

Application No: BH2013/03164

8 Preston Park Avenue, Brighton

Fell 2no Sycamores - no public amenity value, trees likely to cause actual structural damage.

Applicant: Mr M Paskins

Approved on 16 Sep 2013

WITHDEAN

Application No: BH2013/02960

The Cedars, Cedars Gardens, Brighton

Cedar (Yew) (1 on plan) - crown clean (remove split and dead ends), 1no Western Red Cedar (T2) - prune crown on north side to give minimum clearance of 2m from building, raise crown by no more than 1m and crown clean

Applicant: Mr M Isaacs
Approved on 20 Sep 2013

Application No: BH2013/02961
The Cedars, Cedars Gardens, Brighton

Fell Western Red Cedar (2 on plan).

Applicant: Mr M Isaacs
Refused on 20 Sep 2013

Application No: BH2013/02962
9 The Beeches, Dyke Road Avenue, Brighton

Large Cedar at front of property - reduce branches that overhang the pavement by approximately 2 metres.

Applicant: Mr S Sarri
Approved on 06 Sep 2013

EAST BRIGHTON

Application No: BH2013/03007
14 Belgrave Place Brighton

1no Bay (T1) - remove 2 back stems (eastern side) and reduce height by 4-5 ft and tidy remaining stems. 1no Pineapple Broom (T2) reduce all stems and branches by 3-4 ft.

Applicant: Christian Purser
Approved on 20 Sep 2013

QUEEN'S PARK

Application No: BH2013/02840
99 St. James's Street Brighton

Remove 1no Sycamore (T1) and 1no Elder (T2). Although the trees have a moderate level of public visibility their present location and the potential for continuing damage to the adjacent wall makes retention unsustainable.

Applicant: Mr Ben Larkham

Approved on 13 Sep 2013

Application No: BH2013/02932
7 Walpole Terrace Brighton

Group of various trees (G1) that overhang the rear garden of 7 Walpole Terrace to be cut back to the boundary. INFORMATIVE: Pruning should be carried out in compliance with BS 3998 so that crowns are left with a natural outline, sheer sided pruning will not be acceptable.

Applicant: Julie Nelson-Nduka
Approved on 13 Sep 2013

Application No: BH2013/03043
5 West Drive

1no Eucalyptus (T1) - reduce length of all branches by 5 metres ensuring natural shape and balance typical of species is maintained where possible. Remove dead and diseased wood.

Applicant: Mr O'Flanagan
Approved on 06 Sep 2013

ROTTINGDEAN COASTAL

Application No: BH2013/03045
Whipping Post House, Whipping Post Lane, Rottingdean

1no Horse Chestnut (T1) - reduce crown back to original pruning points in the crown; no branches removed to exceed 2m in length; works to be carried out in early winter.

Applicant: Mr Jonny Gorrill
Approved on 06 Sep 2013

Application No: BH2013/03058
The Studio, 4 Dean Court Road

2no Sycamore (T1, T2) remove epicormic growth up to a height of 15'. 1no Horse Chestnut (T3) - remove lower forked limb, left drooping fork and butchered branch.

Applicant: Ms Lesley Baker
Approved on 13 Sep 2013

Application No: BH2013/03121
15 Wanderdown Close

1no Ash (T1) in rear garden - reduce the crown by 30%.

Applicant: Mr Henry Mason
Approved on 12 Sep 2013

BRUNSWICK AND ADELAIDE

Application No: **BH2013/02956**
Flat 2, 12 Wilbury Road, Hove

Sycamore in rear garden - reduce entire crown by 3-4 metres because of excessive shading.

Applicant: Mrs J Bertrand
Approved on 06 Sep 2013

CENTRAL HOVE

Application No: **BH2013/03116**
32 Medina Villas

1no Tilia europeae (T1) - reduce overhanging growth to near boundary line.

Applicant: Mr Peter Fuller
Approved on 13 Sep 2013

Application No: **BH2013/03118**
Flat 1, 33 Albany Villas

1no Ash (T1) 50% canopy reduction.

Applicant: Mr Peter Fuller
Approved on 13 Sep 2013

GOLDSMID

Application No: **BH2013/02957**
Eaton Manor, The Drive, Hove

Trim back trees from building to allow installation of scaffolding.

Applicant: Miss M Burkiewicz
Approved on 06 Sep 2013

Application No: BH2013/03115
Denmark Mews

9no Tilia europeae - remove overhanging growth back to boundary.

Applicant: Mr Peter Fuller
Approved on 13 Sep 2013

HOVE PARK

Application No: BH2013/03044
5 Greyfriars Close, Hove

1no Holm Oak (T1) reduce by 1m and thin by 10%. 1no Elm (T2) reduce in height by no more than 3m and reduce lateral spread of crown by no more than 2m.

Applicant: Mr J Hatch
Approved on 13 Sep 2013

Application No: BH2013/03065
7 The Mews Cottages, Woodland Drive

1no Eucalyptus (T1) reduce length of all branches by 5 metres ensuring natural shape and balance typical of species is maintained where possible. Remove dead and diseased wood.

Applicant: Mr O'Flanagan
Approved on 13 Sep 2013

WESTBOURNE

Application No: BH2013/03057
13 Princes Crescent, Hove

Fell 1no Sycamore (T1) - the tree is not visible from any public area

Applicant: Lesley Baker
Approved on 19 Sep 2013

Application No: BH2013/03061
10 Westbourne Place

Fell 1no Ash (T1) - tree has serious structural defects and significant decay at the base - of very short term potential.

Applicant: Mr Mark Haddock

Approved on 06 Sep 2013

NEW APPEALS RECEIVED**WARD****APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****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.

APPEAL LODGED

29/08/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

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.

APPEAL LODGED

30/08/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PRESTON PARK**

BH2013/01400

1 Waldegrave Road Brighton

Loft conversion incorporating 3no dormers to rear and 2no rooflights to front.

APPEAL LODGED

29/08/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

BH2013/00797

48A Sussex Square Brighton

Alterations to layout and replacement of doors and windows. (Retrospective).

APPEAL LODGED

02/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

BH2013/00798

48A Sussex Square Brighton

Alterations to layout and replacement of external doors and windows. (Retrospective).

APPEAL LODGED

02/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****CENTRAL HOVE**

BH2013/01438

15 & 15A Victoria Terrace Hove

Part change of use of basement and ground floors at No15 from retail (A1) to cafe (A3/A5) with the installation of a new shop front.

Demolition of No15 A and erection of 1no two bedroom dwelling with pitched roof, dormer and rooflights.

APPEAL LODGED

04/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HANGLETON & KNOLL**

BH2013/01807

18 Park Rise Hove

Hip to gable roof extension to facilitate loft conversion creating chalet bungalow incorporating front dormer.

APPEAL LODGED

03/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PRESTON PARK**

BH2013/01504

42 Florence Road Brighton

Erection of single storey rear extension. Loft conversion incorporating rear dormer and 1no rooflight to the front roof slope and 1 no. rooflight to the side roof slope.

APPEAL LODGED

05/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WESTBOURNE**

BH2013/01859

11 Westbourne Gardens Hove

Construction of vehicle crossover, formation of hard standing and dropped kerb.

APPEAL LODGED

03/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****QUEEN'S PARK**

BH2013/01745

33A Upper Rock Gardens Brighton

Demolition of existing rear conservatory and erection of single storey rear extension and external alterations.

APPEAL LODGED

05/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PRESTON PARK**

BH2013/00439

93 Springfield Road Brighton

Loft conversion incorporating a dormer and rooflights to rear elevation and a rooflight to the front elevation.

APPEAL LODGED

04/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****CENTRAL HOVE**

BH2013/01517

15 & 15A Victoria Terrace Hove

Demolition of 15A Victoria Terrace.

APPEAL LODGED

10/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PATCHAM**

BH2013/02072

39 Greenfield Crescent Brighton

Erection of a two storey rear extension.

APPEAL LODGED

10/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HANOVER & ELM GROVE**

BH2012/02887

186 - 187 Lewes Road Brighton

Demolition of existing building and erection of four storey building comprising of retail, financial and professional services and take-away (A1/A2/A5) on ground floor and 8no two bedroom flats on upper floors with associated works.

APPEAL LODGED

03/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WESTBOURNE**

BH2013/01993

147 Westbourne Street Hove

Installation of 2no rooflights to the front and dormer to the rear.

APPEAL LODGED

09/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ROTTINGDEAN COASTAL**

BH2013/01300

23 Wanderdown Road Brighton

Erection of raised decking with stairs above existing shed to rear garden.

APPEAL LODGED

13/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WITHDEAN**

BH2013/02073

3 Shepherds Croft Brighton

Demolition of existing rear extension and erection of part two storey part three storey (including basement) extension at rear.

APPEAL LODGED

11/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HANGLETON & KNOLL**

BH2013/01308

3 Park Rise Hove

Erection of single storey rear extension and loft conversion incorporating front and rear dormers and 2no side rooflights.

APPEAL LODGED

16/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WITHDEAN**

BH2013/02161

120 Eldred Avenue Brighton

Erection of garden store incorporating roof terrace and balustrade above and the formation of steps and flanking wall between the terrace and rear garden (Part retrospective).

APPEAL LODGED

16/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOVE PARK**

BH2013/01526

85 Woodland Drive Hove

Erection of first floor extension over existing garage and single storey side extension.

APPEAL LODGED

16/09/2013

Delegated

WARD**APPEALAPPNUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****BRUNSWICK AND ADELAIDE**

BH2013/00683

Sandringham Lodge 23 Palmeira Avenue Hove

Formation of additional level comprising of 2no three bedroom penthouse flats incorporating roof gardens and delegated car parking .

APPEAL LODGED

18/09/2013

Planning (Applications) Committee

WARD

APPEALAPPNUMBER

ADDRESS

DEVELOPMENT DESCRIPTION

APPEAL STATUS

APPEAL RECEIVED DATE

APPLICATION DECISION LEVEL

ST. PETER'S & NORTH LAINE

BH2013/01121

Flat 3 Derwent Lodge 103 Buckingham
Road Brighton

Creation of additional floor to top floor flat.

APPEAL LODGED

18/09/2013

Delegated

**Brighton & Hove
City Council****INFORMATION ON HEARINGS / PUBLIC INQUIRIES
9th October 2013**

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

Court Farm House, King George VI, Avenue Hove

Planning application no: BH2012/03446

Description: Demolition of existing buildings and construction of 5no two storey detached dwelling houses and a 58 bed space, part two and part three storey nursing home with associated landscaping and access works and provision of 28 new car parking spaces and 15 cycle spaces.

Decision: Committee

Type of appeal: Public Enquiry

Date: 14/15th October, 2013

Location: Hove Town Hall

22, 22A, 23, 23A East Street, Brighton

Planning application no: BH2012/03423

Description: Conversion of upper floors from offices (B1) to 2no two bedroom flats.

Decision: Committee

Type of appeal: Informal Hearing

Date: TBC

Location: TBC

22, 22A, 23, 23A East Street, Brighton

Planning application no: BH2012/03424

Description: Internal alterations to upper floors to convert offices to 2no two bedroom flats.

Decision: Committee

Type of appeal: Informal Hearing

Date: TBC

Location: TBC

APPEAL DECISIONS

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<p>B – 25 HOVE PARK VILLAS – GOLDSMID Application BH2012/03650 – Appeal against refusal for To the rear we are proposing to reconstruct the coach house as a contemporary 3 bedroom home, retaining the existing driveway and access. APPEAL DISMISSED (delegated decision)</p>	295
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<p>D – 62 LANGDALE GARDENS, HOVE – WESTBOURNE Application Ref BH2012/02558 – Appeal against refusal joint application for partial replacement of existing timber sash windows and first floor window and door to balcony with white UPVC double glazed units. Application by Freeholder relating to both flats. APPEAL DISMISSED (delegated decision)</p>	305
<p>E – 26 LINCOLN STREET, BRIGHTON – HANOVER & ELM GROVE Application BH2013/00164 – Appeal against refusal for lower ground and ground floor rear extension. APPEAL ALLOWED (delegated decision)</p>	307
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<p>G – FLAT 2, 15-17 PRINCE’S STREET, BRIGHTON – QUEEN’S PARK Application Ref BH2012/02084 – Appeal against refusal for provision of cornice and fireplace to the lounge and hardwood flooring to the hallway. APPEAL ALLOWED (delegated decision)</p>	313



Appeal Decision

Site visit made on 24 June 2013

by Jennifer Tempest BA(Hons) MA PGDip PGCert CertHE MRTPI IHBC

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

Decision date: 5 September 2013

Appeal Ref: APP/Q1445/A/13/2191115
255 Carden Avenue, Brighton BN1 8LN

- 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 and Mrs A Collins against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/01947, dated 26 June 2012, was refused by notice dated 3 September 2012.
 - The development proposed is demolition of part of existing house and erection of 1 no. one bedroom dwelling adjoining 255 Carden Avenue.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on the character and appearance of the street scene and on the living conditions of the occupiers of 255 Carden Avenue.

Reasons

Character and appearance

3. 255 Carden Avenue is set on the curve of Carden Avenue and on rising ground. The side elevation is therefore evident in views when travelling northwards along Carden Avenue. The pairs of semi-detached properties along the north and west side of Carden Avenue have a spacious character. There is a wide grassed verge between the houses and the road, in addition to which the houses have front gardens. The pavement runs between the gardens and the grassed verge. The loss of some front gardens to parking has altered the character of the properties in the area. However, the remaining front gardens make a positive contribution to the area.
4. The pairs of semi-detached houses have hipped roofs. A significant number of the pairs include as part of their original design a continuation of the roof slope as a mono pitch to the side of the house. I consider that the spaces between the pairs of houses combined with the simple but distinctive roof forms are significant in defining the character of the immediate area.
5. No 255 has a monopitch roof to the side. This element of the existing house would be demolished to provide the space to create the new dwelling. The other half of the pair of semis at No 257 has been altered and now links at ground floor level with the neighbouring property to the north. However, due to

- the relatively low height of the altered roof, this is not visually intrusive and there remains a sense of space between No 257 and the property to the north. No 253 has been extended in line with the original dwelling.
6. The proposal would extend from the side of No 255 reducing the gap between No 255 and No 253 and adding a relatively complicated roof structure. The proposed building would have ridge lines running both parallel and at 90 degrees to the main ridge line of No 255. I accept that the proposal has been designed to appear as an extension to the existing property, rather than as a separate dwelling. This includes the lower ridge heights and the position of the main entrance. However, I consider that the narrowing width of the site and the accommodation required for an independent dwelling have contributed to the complex roof form proposed.
 7. The new building would appear as a discordant feature both in the context of the immediately neighbouring properties and in the wider street scene. It would be in marked contrast to the strong, simple but distinctive form of the roofs of the existing pairs of semi detached houses. The position of the site is such that the development would be clearly visible from Carden Avenue.
 8. The rear of the proposed new dwelling includes a dormer window which would be offset from the centre of the hipped gable within which it would be positioned. Whilst not ideal, this would not be sufficiently harmful in itself to warrant rejection of the scheme. However, I note that the first floor fenestration to the front elevation would have a horizontal emphasis which would not reflect the window pattern of the existing houses.
 9. Whilst the proposed building would be prominent, the division of the plot into two separate properties would not be immediately evident. However, the proposal would increase the hard-surfaced area in front of the proposed dwelling to provide parking. Although the Council has not objected to the proposal in highway terms, I consider that the addition of another house will add to the demand for off street parking and will lead to more cars parking in front of No 255 and the proposed dwelling. Despite the proposed retention of the boundary fence, this adds to my concerns about the adverse impact of the proposal on the appearance of the street scene.
 10. The form of the building, particularly in the views from south, would appear incongruous in this prominent location. As such it would result in unacceptable harm to the street scene. This would be contrary to Policy QD2(a) and (c) of the Brighton & Hove Local Plan 2005 (the Local Plan) as it would not emphasise and enhance the positive qualities of the local environment. Nor would it take into account local characteristics including the design of existing buildings in the area. It would also fail to comply with Policy QD1 of the Local Plan as it would not make a positive contribution to the visual quality of the environment. Policy QD14 is not directly relevant to the proposal as the proposed building is for a new dwelling, not an extension to an existing dwelling.

Living conditions

11. The proposed development would project 2.1 metres beyond the rear of No 255. One ground floor and one first floor window in the rear wall of No 255 would be close to the projecting two storey building. There would be reduced daylight to these windows as a consequence of the proposal. However, the affected windows are relatively small and both rooms have other sources of

natural light. The kitchen has a large pair of glazed doors leading out into the rear garden. The first floor bedroom has a second, larger window and the scheme proposes a roof light would be added to increase the light to the bedroom. I do not consider that there would be an unacceptable loss of daylight, or unacceptable harm to the outlook for the occupiers of No 255 as a consequence of the development. With regard to sunlight there would be some reduction to part of the patio of No 255 but the majority of the remaining rear garden would be unaffected.

12. I do not consider that the impact on the living conditions of the occupiers of No 255 would be sufficiently harmful to reject the proposal on these grounds. Therefore, in these respects the proposal would not conflict with policy QD27 of the Local Plan which seeks to protect the amenities of existing residents.

Conclusion

13. I acknowledge the benefits of providing a small house which could be suitable for first time buyers or for rent. However, these benefits are not sufficient to outweigh my concerns with regard to the harm the development would cause to the character and appearance of the street scene. For the reasons given above, I conclude that the appeal should be dismissed.

Jennifer Tempest

INSPECTOR

Appeal Decision

Site visit made on 27 August 2013

by Sukie Tamplin Dip TP Pg Dip Arch Cons IHBC MRTPI

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

Decision date: 3 September 2013

Appeal Ref: APP/Q1445/A/13/2196839

25 Hove Park Villas, Hove, East Sussex, BN3 6HH

- 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 Kevin Keehan (Lindene GB Promotions Ltd) against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/03650, dated 15 November 2012, was refused by notice dated 24 January 2013.
 - The development proposed is described as: To the rear we are proposing to reconstruct the coach house as a contemporary 3 bedroom home, retaining the existing driveway and access.
-

Decision

1. I dismiss the appeal.

Procedural matters

2. In March 2013 planning permission¹ was granted for alterations to the host dwelling at 25 Hove Villas. The approved scheme includes the appeal site.
3. Works to implement this permission appear to have commenced on site and the rear garden has been cleared, rear extensions demolished and the interior of the main house stripped. The approved extension, layout and access arrangements are a material factor in this appeal (the conversion scheme).

Main issues

4. The main issues in this appeal are the effects of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of adjacent occupiers.

Reasons

Character and appearance

5. Hove Park Villas is a very attractive tree lined road located immediately to the north of Hove Station. On either side stand substantial semi-detached and detached dwellings set back from the road behind short front gardens, some of which have been subdivided into flats whilst others appear to be in single

¹ Planning permission ref BH/2013/0255 dated 01 March 2013 for rear extensions and amendments to 4 no existing flats together with conversion of roof space to form a further unit at 25 Hove Park Villas, Hove.

- occupation. To the rear, seen in glimpses between the houses, are verdant back gardens and substantial trees. A few of the houses, including the appeal site, have narrow access ways which are of sufficient width to permit vehicular access. But rear vehicular access appears to be the exception rather than the rule.
6. At the rear of no 25 are the remains of a building described by the appellant as a former coach house, but only some walls remain and there is little evidence remaining of its former appearance. The site had been cleared prior to my visit and thus the previous layout was not clear. It appears that there was vehicular access but this would probably have been in connection with the occupation of the main house because no cogent evidence of any independent occupation or use has been provided. Thus this would have had little effect on the peaceful sylvan character of the back gardens.
 7. In this context the proposed location of a separate independent dwelling in the rear garden would in my view significantly change the character of the back garden of the host property and adjacent housing. It would not reflect the street front pattern of development in this area.
 8. Although the development may not be taller than the former coach house, it would be likely to be more prominent, particularly in views from the main house and the upper floors of adjacent property. The significant areas of glazing, at basement, ground floor and also in the roof would be incongruous and dominant in these garden surroundings. The dwelling would face towards the rear of housing in Hove Park Villas and would be very intrusive in this backland location. I do not agree that the reduction in footprint as compared to the former coach house would reduce the impact of the proposed house because it would be of greater total mass and orientated to face the rear of the Hove Park Villa houses.
 9. The appeal site is not in a conservation area, but the proposed dwelling would be at odds with the form and layout of development hereabouts. The new dwelling would not be similar to the structure to the rear of no 33 which is single storey, appears to be significantly smaller than that before me, and looks to be ancillary to the occupation of the main house. Similarly the former coach house appears to have been a low key ancillary building and its destruction by fire does not mean that the site can be regarded as 'previously developed land' as private gardens are excluded from this definition². Finally the garden is neither derelict nor underused as it is part of the garden required in connection with the planning approval for 5 flats in the main house. In my view none of these matters justifies permission in this case.
 10. I thus conclude on this first issue that the proposed house would seriously harm the character and appearance of the area. Although the house would not be a feature of the streetscene, its backland location would be an incongruous feature which would seriously harm the character of the verdant gardens in the vicinity. Thus I find conflict with Policy QD2, of the *Brighton and Hove Local Plan* (LP) because the development would not enhance the positive qualities of the local neighbourhood. Of the policies relied on by the Council, I find this the most relevant. The proposal also conflicts with an aim of the National Planning

² The National Planning Policy Framework Annex 2

Policy Framework (the Framework), that planning should seek to promote or reinforce local distinctiveness.

Living conditions

11. Although there may have previously been vehicular access to this site, it is likely that this would have been associated with the main house and hence of lesser frequency than that associated with the proposed three-bedroom house. Furthermore, it is likely that other vehicular movements, including domestic deliveries and collections, would have been to the street frontage of no 25, rather than to the rear garden area; whereas in future these would come into the backland. Thus the gardens that currently have a high degree of seclusion and a peaceful location would experience additional noise and activity generated by the proposed dwelling.
12. I find the drawings inconsistent in terms of the access arrangements. Although a bollard is depicted on plan TA 663N/22 rev A, to the rear of the front elevation of the main building, vehicular and pedestrian gates are shown to the rear. But even if vehicular access is restricted or controlled there would be likely to be a significant increase in activity alongside no 25 and into the rear garden, as this would be the sole access to the new dwelling. Accordingly the future residents, and all deliveries and servicing would have to use this route.
13. Moreover, other domestic activity and impact including night-time domestic lighting, televisions, audio and other domestic equipment and entertaining, would be likely to alter the quiet ambience of the rear garden of no 25 and adjacent housing. The activity associated with a family size house would be incongruous and jarring in this otherwise tranquil backland location.
14. The approved conversion scheme would result in additional use of the rear garden because it would be subdivided³, although the plans of the appeal scheme before me do not show this. Because the proposed garden would be hard landscaped and designed to be used as outdoor living space, and it would also be the access route to the house there is a significant risk that it would be used intensively. Thus, I find that the addition of a further family size unit would unacceptably add to the intensification of use of the hitherto peaceful garden area.
15. I thus conclude that the living conditions of adjacent occupiers, both in the frontage host dwelling and in adjacent housing would be unacceptably and seriously harmed by the activity, noise and disturbance resulting from separate residential occupation of the proposed family sized house. I thus find conflict with LP Policy QD27 which, amongst other matters, seeks to ensure that noise and disturbance do not unacceptably erode the living conditions of existing residents and occupiers. Similarly the development would not be in accordance in the Framework which seeks a good standard of amenity for existing occupiers.

Other matter

16. The approved plan for the conversion shows the rear garden subdivided to provide two separate garden areas and includes the appeal site as part of the allocated amenity space. Moreover, the proposed access to the appeal site

³ Layout of garden areas planning permission BH/2013/0255

would, in the conversion scheme, accommodate cycle and refuse storage, together with a single car parking space adjacent to the front of the building. Thus vehicular access to the rear would not be available in this approved scheme.

17. Because the sites overlap and works to facilitate conversion works have commenced, implementation of both schemes appears no longer to be feasible. Thus, even if I were to grant planning permission, the appeal scheme could not be implemented in its current form. This also weighs against permission.

Conclusion

18. The proposed development is conveniently located in terms of access to public transport and day to day services and facilities. Furthermore the Council accept that the accommodation and floor space would provide residential accommodation of a satisfactory standard. I see no reason to disagree but for the reasons I have given none of these matters outweighs the harm to the character and appearance of the area and to the living conditions of adjacent occupiers.
19. I do not share the appellant's view that the proposed development would constitute sustainable development. The Framework makes it clear that the aims of high quality design and protection of amenity are important components of environmental sustainability. Accordingly for the reasons I have given, and having taken into account all other matters raised, I shall dismiss the appeal.

Sukie Tamplin

INSPECTOR



Appeal Decision

Site visit made on 14 August 2013

by **Ray Wright** BA(Hons) DipTP MRTPI

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

Decision date: 9 September 2013

Appeal Ref: APP/Q1445/A/13/2196206

Land to the west of 42 Falmer Gardens, Woodingdean, Brighton BN2 6NE

- 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 Clive Stillman against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/00736, dated 8 March 2012, was refused by notice dated 16 October 2012.
 - The development proposed is a 'new detached house with off road parking'.
-

Application for Costs

1. An application for costs was made by Mr Clive Stillman against Brighton and Hove City Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for a new detached house with off road parking on land to the west of 42 Falmer Gardens, Woodingdean, Brighton BN2 6NE in accordance with the terms of the application, Ref BH2012/00736, dated 8 March 2012, subject to the conditions set out in Schedule A.

Main Issue

3. The main issue in this case is the effect on the character and appearance of the area.

Reasons

4. The appeal property has a road frontage to Falmer Gardens and a lower rear garden which adjoins a bungalow at no 52. The proposal is for the erection of a new dwelling in this rear garden area. There is a significant difference in ground levels between the adjoining highway and the appeal site. The proposed dwelling would be seen as single storey from the road frontage while becoming two-storey to the rear, taking advantage of this change in levels.
 5. The National Planning Policy Framework (Framework) indicates that there should be a presumption in favour of sustainable development, but confirms that good design is a key aspect of sustainable development. The Framework
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indicates that planning policies and decisions should not attempt to impose architectural styles or particular tastes.

6. Policies QD1 and QD2 of the Brighton and Hove Local Plan 2005 (LP) require a high standard of design in accordance with key design principles and indicate new development should make a positive contribution to the visual quality of the environment.
7. The Council have put forward no objection in principle to the erection of a house on this garden area and infill developments appear to have taken place on other similar sites in this part of the road. I also note that planning permission has been granted for a dwelling on the appeal site with the proposal having the same siting but with an alternative design to the appeal scheme.
8. In this appeal the dwelling would have a contemporary design. It would have a shallow sloping mono-pitched roof consisting of profiled powder coated steel. Externally, at first floor level cedar cladding is proposed with render finish at lower levels. This roof form and the proposed materials would contrast with the general pattern of the area which consists of single and two storey dwellings with main elevations of brick, with pitched, tiled roofs.
9. However, Policy QD1 indicates replication of existing styles is not essential and that innovative and distinctive design is encouraged. The site is to the rear of the main frontage and the roof, as proposed, would reduce the overall bulk of the dwelling and allow the building to represent a relatively low key element within the street scene. The roof would be visible from higher levels and the rear of nearby houses, but any visual impact would be reduced by a subdued colour which could enable it to blend in with the remainder of this rear garden site. This element could be controlled by condition. The proposed timber cladding would enable the building to take account of its location and would lend itself to the appearance of an outbuilding. To my mind it would, consequently, not be prominent or dominant in its setting.
10. Policy QD5 of the LP indicates that development should present an interesting and attractive street frontage. A number of the existing main frontages to houses in the area are relatively open, with low boundary treatments and planting behind. However, the boundary treatments of side returns on corner houses, in the vicinity of the appeal site, are much more in the form of higher timber fencing, walls and hedge planting, giving more security and privacy to their rear garden areas. The proposed timber frontage would be of comparable form and height to other existing boundary treatments of properties along this part of Falmer Gardens. In the circumstances, I do not consider the proposed fence or associated gates would be incongruous or out of keeping on this particular site.
11. Overall the development would not harm the character and appearance of the area and, as such, is not contrary to the Framework, or Policies QD1, QD2 or QD5 of the LP.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed.

Conditions

13. I have considered the proposed conditions put forward by the Council should the appeal succeed, against the advice in Circular 11/95 and for clarity. The standard commencement condition is required, as is a condition referring to the relevant plans, for the avoidance of doubt and in the interests of proper planning.
14. I consider that future extensions on this house could have a significant effect on the overall design of the property and could also have a harmful effect on adjoining occupiers. In the circumstances, a limitation on the further extension/enlargement of the house is reasonable, in this particular case.
15. The house appears to be designed with a layout to meet the requirements of Lifetime Homes, therefore a condition to re-state this is unnecessary. For reasons of sustainability, a condition requiring hard surfaces to be porous is reasonable.
16. Although general materials are indicated for the proposed house I consider it necessary for these to be presented in more detail to the local planning authority to allow the specific colour and tone of external facings to be further considered. Similarly, exact details of the fencing and gates proposed are also required. Any nuisance from a wood burning stove could be controlled by other legislation therefore a condition requiring further details is unnecessary.
17. In respect of the Code for Sustainable Homes, two conditions have been put forward by the Council. I consider a requirement for level 4 is appropriate and reasonable, but only a single simpler condition is necessary. Two conditions relating to landscaping have also been put forward; one combined condition would cover the required details. In addition, this could include tree protection requirements which, again, do not need to be a separate condition.
18. Finally conditions relating to on-site vehicle and cycle parking are reasonable in the interests of highway safety and sustainability respectively. The implementation of the vehicle access to the parking area is under the control of the highway authority and a condition specifically related to this is unnecessary.

Ray Wright

INSPECTOR

Schedule A : Conditions

- 1) The development hereby permitted shall begin not 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: unnumbered location and block plan, 1207-001, 1207-002A, 1207-003, 1207-004A, 1207-005A, 1207-006A, 1207-007A, 1207-014, 1207-015 and sections 12/02/01/12 and 13.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no extensions, additions or enlargements of the house, as hereby permitted, shall be made or erected.

- 4) The hard surfaces shown on the approved plans 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.
- 5) No development shall take place until details of the materials to be used in 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.
- 6) No development shall take place until exact details of the proposed front boundary fence and gates 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.
- 7) The dwelling shall achieve Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.
- 8) No development shall take place until full details of both hard and soft landscaping works have been submitted to, and approved in writing by, the local planning authority. These details shall include hard surfacing materials, boundary treatment, retaining walls and specify the number, species, heights and position of all proposed plants, trees and hedges, together with those to be retained and their protection during construction, and a planting timetable. All landscape works shall be carried out in accordance with the approved details, including the timetable. If, within a period of 5 years from the date of planting, any tree or plant becomes diseased or is removed, uprooted, destroyed or dies, another of the same species and size shall be planted at the same place.
- 9) No development shall commence until details of secure cycle parking facilities, for the occupants of, and visitors to the development, have been submitted to, and approved in writing by, the local planning authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the dwelling and, thereafter, permanently retained.
- 10) The dwelling, hereby approved, shall not be occupied until the vehicular parking area shown on the approved plans has been implemented. The vehicle parking area shall not be used otherwise than for parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.



Costs Decision

Site visit made on 14 August 2013

by Ray Wright BA(Hons) DipTP MRTPI

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

Decision date: 9 September 2013

Costs application in relation to Appeal Ref: APP/Q1445/A/13/2196206 Land to the west of 42 Falmer Gardens, Woodingdean, Brighton BN2 6NE

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Clive Stillman for a full award of costs against Brighton and Hove City Council.
 - The appeal was made against the refusal of planning permission for a 'new detached house with off road parking.'
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Decision

1. The application for an award of costs is refused.

Reasons

2. Circular 03/2009 advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
 3. This application for costs is made on the basis that the Council's planning committee refused the planning application, the subject of this appeal, contrary to their officer's recommendation and without valid reason.
 4. However, Paragraph B20 of Circular 03/09 makes it clear that planning authorities are not bound to accept the recommendations of their officers, although if that advice is not followed, they will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support their decision. Paragraph B16 also makes it clear that planning authorities are expected to produce evidence at the appeal stage to substantiate each reason for refusal, with reference to the development plan and all other material considerations, the key test being whether the evidence produced provides a respectable basis for the authority's stance.
 5. The Council in this case relied on the decision notice, minutes of the meeting and a separate appeal statement to explain the concerns expressed by, and reasoning of, members of the Committee in coming to a different view to that recommended by officers. This was done with reference to relevant policies in the Brighton and Hove Local Plan 2005 (LP).
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6. The appellant also refers to paragraph B59 of the Circular. As highlighted by the Council this in fact should be a reference to paragraph B29, which relates to authorities ignoring National Policy. However, the Council's report refers to the National Planning Policy Framework (Framework) and the policies in the LP relevant to this appeal remain broadly in accordance with the Framework.
7. This appeal involved one main issue relating to the effect of the development on the character and appearance of the area which involves a matter of judgement, and in such cases it is inevitable that opinions will vary. Paragraph B18 of the Circular notes that where the outcome of an appeal turns on the assessment of such issues it will be unlikely that costs will be awarded if realistic and specific evidence is provided. I note the appellant strongly disagrees with the Councillors' judgement and subsequent decision. However in this case, I consider that the Council, through the documents set out above, did provide sufficient information to support its assessment and decision, which were appropriately linked to their adopted policies.
8. I therefore find that unreasonable behaviour resulting in unnecessary expense, as described in Circular 03/2009, has not been demonstrated.

Ray Wright

INSPECTOR



Appeal Decision

Site visit made on 30 July 2013

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 11 September 2013

Appeal Ref: APP/Q1445/A/13/2191818

62 Langdale Gardens, Hove, East Sussex, BN3 4HH

- 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 Trevor Herrington against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/02558, dated 13 August 2012, was refused by notice dated 8 November 2012.
 - The development proposed is a joint application for partial replacement of existing timber sash windows and first floor window and door to balcony with white UPVC double glazed units. Application by Freeholder relating to both flats.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue of the appeal is the effect of the proposed replacement windows and door on the character and appearance of the host property and the wider area.

Reasons

3. The appeal property constitutes a former semi-detached dwelling that has been sub-divided into two flats, with 1no. on each floor. It is within an attractive street, largely comprising detached and semi-detached buildings in residential occupation. The appeal property also forms part of a distinct group of buildings created by nos. 52 to 66 Langdale Gardens. Whilst the property is not listed or within a conservation area the fact that it retains traditional timber sash windows and is part of a group of similar properties contributes to its character and appearance, and that of the street scene. There may be examples of top hung double glazed casement windows along the street, however none such examples were apparent close to the appeal site at the time of my site visit.
 4. The proposal is to replace the existing windows within the bay at ground and first floor level, along with a further window and door to the balcony to the first floor. No elevational drawings have been submitted, although it appears from the submitted window schedule, contrary to the notes as set out therein, that the replacement windows would not match the design and proportions of the
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existing timber units: the framing of the top opening lights would be broader than the lower fixed frames.

5. I therefore find, in the absence of further details, that the windows as proposed would appear incongruous within the existing building, would unbalance the appearance of the pair of semi-detached buildings as a whole and consequently would detract from the character of the street scene. In addition to the above, I find that the differences between the proposed and the original window style would be exacerbated when the windows are open.
6. I note that the appellant refers to the window manufacturer's opinion that UPVC sliding sash windows would have a greater visual impact than those currently proposed. I also note the appellant's view that side hung casement windows would be less in keeping with the character of the original windows. However, I must deal with the appeal on the basis of the particular scheme before me.
7. I do not take issue with the use of UPVC as a material and in principle it may be appropriate in this location, but as I have found the detailed design and appearance as unacceptable, this does not outweigh the harm that would result from the proposal, as I have highlighted above.
8. The proposal is contrary to paragraph 60 of the National Planning Policy Framework (the 'Framework') which states that it is proper to seek to promote or reinforce local distinctiveness. I also find conflict with paragraph 64 of the Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. The proposal also conflicts with part a) of Policy QD14 of the Brighton and Hove Local Plan 2005 (LP), which requires proposals for alterations to be well designed and detailed in relation to adjoining properties and the surrounding area.
9. I realise that the purpose of the application was to improve the thermal performance and security of the existing single glazed windows, however other methods potentially exist to improve these without the need to replace the windows.
10. I also note that dwellinghouses within the street may have permitted development rights intact that would allow the replacement of windows and doors. However, this does not outweigh the harm that I have found above.
11. The proposal would have an adverse impact on the character and appearance of the host property and the wider area, therefore for the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

C J Tivey

INSPECTOR



Appeal Decision

Site visit made on 3 September 2013

by Peter Rose BA MRTPI DMS MCMi

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

Decision date: 11 September 2013

Appeal Ref: APP/Q1445/D/13/2200752

26 Lincoln Street, Brighton, East Sussex BN2 9UH

- 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 Stephen Silverman against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/00164, dated 15 January 2013, was refused by notice dated 3 April 2013.
 - The development proposed is lower ground and ground floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a lower ground and ground floor rear extension at 26 Lincoln Street, Brighton, East Sussex BN2 9UH in accordance with the terms of the application Ref BH2013/00164, dated 15 January 2013, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with approved plans A.1, A.2, A.3, A.4, A.5, A.6, A.7, A.8 and A.9.
 - 3) 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.

Main Issues

2. The main issues are:
 - (a) the effect of the proposed development upon the living conditions of neighbouring occupiers at No 24 Lincoln Street with particular regard to light and outlook;
 - (b) the effect of the proposed development upon the character and appearance of the appeal site and of the adjoining locality.

Reasons

(a) Living Conditions

3. The appeal site comprises a mid-terrace dwellinghouse with a 2-storey front elevation but with a lower ground floor viewed from the rear, giving the property a 3-storey rear elevation. The property is part of a tightly-knit terrace with limited rear garden space, and the terrace backs onto the rears of similar

parallel properties. In common with adjacent dwellings, the property has been variously altered over time and has a painted rendered finish. The lower ground floor to No 24 has already been extended to a greater depth than that proposed for No 26 but is only single storey.

4. The proposal is to erect a two-storey, full width extension some 2.7 metres deep. The roof would be partly flat, partly mono-pitch and enclosed by parapet walls. A scheme previously approved by the local planning authority in 2006 under reference BH2006/02200 (the 2006 scheme) included a similar lower ground floor extension but with a smaller ground floor addition.
5. The orientation of the building and its relationship to No 24 mean there would be some loss of light to the side lower ground floor kitchen window of the extension at No 24, and to the adjacent glazed doors. However, the extended kitchen is also served by a larger, rear facing window and the overall effect on that room would not be significant. The glazed doors are slightly recessed and already fairly enclosed, including by the extension to No 24. The marginal impact upon daylight through the doors is likely to be limited, and evidence submitted shows the impact upon sunlight to be no greater than in the permitted 2006 scheme. A further ground floor window adjacent to the extension would also be affected but this is frosted and serves a bathroom. The overall impact upon light would therefore be similar to that arising from the 2006 scheme and is not considered unduly harmful.
6. In terms of outlook, the extension would be clearly visible from the lower ground floor side kitchen window of No 24, and from the adjacent glazed doors. The outlook towards the proposed lower ground floor extension from those viewpoints would be similar to that arising from the 2006 scheme, although the extension would be higher along that boundary. No windows are proposed in the side elevation. The slightly higher garden level to No 24 is also noted. In these circumstances, it is not considered that the extension would appear unduly overbearing or unneighbourly, or that it would contribute to a heightened sense of enclosure. For the same reasons, I consider the development would not cause significant harm to the living conditions of the occupiers of No 28 in these terms.
7. It is therefore concluded that the proposed development would not significantly harm the living conditions of adjoining occupiers at No 24. Accordingly, the proposed development would not be contrary to Policy QD14 (Extensions and alterations) or to Policy QD27 (Protection of amenity) of the Brighton and Hove Local Plan (the Plan). A core principle of the National Planning Framework is to seek a good standard of amenity for existing and future occupants of land and buildings and the proposal as it relates to the neighbouring property at No 24 would be consistent with that aim.

(b) Character and appearance

8. The property lies within a confined setting, and the original rear elevations of the terrace appear to have been flat and without addition. A number of extensions have since been added to properties, although none in this vicinity appear to be full width, two-storey extensions.
9. The rears of the host building and adjoining properties do not have an overall uniform appearance. The design of the windows relates reasonably to the existing elevation. The ground floor study would be served by a window of

similar width and position to the main existing first floor window above. The window would be slightly deeper, however, which would serve to harmonise with the new, taller windows proposed below. The proposed light bronze coloured aluminium frames would not match the original sash windows but would not be inappropriate in a modern extension and nor would they appear incongruous when seen in the context of the variety of window features seen along the rear of the terrace. The mono pitch to the roof is shallow, and the dual treatment of the roof would be significantly concealed behind parapet walls and would not therefore appear discordant.

10. The ground floor element would project further than the approved ground floor bay in the 2006 scheme and would be clearly visible to the rear. Nevertheless, the extension would be of a reasonable depth and width relative to the scale and proportions of the property and the size of the garden, and would be rendered to match the host building. Taken together, these factors would not make for an over-extended, bulky or otherwise unsympathetic appearance.
11. It is therefore concluded that the proposed development would not be harmful to the character and appearance of both the host building and locality. Accordingly, the proposed development would not be contrary to Policy QD14 of the Plan.

Other Matters

12. Regard has also been given to Permitted Development rights for householders, and to the internal benefits of the improvements proposed, but these matters do not affect my findings on the Main Issues.

Conditions

13. For the avoidance of doubt and in the interest of proper planning, a condition is imposed to ensure the development is undertaken in accordance with the relevant drawings. Details of the materials are as specified on the submitted drawings and a condition requiring matching materials is not therefore necessary. The Council has also suggested a condition to limit access to the rear roof. This is both necessary and reasonable in order to prevent harm to the amenities of adjoining residents from possible overlooking and noise disturbance.

Conclusion

14. For the above reasons, I conclude the appeal should be allowed.

Peter Rose

INSPECTOR



Appeal Decision

Site visit made on 5 August 2013

by D Lamont BSc(Hons) MBA MRTPI MCMl

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

Decision date: 12 September 2013

Appeal Ref: APP/Q1445/A/13/2192748
81 St Aubyn's, Hove, East Sussex BN3 2TL

- 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 H Toussi against the decision of Brighton & Hove City Council.
 - The application Ref BH2012/02102, dated 8 July 2012, was refused by notice dated 27 November 2012.
 - The development is conversion of former dining and kitchen areas on the lower ground floor to 2 studio units and reduction in the depth of the existing single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The development has been completed, and the appeal has been determined on this basis.

Main Issue

3. The main issue is the effect of the development on the living conditions of the building's residents, in respect of floorspace and layout of two of the units and lack of access to external amenity space for all units except one.

Reasons

4. The appeal relates to alterations undertaken at the lower ground floor of a large terraced House in Multiple Occupation (HMO). They include a re-arrangement of the layout of a former kitchen and dining room, to the rear, which had been the subject of an earlier planning permission to create two bedsits. Although the units in question are larger than those previously approved, they include internal shower/WC rooms to create self contained studios.
 5. The middle and rear units are small with narrow principal rooms. The effect of limited floorspace is exacerbated by the layout, position of doors and in the case of the middle unit, the lack of separation to the kitchen area. This provides inadequate and poorly arranged living space.
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6. Access to wider communal space makes a particularly valuable contribution to the living conditions of residents of HMOs, bedsits and studio apartments. The appeal scheme removes the building's direct access, except the middle lower ground floor unit, to the communal rear outdoor space. While the existing occupiers may not use the outdoor space, the lack of access to outdoor amenity space would have a detrimental effect on the living conditions of the residents of the front and rear units and upper floors. It is also contrary to Brighton and Hove Local Plan 2005 (Local Plan) Policy HO5, which requires provision of private amenity space appropriate to the scale and character of residential development. The availability of local public open space does not justify the harm to loss of direct access to communal outdoor amenity space.
7. For these reasons, I conclude that the development is cramped and makes inadequate provision for meaningful interior floor space, by virtue of size and layout for self-contained residential apartments; and erodes the accessibility of the large private rear external space. This would provide a poor quality of residential environment and cause unacceptable harm to the living conditions of the building's residents; contrary to Local Plan Policies QD27 and HO5, which seek to protect residents against development which would cause unacceptable harm to living conditions and deliver private amenity space.
8. Given the nature of the development, the Council is satisfied that there would be no harm to the character or appearance of the Conservation Area. I share this view.
9. For these reasons, and having had regard to all other matters raised, including the appellant's comments in respect of fenestration and the rear extension representing a reduced length of a former built element, I conclude that the development would cause unacceptable harm to the living conditions of the building's residents, in respect of inadequate provision of floorspace and layout of the middle and rear lower ground floor units and loss of direct access to external amenity space for all units except one, contrary to Local Plan Policies QD27 and HO5, and dismiss the appeal.

D Lamont

INSPECTOR



Appeal Decision

Site visit made on 30 July 2013

by Mr C J Tivey BSc (Hons) BPI MRTPI

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

Decision date: 13 September 2013

Appeal Ref: APP/Q1445/E/13/2190682

Flat 2, 15-17 Prince's Street, Brighton, BN2 1WE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant Listed Building Consent.
 - The appeal is made by Mr A Fair against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/02084, dated 20 June 2012, was refused by notice dated 5 October 2012.
 - The proposed works are the provision of cornice and fireplace to the lounge and hardwood flooring to the hallway.
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Procedural Matters

1. The works have been carried out and are substantially complete.

Decision

2. The appeal is allowed and Listed Building Consent is granted for the provision of cornice and fireplace to the lounge and hardwood flooring to the hallway at Flat 2, 15-17 Princes Street, Brighton, BN2 1WE, in accordance with the terms of the application, ref: BH2012/02084, dated 20 June 2012 and the plans and photographs submitted with it.

Main Issue

3. The main issue is the effect of the works on the special interest of the listed building.

Reasons

4. The appeal site is a ground floor flat within a grade II listed building that was formerly the Parochial Offices for the Board of Guardians and Registrar constructed in 1895. The red brick building has an ornate street frontage with a gabled entrance bay, pink polished granite columns with foliage capitals and a central oriel window with a moulded corbel. Windows with stone dressings and Gothic and Tudor details contribute to a complex composition that gives stature, grandness and considerable prominence to the building, reflecting not only the era in which it was built, but also its status as an institutional building. The theme of historic grandeur is carried through into the entrance hall and main staircase. The scale and nature of these features are important elements of the
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significance and special interest of the listed building. The flat that is the subject of the appeal lies beyond the entrance hall.

5. The building was converted to flats in the 1990s and consent granted in 2009 for installation of a partition enclosing the kitchen and the lowering of the ceiling in the lounge. These works have introduced domestic proportions and character to this part of the building, but they did not I understand, result in the loss of any original details. In effect these works inserted a domestic unit into the institutional building. The cornice and fireplace sit within that insertion.
6. The listed building is an institutional building in form and character and references to Victorian domestic interiors do not for this reason justify the works, nor in view of this can it reasonably be argued that the works amount to a restoration scheme, scholarly or conjectural. However as decorative features of a contained domestic unit inserted into the building, which leaves remaining original elements and the structure unharmed, they do not in my view detract from the special interest of the listed building. In this respect there is little difference in terms of impact between these elements and the oak flooring laid above the original stone floor in the hallway which, as noted by the Council has not resulted in damage to the historic fabric and is easily reversible.
7. I conclude therefore that the works would preserve the special architectural interest of the listed building and find no conflict in this respect with the objectives of Policy HE1 of the Brighton and Hove Local Plan or with the advice in Supplementary Planning Guidance 11: Listed Buildings Interiors.
8. The works have already been carried out. No conditions have been suggested and I consider none are necessary.

C J Tivey

INSPECTOR