





**Brighton & Hove
City Council**

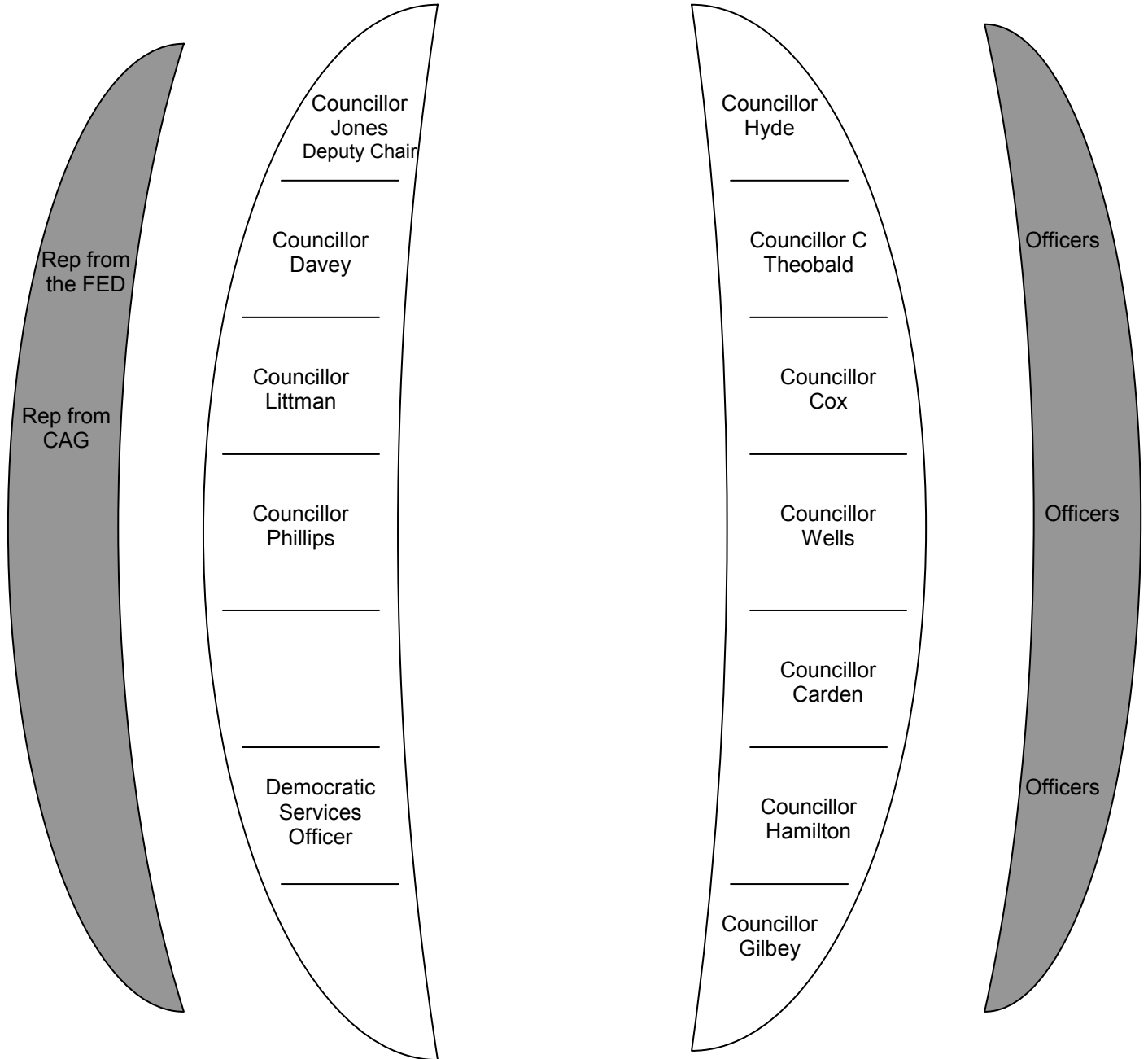
Planning Committee

Title:	Planning Committee
Date:	28 January 2015
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, Phillips, C Theobald and Wells</p> <p>Co-opted Members: Jim Gowans (Conservation Advisory Group)</p>
Contact:	<p>Penny Jennings Democratic Services Officer 01273 29-1064/5 planning.committee@brighton-hove.gov.uk</p>

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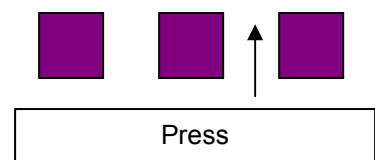
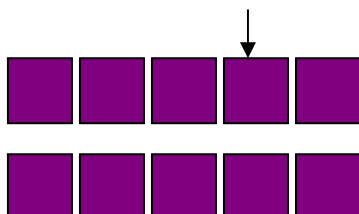
Democratic Services: Planning Committee

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



AGENDA

122 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;
- (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 'aeroplane mode'.

PLANNING COMMITTEE

123 MINUTES OF THE PREVIOUS MEETING

1 - 20

Minutes of the meeting held on 10 December 2014 (copy attached).

124 CHAIR'S COMMUNICATIONS

125 PUBLIC QUESTIONS

Written Questions: to receive any questions submitted by the due date of 12 noon on 21 January 2015.

126 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

127 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 BH2014/02589 - Land South of Ovingdean Road, Brighton - 21 - 130 **Outline Application some matters reserved**

Outline planning application with appearance reserved for the construction of 85no one, two, three and four bedroom dwellings with associated garages, parking, estate roads, footways, pedestrian linkages, public open space and strategic landscaping. New vehicular access from Ovingdean Road and junction improvements.

RECOMMENDATION – REFUSE

Ward Affected: Rottingdean Coastal

PLANNING COMMITTEE

- B BH2014/03426 - 361-367 Old Shoreham Road, Hove - Full Planning 131 - 156**

Construction of a single storey front extension incorporating repositioned entrance lobby, demolition of the existing goods online building and replacement with an enlarged single storey side (west) extension, construction of a two storey (ground and mezzanine) rear/side (east) extension and installation of photovoltaic solar panels on the roof of the building. General alterations to the layout of customer car park including 16 extra new spaces and installation of new cycle stands. Demolition of the existing petrol station and construction of a new 18 pump facility with associated retail kiosk, car wash and improved access road layout.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Hangleton & Knoll

- C BH2014/03605 - 70 and site of Chrome Productions Limited, Goldstone Lane, Hove - Full Planning 157 - 184**

Demolition of existing buildings and redevelopment of site including construction of new part 3no, part 4no and part 5no storey building providing office space (B1) at ground floor level and 59no self contained apartments (C3). Erection of 6no three storey terraced dwelling houses (C3) incorporating provision of 2no car parking spaces per dwelling, creation of basement car park to provide 41no car parking spaces, landscaping and other associated works.

RECOMMENDATION – MINDED TO REFUSE

Ward Affected: Hove Park

MINOR APPLICATIONS

- D BH2014/03405 - 26 Falmer Gardens, Brighton - Householder Planning Consent 185 - 194**

Roof alterations including hip to barn end roof extensions, dormers and rooflights to front and rear elevations.

RECOMMENDATION – REFUSE

Ward Affected: Woodingdean

- E BH2014/03351 - 13 Channel View Road, Brighton - Householder Planning Consent 195 - 204**

Alterations to roof including raising of ridge height, barn end roof extension, front dormer incorporating balcony, insertion of rear window and 4no. side facing rooflights.

RECOMMENDATION – REFUSE

Ward Affected: Woodingdean

PLANNING COMMITTEE

- F BH2014/03130 - Sandringham Lodge, 23 Palmeira Avenue, Hove - Full Planning 205 - 220**

Formation of additional level comprising 2no three bedroom flats incorporating bicycle store.

RECOMMENDATION – REFUSE

Ward Affected: Brunswick & Adelaide

- G BH2013/04292 - 43-45 Bonchurch Road, Brighton - Full Planning 221 - 246**

Demolition of existing building and erection of 6no flats (5 x 1 bedroom and 1 x 3 bedroom) with refuse storage.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Hanover & Elm Grove

- H BH2014/03742 - Hove Business Centre, Fonthill Road, Hove - Full Planning 247 - 268**

Creation of 4no one bedroom flats, 4no two bedroom flats and 1no three bedroom flat on existing flat roof incorporating revised access and associated works.

RECOMMENDATION – MINDED TO GRANT

Ward Affected: Goldsmid

128 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

- 129 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS 269 - 270**

(copy attached).

- 130 LIST OF APPLICATIONS DETERMINED UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS COMMITTEE DECISION (INC. TREES MATTERS) 271 - 560**

(copy attached)

- 131 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE 561 - 568**

(copy attached).

PLANNING COMMITTEE

132 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES 569 - 570

(copy attached).

133 APPEAL DECISIONS 571 - 602

(copy attached).

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

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

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

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

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

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

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

For further details and general enquiries about this meeting contact Ross Keatley, (01273 29-1064/5, email planning.committee@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk.

Date of Publication - Tuesday, 20 January 2015

PLANNING COMMITTEE

BRIGHTON & HOVE CITY COUNCIL**PLANNING COMMITTEE****2.00pm 10 DECEMBER 2014****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

Present: Councillors Mac Cafferty (Chair), Jones (Deputy Chair), Hyde (Opposition Spokesperson), Carden (Opposition Spokesperson), Cox, Davey, Gilbey, Hamilton, Littman, Phillips, C Theobald and Wells

Co-opted Members: Mr James Breckell (CAG)

Officers in attendance: Jeanette Walsh (Head of Development Control); Nicola Hurley (Area Planning Manager); Mick Anson (Senior Planning Officer); Steven Shaw (Principal Transport Officer); Kate Cole (County Ecologist); Hilary Woodward (Senior Lawyer) and Ross Keatley (Acting Democratic Services Manager).

PART ONE**110 PROCEDURAL BUSINESS****110a Declarations of substitutes**

110.1 Mr Breckell was in substitution for Mr Gowans on behalf on the CAG.

110b Declarations of interests

110.2 Councillor Cox declared an interest in respect of Application F – Land Rear of 5-11 Cromwell Street, Brighton as the applicant's brother was a relative of his; however, he had not discussed the application with his relative; was of a neutral mind and would take part in the debate and vote in relation to this application.

110.3 Councillor Hyde declared an interest in respect of Application E – 2 Baywood Gardens, Woodingdean, Brighton as her daughter lived opposite the property in question; however, she had not expressed a view in relation to the application; was of a neutral mind and would take part in the debate and vote in relation to this application.

110.4 Councillor Wells declared an interest in respect of Application E – 2 Baywood Gardens, Woodingdean, Brighton as the applicant was his ward colleague, Mrs Simson; however, he had not expressed a view in relation to the application; was of a neutral mind and would take part in the debate and vote in relation to this application.

110c Exclusion of the press and public

110.3 In accordance with Section 100A of the Local Government Act 1972 (“the Act”), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

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

110d Use of mobile phones and tablets

110.5 The Chair requested Members ensure that their mobile phones were switched off, and where Members were using tablets to access agenda papers electronically ensure that these were switched to ‘airplane mode’.

111 MINUTES OF THE PREVIOUS MEETING

111.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 19 November 2014 as a correct record.

112 CHAIR'S COMMUNICATIONS

.1 There were none.

113 PUBLIC QUESTIONS

113.1 There were none.

114 TO AGREE THOSE APPLICATIONS TO BE THE SUBJECT OF SITE VISITS

114.1 There were no further requests for site visits in relation to matters listed on the agenda.

115 TO CONSIDER AND DETERMINE PLANNING APPLICATIONS

A BH2014/01637 - Land at 54 Hollingdean Road & 46 Freehold Terrace and 52 Hollingdean Road, Brighton - Full Planning - Demolition of all buildings at 54 Hollingdean Road and erection of a part 3, 4, 5 and 6 storey building (plus basement) to form 205 student rooms (180 cluster bedrooms, 19 studios and 6 accessible rooms) with kitchen and common room facilities, cycle storage and refuse facilities. Associated works include photovoltaic panels on the roof of 6th storey, roof gardens on 3rd, 4th and 5th storeys and general planting and landscaping of grounds. Demolition of 46 Freehold Terrace and erection of a 4 storey building comprising 8 affordable housing units. Change of use and refurbishment of 52 Hollingdean Road from A1 retail with residential above to form an associated management suite including reception, offices, toilets, laundry facilities and staff kitchen.

- (1) It was noted that the application had formed the subject of a site visit prior to the meeting.
- (2) The Senior Planning Officer, Mick Anson, gave a presentation by reference to photographs, plans, elevational and concept images; attention was also drawn to matters on the late list. The application sought permission for 205 student rooms arranged as studios, cluster flats and accessible rooms – there would also be 8 affordable flats. Attention was also drawn to amendments to conditions 19 and 22, and the replacement of condition 33. The site fronted onto Hollingdean Road and Freehold Terrace and had the railway embankment to the rear; it was currently in use as light industrial and occupied by a printing firm.
- (3) The proposed plans were for a part 3, 4, 5 & 6 storey building on the site. The lower ground floor of the student accommodation block comprised the communal room with access to the amenity space. There was ramped access to the cycle storage at ground floor, and the student rooms would be set back by two metres to leave room for planting. The main entrance was off Freehold Terrace, and the secondary entrance was also off Freehold Terrace. The affordable units would be a mixture of one and two bedroom flats, and the main entrance to the student blocks would be at the location of the studios. At the third floor of the building the student block would be set back, and there would be access to a landscaped garden. The building would be further set back at the fourth floor with a further terrace and roof garden, and this pattern would be repeated at the fifth floor. The roof would be mainly green with photovoltaic panels. The proposed materials were noted on the sample block that had been provided for the Committee.
- (4) The policy considerations were set out in the report, and the applicant had been able to demonstrate that the employment use was no longer viable at the site; the site was in the DA3 area and considered appropriate for this type of student accommodation. In terms of design the development was not considered a 'tall building', and the area already featured other larger scale buildings; . The impact on daylight was considered overall acceptable. On-site there would be a student management plan, and the more 'discreet' location would be helpful to reduce the impact. There would be no parking allowed on the site aside from two-disabled bays, and it was also acknowledged that car ownership was lower with students. In terms of sustainability the development would achieve code level 4. The application was recommended to be minded to grant for the reasons set out in the report.

Public Speaker(s) & Questions

- (5) Ms Caroline Lynch spoke in objection to the application; she stated that her objections related to the impact on amenity; the lack of parking, and the impact on travel in the Lewes Road area that could not be sustained by large schemes. She was of the view that these types of developments had an impact on community cohesion. Reference was made to the Council's article 4 direction, and it was considered that developers were using this development to circumvent the policy. Ms Lynch stated that if the application were for a large HMO then to the Committee would refuse this. She summarised the impact on the local area would continue until the universities took the responsibility of housing all of their students themselves.

- (6) Mr Peter Rainer addressed the Committee on behalf of the applicant and stated, in response to the objector, that the article 4 direction did not apply in this instance as the application was for a new property – rather than a change of use. There was an accepted need for student accommodation in the city, and the preference was for larger schemes of this type – this addressed the demand from the universities and allowed homes in the city to return to family occupancy. The development included a student management plan to reduce noise and avoid car use, and the proposal was a high quality development on a site that was no longer fit for purpose. The existing buildings were ‘drab’ and in a poor state of repair, and the proposals would have a positive impact on the area, and the 8 affordable units would help the housing needs of the city. During the life of the scheme a public consultation had been held, and the scheme was a result of close work with the Council.
- (7) In response to Councillor Hamilton the Chair noted there was an amended condition to provide for all 8 of the affordable units to be for social rent.
- (8) It was clarified for Councillor C. Theobald that there would be a travel management plan for the site that would co-ordinate the arrival and departure of students at the beginning and end of the terms. In response to a further question it was explained that the crime prevention matters would form the subject of a detailed condition, but measures including 24 hour on-site security had already been agreed .
- (9) In response to Councillor Davey it was explained by the applicant that Brighton University had formally expressed their interest in using the accommodation for their students. The construction would be undertaken by a third party, and then the site would be managed by the operator and linked to the university with their own management agreement.
- (10) It was confirmed for Councillor Hyde that there was currently no contractual agreement with Brighton University, but they had expressed serious interest through their Board and Management Team.

Questions for Officers

- (11) In response to Councillor Hyde it was explained that the article 4 direction covered five wards in the city to give greater control over small HMOs of less than 6 residents. Policy within the emerging City Plan was relevant, and the distinct policy approach between planned and unplanned development was clarified for the Committee.
- (12) In response to Councillor Littman it was clarified that the former retail unit to be retained currently had students living on the first floor, and in the proposals it would become the management suite and laundry.
- (13) In response to Councillor C. Theobald it was clarified that there was the potential for overshadowing to occur in one corner of the site.
- (14) In response to Councillor Jones the Senior Planning Officer explained that some of the sustainability levels had been increased during the life of the application, and the conditions attached to the application would ensure they were fully implemented.

- (15) Councillor Gilbey asked some specific questions about the road, and Officers explained that deliveries would be made to the site from Freehold Terrace; the applicant had suggested options to improve road safety, but these had yet to be formally agreed in detail. There would be an element of the s106 monies for transport contributions. Currently the pavement was flush with the highway, and residents had objected to the proposal to make the road one-way on the basis it would increase 'rat-running'. There were two entrances to the site for safety and fire reasons, and student access to the site could be further considered through the management plan.
- (16) The distance from the flats to the railway was confirmed for Councillor Gilbey.
- (17) The Chair asked about the policy position in relation to the application, and in particular whether there had been any early conversations about progressing a mixed-residential scheme. In response the presenting Officer explained that this was not something that had been discussed; however, the District Valuer had assessed a B1 scheme which had come back as significantly negative in terms of viability.
- (18) In response to further questions from the Chair it was explained there was policy in relation to boundary treatment which would include security measures, and this was recommended to be secured through condition. It was also considered that more open access at the front of the scheme would be a better option in terms of crime deterrent.

Debate and Decision Making Process

- (19) Councillor Hyde noted that scale of the proposals; she felt the site was appropriate for student accommodation, but noted she had several concerns with the scheme. There would be a substantial increase in traffic for deliveries and services. There was no parking at the site, and whilst there would be lower car use amongst students there would still be the potential for some displaced parking. The design was acceptable, but there were concerns with the height of the development as it would be much higher than the railway bridge in Hollingdean Road. Councillor Hyde was not of the view that such schemes would lead to family homes coming back into use as the universities in the city continued to expand. The majority of nearby residential properties were terrace and would be disproportionately affected; for these reason Councillor Hyde stated that she would not support the Officer recommendation.
- (20) Councillor Wells noted his general agreement with the points made by Councillor Hyde as well as those made by the objector. He felt the scheme was overdevelopment, and felt the area would be better identified for housing. The scheme would also create parking problems in the area, and for these reasons he would not be supporting the Officer recommendation.
- (21) Councillor C. Theobald noted the site was appropriate for student accommodation, but noted the loss of the light industrial use. The scheme would look very dominant, and was overdevelopment of the site – there were also concerns in terms of the currently proposed palette. Councillor C. Theobald also felt it needed more parking and a mixed use scheme would be more appropriate – for these reasons she would not support the scheme.

- (22) Councillor Davey felt the proposals were a good use of the site, and felt the scheme was an excellent opportunity being situated so close to Brighton University, amenities and on a major sustainable transport route. The scheme would be a boost to the local area, and bring in improvements as well as improving air quality through greater circulation of air. For these reasons he would support the Officer recommendation.
- (23) Councillor Cox noted his support of the scheme and he felt the Committee needed to be forward thinking and open looking; as well as consideration the wider benefits of having two major universities located in the city.
- (24) Councillor Gilbey stated that she would support the scheme having listening to points during consideration of the application; she felt the impact in terms of the height of the scheme did not outweigh the wider benefits, and she was satisfied with the responses she had received in terms of road safety.
- (25) Councillors Jones noted it was a very large scheme; he was mindful of the points made by the objector and acknowledged the difficulties with the site. With all this considered the site usage was efficient; the onsite security was welcome and proposed colour scheme would work well – for these reasons he would support the Officer recommendation.
- (26) The Chair proposed an additional informative that if the Committee were minded to grant the application then the discharge of the materials condition be delegated to the Head of Development Control in consultation with the Chair, Deputy Chair and Opposition Spokespersons.
- (27) A vote was taken by the 12 Members present and the Officer recommendation that the Committee be minded to grant the application was carried on a vote of 8 in support with 4 against.

115.1 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to be **MINDED TO GRANT** planning permission subject to the S106 agreement; the conditions and informatives set out in the report, and the amended and replacement condition and additional informative set out below:

Amended Conditions

- i) Amend condition 19 to add the wording “roof gardens” after the words “shall include hard surfacing”
- ii) Amend condition 22 to add the words “(social rented)” after the words “Affordable Housings units”

Replacement Condition

Delete conditions 33 and replace with the following wording:

- i) The development hereby approved shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme

showing details of the cycle parking provision. The agreed scheme shall be implemented in full prior to occupation of the development and retained thereafter.

Reason: To ensure satisfactory provision of cycle parking and storage facilities which meets the Council's standard and complies with policy TR14 of the Brighton & Hove Local Plan 2005.

Additional Informative

- i) The material samples required by condition seven (7) shall be delegated for agreement to the Head of Development Control in consultation with the Chair, Deputy Chair and the Oppositions spokespersons.

B BH2014/03387 - 18 Wellington Road, Brighton - Removal or Variation of Conditions - Application for variation of conditions 28 and 29 of application BH2011/03796 (Application to extend time limit for implementation of previous approval BH2008/03248) to allow for changes to the wording of both conditions. Condition 28 to read as follows - "No development other than foundation earth works for the three storey extension shall commence until details of the following have been submitted to and agreed by the Local Planning Authority. A bat survey carried out between May and August. The findings of the bat surveys shall be accompanied by an appropriate bat mitigation and enhancement strategy which should provide assurance that the development will comply with wildlife legislation and address the provision of adequate artificial bat roosting structures, soft landscaping and the lighting proposals for the scheme as appropriate to ensure bat habitat is conserved and enhanced on the site. The scheme shall then be implemented in accordance with the approved details." Reason: To safeguard these protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan. Condition 29 to read as follows - "No development other than foundation earth works for the three storey extension shall commence until details of the following have been submitted to and agreed by the Local Planning Authority. A Swift survey has been carried out between May and August. The findings of the surveys shall be accompanied by an appropriate mitigation and enhancement strategy. The scheme shall then be implemented in accordance with the approved details." Reason: To safeguard these protected species from the impact of the development in accordance with policy QD18 of the Brighton & Hove Local Plan.

- (1) The Area Planning Manager, Nicola Hurley, gave a presentation by reference to photographs, plans and elevational drawings. The site was a former Church of England children's home, and the surrounding area contained largely residential properties. Permission had been granted for the current scheme in 2009; this had been given time limit extension in April 2012, and the current application sought amendments to conditions which would allow the work on the scheme to commence. The condition related to the submission of the bat and swift surveys, and the amendment would allow the surveys to come in at a later day so foundations work could commence, and the comments from the County Ecologist were in the report. The current approval expired on 5 April 2014, and the compliance with the current condition was not possible due to the dates the surveys had to be carried out; instead the foundations works could be progressed as they would not interfere with any bats or swifts on the site. It was noted there was no evidence of bat roosts, and the County Ecologist had not objected. The

application was recommendation to be minded to grant for the reasons set out in the report.

Questions for Officers, Debate and Decision Making Process

- (2) In response to Councillor Hyde the County Ecologist, Kate Cole, explained that when the application had been submitted the preliminary ecology appraisal had identified the need for the surveys. The main issues affecting any roosts or nests would be the main building and the roof. The best time to survey was May to August, and the proposed ground works would not impact the features that could be used for nests and roosts.
- (3) In response to Councillor Littman the Head of Development Control explained that the planning history was evidence that there had been attempts at different schemes on the site; the delay in the implementation of the consent was not reason to refuse the variation and the Local Planning Authority should be helpful in assisting with the commencement of schemes. The proposed variation would allow the implementation without compromising ecology on the site.
- (4) In response to the Chair the County Ecologist stated that best practice guidance would require two dusk surveys for bats; the variation would still require these to be undertaken. There would be no harm to any ecology on the site through the ground works as both bats and swifts were used to a degree of disturbance.
- (5) A vote was taken by the 12 Members present, and the Officer recommendation that the Committee be minded to grant the application was carried on a vote of 7 in support, 3 against and 2 abstentions.

115.2 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to be **MINDED TO GRANT** planning permission subject to the S106 agreement and the conditions and informatives set out in the report.

C BH2014/02176 - Vardean College, Surrenden Road, Brighton - Full Planning - Retention of existing temporary classrooms for a further period of five years. (Retrospective)

- (1) The Area Planning Manager gave a presentation by reference to photographs, plans and elevational drawings. The surrounding area was playing fields, and the main buildings on the site dated back to the 1930s. There had been numerous applications over time, and the application sought to retain the temporary classrooms for a further five years – with the current permission expiring in February 2015. No change to the current configuration was proposed, and the key issues related to the need; the impact on amenity and the loss of the open space. Permission had been granted in 2009 for the demolition of the site, but this had not been implemented and the college had instead sought to manage their existing buildings. The classrooms were critical space for the college, and they were not considered over dominant. It was acknowledged that the classrooms were not a permanent solution, but their removal would create a significant deficit of space at the college. For the reasons outlined in the report the application was recommended for approval.

(2) A vote was taken by the 12 Members and the Officer recommendation that planning permission be granted was carried unanimously.

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

D BH2014/02179 - 61-62 Western Road, Brighton - Full Planning - Change of use of part of basement, first, second and third floors from retail (A1) to 20 bedroom house in multiple occupation (Sui Generis) including ancillary staff accommodation, alterations to fenestration, installation of air conditioning units, creation of plant room to roof, creation of new entrance onto Stone Street and associated works.

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

(2) The Area Planning Manager introduced the application and gave a presentation by reference to photographs, plans and elevational drawings. The application site related to a 1920s property of four storeys plus the basement, and was located within the Regency Square Conservation Area – the building was also considered to be a heritage asset. The application sought permission for a change of use for part of the basement, and the floors from first above to create an HMO. Part of the basement would be retained for use in conjunction with the ground floor retail unit, and a number of extensions were sought including a fire escape; the replacement of the lift and lift shaft; the creation of a new entrance; insulation and a new fire escape.

(3) The main considerations related to the loss of some of the retail space; the principle of the change of use; the external works; the impact on amenity and future occupiers; highways and sustainability. The application site was located within the regional shopping centre, and the application sought to retain the majority of the retail space and this would ensure the space remained viable in this location. There were currently no HMOs within 50 metres of the property, and as such the proposals complied with policy. There would be on-site management to help address residents' concerns and the external alterations were considered acceptable. Since the submission of the application a letter had been received from the YMCA stating that the accommodation would be used to house 18-25 year olds who had faced homelessness in the past, but who had sufficient life and independence living skills. The YMCA would enter into a management agreement with the residents which would be used to enforce anti-social behaviour. Subject to the condition restricting the use of the third-floor balconies it was considered there would be no adverse impact on amenity. The application was recommended to be minded to grant for the reasons set out in the report.

Public Speaker(s) and Questions

(4) Ms Trix Webber spoke in objection to the application in her capacity as a local resident. She stated that residents were of the view that the proposed hostel would create both noise and a loss of amenity, and as such should be refused in line with policy. Stone Street was a narrow street that could cause congestion, and create problems with rubbish – the extra residents would make these problems worse. Local residents had concerns in relation to anti-social behaviour; particularly given the size of the building,

and there were already problems nearby in Preston Street. It was felt that new residential developments should provide outdoor space, and the solution to use s106 to improve nearby amenities was not considered sufficient. The loss of commercial space was not considered acceptable given the shortage already existing within the city, and the property could be better used as flats. If the Committee were minded to grant the application it was requested that the developer reinstate the historic street signs on the building.

- (5) In response to Councillor Jones it was explained by Ms Webber that despite the assurances from the YMCA the development still seemed cramped for the numbers that would be living there; there was no outside amenity area and there were existing anti-social behaviour problems in the area.
- (6) In response to Councillor Phillips the objector confirmed her position that remote outdoor facilities were not sufficient.
- (7) Mr Chas Walker spoke in support of the application in his capacity as the applicant. He explained that the YMCA has been working to meet the housing needs of young people in the city for 25 years, and worked in partnership with the Council. The YMCA worked the secure grants to bring unused sites back into use for social housing, and this application had been supported by the Council. There was an emerging crisis with the high demand in the rented sector, and the application provided an excellent opportunity. The YMCA worked with over 600 young people, and affordable housing was vital to the work they undertook. It was stressed that the proposal would not be a hostel, but was a 'move on' scheme that would only house individuals already known to the YMCA, and the expectation was that a significant number of the young people would be working. Assurance was given that the YMCA would provide a responsible management service; with 24 hour security and a named Housing Officer – they would also work closely with the local community. In summary it was stressed that those housed would be local young people, and the scheme would allow them to contribute and become responsible.
- (8) In response to Councillor Cox the applicant explained that the highly central location was very desirable as many of the young people would be working in the city centre, and there were also a number of volunteer and apprenticeship schemes in this part of the city. The scheme would have a dedicated Housing Officer, and all projects of this nature were committed to building relationships with the local community. The young people would be tenants and there would be options for enforcement; part of the work of the YMCA was to develop life skills and the young people to be housed at the site would be very clear about their responsibilities.
- (9) In response to Councillor C. Theobald it was confirmed that the plaster work in the scheme would replicate the existing, and there was no proposal to change the face brickwork. The developer would also be happy to consider the objector's request in relation to the historic street signage.
- (10) It was confirmed for Councillor Hyde that the residents would be able to smoke in their rooms.

- (11) In response to Mr Breckell the applicant explained that the proposal was to insulate the external wall as this was steel framed, and the steel would be afforded greater protection if it were on the outside – there should be no noticeable difference.
- (12) In response to Councillor Jones it was clarified that there was no restriction to the length of tenancies.

Questions for Officers

- (13) In response to Councillor Davey it was explained that the Heritage Team were happy with the proposals and considered them acceptable.
- (14) Councillor C. Theobald proposed an informative in relation to the heritage street signs; this was seconded by the Chair and agreed by the Committee.
- (15) The Chair asked for further assurance in relation to the plasterwork, and Officers highlighted condition 11 that would manage this.

Debate and Decision Making Process

- (16) Councillor Phillips stated her support for the scheme, and welcomed the 24 security presence; which she hoped would alleviate the concerns of local residents. She welcomed the strategy of the YMCA to bring empty properties back into use, and was pleased to hear that the work would improve the outcomes for local young people. She felt the scheme was an excellent stepping stone for young people.
- (17) Mr Breckell stated that the CAG had some reservations because of the proposed materials – in particular ‘cloaking’ the exterior in insulation. He recognised that both the Heritage Team and the Local Planning Authority were content, but he was of the view the finish would need to be of a very high standard. He noted that the CAG had voted to support the scheme and were supportive of the historic street signs.
- (18) Councillor Littman stated that this was an excellent application, and was evidence of what could be achieved by allowing a heritage asset to come back into use. He welcomed this solution to give young people somewhere affordable to live given the increasing costs of renting in the city.
- (19) Councillor Wells stated that he had shared some of the objectors concerns, but he was very much in support of returning the properties above retail properties to residential use. He would support the Officer recommendation.
- (20) Councillor Davey was very mindful of residents’ concerns, but he was assured by the level of management proposed by the applicant as well as the promise to work closely with the local community. He requested that YMCA should make it clear to the residents who would be their point of contact when day to day issues arise.
- (21) Councillor Cox stated he agreed with many of the points in the debate, and also supported bringing the space above retail units back into use. He stated that a high quality restoration of the building could create pride in the accommodation for those living there, and encourage greater care and respect of the surroundings.

- (22) Councillor Gilbey stated she would support the scheme, and she had noted that Stone Street was a 'little rundown' on the site visit and the proposals could serve as a means to improve the area.
- (23) The Chair noted that current poor state of what was otherwise a very attractive building, and he had received reasonable assurance in terms of the proposed management of the building. He took on board the comments made by the local resident, but also noted the positive work the scheme would do for young people in the city.
- (24) A vote was taken by the 12 Members present and the Officer recommendation that the Committee be minded to grant was carried unanimously.

115.4 **RESOLVED** – That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to be **MINDED TO GRANT** planning permission subject to the S106 agreement and the conditions and informatives set out in the report, and the additional informative set out below:

- i) Planning Committee expressed a wish that the applicant should re-instate the heritage street names as part of the works to this scheme. The applicant should contact the Heritage Team at B&HCC to discuss and agree the details.

E BH2014/03113 - 2 Baywood Gardens, Brighton - Full Planning - Demolition of garage and erection of 1no. three bedroom, detached dwelling.

- 1) It was noted that the application had formed the subject of a site visit prior to the meeting.
- 2) The Area Planning Manager introduced the application and gave a presentation by reference to photographs, plans and elevational drawings. The application site related to a strip of garden on a plot containing a detached house and garage; it was also noted that there had been a mobile home on the site which has been the subject on an enforcement notice. The ground on the site sloped to the north and the wider area was characterised by detached bungalows and two-storey buildings. Permission was sought for the demolition of the existing garage and the creation of a two-storey bungalow.
- 3) The main considerations related to the principle of the proposals; the suitability of the scheme; neighbouring and future amenity; transport and sustainability. The application sought permission for one detached property, and the site was defined as greenfield. The proposed dwelling would cover much of the site, and the footprint was considered excessive with a large elongated gable on the southern elevation that was considered to be out of character with the area – the proposal was also considered overdevelopment. The proposal was closer to the neighbouring property than the existing property, and had a greater height and form. The application was recommended for refusal for the reasons set out in the report.

Public Speaker(s) and Questions

- 4) Mr Tim Baxter spoke in objection to the application on behalf of his mother and sister who lived in the property to the rear. He stated that the scheme was overdevelopment of the site, and it would severely impact his mother's property as the rear of her property contained the living room and second bedroom. The application intended to establish the principle of a dwelling on the plot following the removal of the mobile home. The impact of the proposals would block out sunlight and impact on the privacy of his mother's home. There was no objection to the principle of a dwelling on the site, but the proposal needed to be appropriate and sympathetic.
- 5) Mrs Dee Simson spoke in support of the application in her capacity as the applicant. She stated that when her father had originally bought the plot of land in 1932 it had always been the intention of it to be a double plot for two houses, but instead had been used for a double garage. Mrs Simson noted that she had been advised that the static caravan was acceptable, but she had then complied with the enforcement notice and removed it. Since that time her family had all moved into the main house and the proposal were a means to provide permanent accommodation for her family. Mrs Simson was of the view that the development was in compliance with NPPF; the design related well to the surrounding area, and efforts had been to move the property as far from the boundary line as possible. The impact was acknowledged, but it was considered that any building in this position would have some impact – furthermore any reduction in the size of the scheme would compromise the necessity to have three bedrooms.

Debate and Decision Making Process

- 6) Councillor Wells noted that many of the other houses in the area were on similar size plots to the one that was being proposed, and it was important that the Council look at providing houses on plots such as these. Councillor Wells stated that he would not support the Officer recommendation.
- 7) In response to queries from the Committee the Head of Development Control and the Senior Lawyer explained that as the applicant was a Member of the Council any question of personal bias would be for the individual Members of the Committee to declare. The application had been put before the Committee on the basis that the applicant was a Councillor, and this was considered best practice in terms of openness and transparency.
- 8) Councillor Littman stated his view that the plot could accommodate a property, but the proposal was more than the site could accommodate.
- 9) Councillor Hyde stated that she had listened carefully to the vote and was of two minds in relation to the application.
- 10) Councillor Gilbey stated that she would support the Officer recommendation as the site visit had made it clear how close the proposal would be to the neighbouring property.
- 11) Councillor Carden stated that he felt the proposal was too large for the size of the plot.

- 12) Councillor Jones noted that there was support for the principle of a property on the site; however, there were problems with the building that was proposed. He acknowledged the difficult situation the applicant was in, but felt a better scheme could come forward.
- 13) A vote was taken by the 12 Members present and the Officer recommendation that the Committee refuse planning permission was carried on a vote on 8 in support, 2 against and 2 abstentions.
- 115.1 **RESOLVED** –That the Committee has taken into consideration the recommendation and agrees with the reasons for the recommendation set out in section 11 and resolves to **REFUSE** permission for the reasons set out below:

Reasons for Refusal:

- i) The proposed dwelling, by virtue of its excessive scale, mass, bulk, footprint and site coverage, is considered an inappropriate visually intrusive development that would represent an incongruous form of development that would be out of character with the pattern of surrounding development. Consequently the proposal represents an over-development of the site to the detriment of the surrounding area. The proposal is therefore contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.
- ii) The proposed dwelling, by virtue of its excessive scale, mass, bulk and positioning, would represent an overbearing development that would have an un-neighbourly impact to the detriment of the amenities of the occupiers of neighbouring properties. The proposal would therefore be 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 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.

F BH2014/03396 - Land Rear of 5-11 Cromwell Street, Brighton - Full Planning - Demolition of existing garages and erection of 2no dwellings accessed from Cromwell Road.

- (1) It was noted that the application had formed the subject of a site visit prior to the meeting.
- (2) The Area Planning Manager gave a presentation by reference to photographs plans and elevational drawings. The application site related to a triangular plot of land with a 5 metre retaining wall, and access to the site was by a driveway off Cromwell Street. The history of the site showed that an application for two dwellings had been refused earlier in the year for reasons of over dominance, intrusiveness and overdevelopment, and the application was a revised scheme. The main considerations related to: the

principle of the development; design and scale; the impact on amenity and future amenity, transport and sustainability. In terms of the differences with this scheme the windows were away from the external walls of the property and had been moved to the inner walls. It was noted that the loss of the garages would not impact on parking in the area, and the use of the site for residential properties was in line with the NPPF. The buildings were suitable designed, and would not cause detriment as they were mostly not visible from public view; the entrance was also partially obscured and the existing garages were of little architectural value.

- (3) The existing dwellings were in streets with two storeys and pitched roofs; the proposal would have flat roofs and the size and scale would be subservient. Whilst the design would contrast the simple design was considered appropriate. The proposed dwellings would have flat roofs and be 1.3 metres higher than the existing wall – this was considered to be overbearing development. Concerns had been raised by neighbours in relation to the height and bulk and the proposals were considered to be unneighbourly. Whilst the windows had been amended this was not considered sufficient, and the scheme was thought to be cramped and overbearing creating a loss of privacy. Whilst there was no objection to the principle of development on the site the application was recommended for refusal.

Public Speaker(s) and Questions

- (4) Councillor Randall spoke in support of the scheme in his capacity as a Local Ward Councillor. He stated that this was a small scheme that tidied up a scruffy area, and the proposals were neither cramped nor overbearing. The loss of amenity was minimal and this needed to be considered in the context of the housing shortage in the city and the necessity to look careful at these types of small sites. The applicant had consulted carefully with neighbours in relation to the application, and there was only one objection. The proposals were energy efficient, and the existing garages caused problems for the area. The design was considered appropriate with minimal impact, and the Committee were urged to support the application.
- (5) Mr Charles Meloy spoke in support of the application in his capacity as the applicant. He stated that the application was on a derelict brownfield site and the proposals were overwhelmingly supported by the neighbours. The scheme had been carefully designed to give positive enhancements, and would be subservient to the surrounding buildings, and the density was half that of the average for the Ward. In relation to amenity the windows were inset, and the proposals would meet code level 4 for sustainability whilst improving the ecology of the site. There would be no loss of light to the adjoining neighbours, and he had worked to keep residents informed about the scheme – which was reflected in the 20 letters of support. The scale was appropriate and the gains would outweigh the impact; the Committee were invited to approve the application.

Questions for Officers

- (6) The front to front distance of the houses in Cromwell Street was confirmed for Councillor Davey.

Debate and Decision Making Process

- (7) Councillors Wells stated that he would vote against the Officer recommendation; he noted the garages had not been in use for some time, and the proposals would tidy up an otherwise scruffy area. He noted the good use of the site and the number of letters of support.
- (8) Councillor Davey noted the space seemed redundant, and the approach taken seemed measured; for these reasons he would not support the Officer recommendation.
- (9) Councillor Littman stated that applicant's plans were good; the loss of amenity had been minimised.
- (10) The Chair noted his agreement with the points made in the debate; he noted the amenity issues in relation to no. 5, but felt these were overcome by the good design and efficient use of the site.
- (11) A vote was taken by the 12 Members present at the Committee and that Officer recommendation that planning permission be refused was not carried on a vote of 10 against and 2 abstentions. Reasons were then proposed to approve the application and these were agreed by the Committee. A recorded vote was then taken on the reasons for approval and Councillors: Mac Cafferty, Jones, Cox, Davey, Gilbey, Hamilton, Littman, Phillips, C. Theobald and Wells voted that permission be granted and Councillors: Hyde and Carden abstained from the vote.

115.6 **RESOLVED** – That the Committee has taken into considered the Officers recommendation, but resolves to be **MINDED TO GRANT** permission for the reasons set out below and subject to the attachment of appropriate conditions to be determined by the Head of development Control

- i) The proposed development was of a good design, represented an efficient use of space, provided valuable housing and would be an amenity benefit to residents.

G BH2013/04327 - 74 & 76 Greenways, Brighton - Full Planning - Demolition of existing dwellings and erection of 2 x four bedroomed dwellings and 2 x three bedroomed dwellings.

- (1) The Area Planning Manager gave a presentation by reference to photographs, plans and elevational drawings. The application site related to two neighbouring detached properties in Ovingdean. A previous application had been refused in June last year, and the reasons for this were outlined in the report; this application was a revised scheme. Permission was sought for the redevelopment of the whole site, and the construction of four dwellings; the scheme had been amended to address overlooking, and the garages had been removed as well as the balconies at the front of the two rear houses.
- (2) The main considerations related to the principle of the development; the suitability of the site; the effect of the proposals and the impact on the South Downs National Park. The proposals to the rear had been reduced in height and cut more into the sloping land; they were also located further from the front properties and the materials and

design were more traditional. The properties would have similar eaves height to those surrounding, and the South Downs National Park had not objected in principle, but suggested appropriate use of character and design. The proposal would not have a significant impact, and the two properties at the front would be of similar scale and have smaller footprints than the existing properties. The site was generally surrounded by thick trees and the properties to the rear would not be affected. The previous reasons for refusal in relation to the driveway had been overcome. The application was recommended for approval for the reasons set out in the report.

Public Speaker(s) and Questions

- (3) Mr Peter Rainer spoke in objection to the scheme on behalf of the local residents. He highlighted some of the planning history at the site and stated that neither the scheme nor the policy had changed significantly enough to warrant an approval. Reference was made to the NPPF and the harm that would be caused to the area and local amenity. The site was a large greenfield one, and the area was low-density and semi-rural; with all this in mind the application should be determined on its own merits. The area contributed to views from the national park, and the Committee were asked to refuse the scheme.
- (4) Mr John Whiting spoke in support of the application in his capacity as the agent; supported by the applicant. It was stated that the scheme was the product of close work with Planning Officers, and the application before the Committee had significant revisions in terms of height to lessen the impact; it was also noted that there was housing shortage in the city. The site density would be appropriate for a semi-rural location, and the housing had been positioned to conform to the building line of the existing properties. When the scheme was viewed from the hillside it would appear moderate in its setting. The Committee were invited to approve the scheme as per the Officer recommendation.

Questions for Officers

- (5) In response to Councillor Hyde it was explained that the amendments had reduced the footprint creating a smaller development, and these amendments had changed the balance towards approval.

Debate and Decision Making Process

- (6) Councillor Cox stated he would support the Officer recommendation as the previous reasons for refusal had been addressed.
- (7) Councillor Wells noted this was not only scheme of this type in the area, and he would support the Officer recommendation.
- (8) Councillor Hamilton stated he would support the Officer recommendation as this was a good use of the land.
- (9) A vote was taken by the 11 Members present at the meeting and the Officer recommendation that the Committee grant the application was carried with 10 in support and 1 against.

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

Note: Councillor C. Theobald was not present during the consideration and vote on this application.

H BH2014/03405 - 26 Falmer Gardens, Brighton - Householder Planning Consent - Roof alterations including hip to barn end roof extensions, dormers and rooflights to front and rear elevations.

(1) The Area Planning Manager gave a presentation by reference to photographs plans and elevational drawings. The application site related to a detached bungalow; which formed two very similar neighbouring bungalows – the relevant history was outlined in the report. The guidance in SPD 12 demonstrated that the proposed extension would be uncharacteristic of those in the area, and the bungalow was a mirror of the neighbouring property. The dormer extensions did not align with the fenestration below, and those proposed at the back were contrary to guidance. The application would constitute overdevelopment in a largely undeveloped area, and the application was recommended for refusal for the reasons set out in the report.

Public Speaker(s) and Questions

(2) Councillor Simson spoke in support of the application in her capacity as the Local Ward Councillor. She stated that many people within the Ward were being refused similar applications to extend their homes and prevent them from moving out of the area. The development was supported by the neighbours, and despite it being different from the neighbouring property there was a lot of variation in properties in the area. The proposals would not severely impact on the street scene, and the Committee were asked to approve the application to allow the family to stay in the area.

(3) Mr Morgan spoke in support of the application in his capacity as the applicant. He stated that he and his family had lived at the property for 12 years and had made a number of previously applications; one of which had been approved. The proposal would allow the family to stay in the house, and the extension was not considered overdevelopment given the size of the plot. The family were embedded in the local community, and the failure to gain approval would force them out of the area. Mr Morgan also noted that the red edge shown in the plans was wrong as he recently purchased garden area from a neighbour.

Questions for Officers

(4) In response to the Chair it was explained that the issue relating to the red edge would not have impacted on the recommendation.

(5) It was confirmed for Councillor Wells that the proposal would not increase the height of the building, but instead create additional bulk at the sides.

Debate and Decision Making Process

- (6) Councillor Hyde noted that the roof elevation was ‘a little bulky’; she did not see a problem as this property differed from the neighbouring bungalow, and noted there were no objections to the scheme. She noted that the family were established in the local community, and stated she would not support the Officer recommendation.
- (7) Councillor Wells noted there were other examples of this type of alteration within the local area, and he would not support the Officer recommendation.
- (8) Councillor Gilbey stated she would have preferred a site visit, and proposed that the application be deferred to allow this to happen; this was seconded by Councillor Davey and agreed by the Committee.

115.8 **RESOLVED** – That the application be deferred to allow a site visit to take place.

Note: Councillors C. Theobald and Carden were not present during the consideration of this application.

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

116.1 There were no further requests for site visits on matters listed on the agenda.

117 INFORMATION ON PRE APPLICATION PRESENTATIONS AND REQUESTS

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

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

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

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

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

119 LIST OF NEW APPEALS LODGED WITH THE PLANNING INSPECTORATE

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

120 INFORMATION ON INFORMAL HEARINGS/PUBLIC INQUIRIES

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

121 APPEAL DECISIONS

121.1 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 6.26pm

Signed

Chair

Dated this

day of

ITEM A

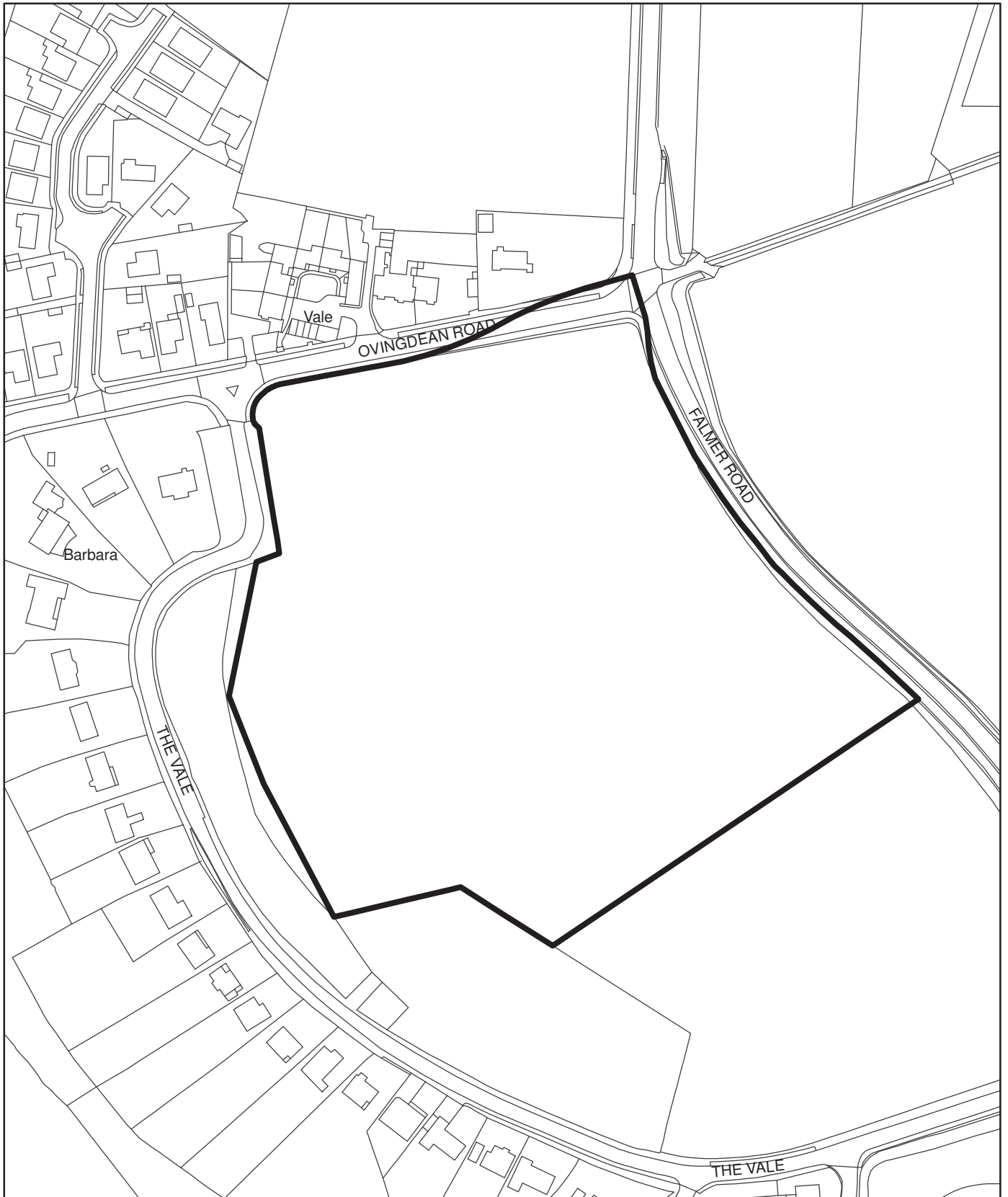
Land south of Ovingdean Road, Brighton

BH2014/02589

Outline application some matters reserved

28 JANUARY 2015

BH2014/02589 Land south of Ovingdean Road, Brighton



<u>No:</u>	BH2014/02589	<u>Ward:</u>	ROTTINGDEAN COASTAL
<u>App Type:</u>	Outline Application Some Matters Reserved		
<u>Address:</u>	Land South of Ovingdean Road Brighton		
<u>Proposal:</u>	Outline planning application with appearance reserved for the construction of 85no. one, two, three and four bedroom dwellings with associated garages, parking, estate roads, footways, pedestrian linkages, public open space and strategic landscaping. New vehicular access from Ovingdean Road and junction improvements. (Amended plans and description)		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	13/08/2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	03 December 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Pegasus Planning Group Ltd, First Floor South Wing Equinox North Great Park Road Bristol BS32 4QL		
<u>Applicant:</u>	Lightwood Strategic, c/o Pegasus Planning Group Ltd First Floor South Wing Equinox North Great Park Road Bristol BS32 4QL		

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(s) set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application relates to a parcel of land located on the southern side of Ovingdean Road, to the west of Falmer Road (B2123) and to the east of The Vale. The application site comprises approximately 3.72 hectares. Historic maps show that the site has always comprised open agricultural downland.
- 2.2 The boundary of the site is currently defined by a wire fence and posts to the east, west and north and by a hedgerow to the south. The site comprises a large field which has been divided into smaller paddocks for the grazing of horses. Stables and associated buildings are located in the south-western corner of the site.

- 2.3 Immediately to the north of the site are residential properties, with other horse paddocks/grazing land beyond, known as Ovingdean Road Horse Paddocks. The residential area of Woodingdean is located further to the north-west of the site, with agricultural fields located immediately to the east of the site, on the opposite side of Falmer Road. Residential properties are located to the west/south-west of the site on The Vale. Playing fields, associated with Longhill School/Deans Leisure Centre, are located directly to the south of the site, with the school/leisure centre building, additional school playing fields and Rottingdean village located further to the south.
- 2.4 An area of open grassland with trees is located along the western edge of the site and a densely wooded area located around the south-western corner of the site, both outside of the site boundary.
- 2.5 The site generally falls across the site from east to west, from between approximately 60m to 62m (AOD) adjacent to the Falmer Road (B2123) to approximately 45m (AOD) along the western edge of the site, adjacent to The Vale. To the east of the site and Falmer Road the land rises to an area known as The Bostle. The land to the west of the site and The Vale rises to a ridge (known as Longhill).
- 2.6 Boundaries of the South Downs National Park (SDNP) are located to the east of the site, on the opposite side of Falmer Road, and to the north of the residential properties located on the northern side of Ovingdean Road.
- 2.7 A boundary of the Ovingdean Conservation Area is located to the west of the site, on the western side of Longhill Road whilst boundaries of the Rottingdean Conservation Area are located to the south of the site, either side of The Rotyngs.
- 2.8 The nearest Listed Buildings are located to the south of the site on Falmer Road (New Barn Farm) in Rottingdean and to the west on Ovingdean Road in Ovingdean (part of Ovingdean Hall School and The Nook, Flints and The Cottage). Buildings located directly opposite the site, to the north of Ovingdean Road, which once formed part of Woodingdean Farm but have since been converted to housing, are currently considered as 'non-designated' heritage assets and have been nominated for inclusion on the Council's local list.
- 2.9 The application site is not covered by any designations, statutory or non-statutory, for nature conservation interest. However, Sites of Nature Conservation Importance (SNCIs) are located to the west (Wanderdown Road Open Space), north-east (Cowley Drive Paddocks) and north (Ovingdean Road Horse Paddocks) of the site but these areas do not immediately adjoin the site. Beacon Hill, which is a Local Nature Reserve, is located to the south of the site between Ovingdean and the coast, whilst Castle Hill, which is a National

Nature Reserve and a Site of Special Scientific Interest, is located to the north-east beyond Woodingdean.

2.10 The site currently comprises semi-improved grassland, scrub and ruderal vegetation, hedgerow with scattered trees and buildings.

2.11 The site is shown as forming part of The Vale character area of Ovingdean, in the Council's Urban Characterisation Study. The Vale is stated to have "very low density housing in a curved street pattern on the ridge of the valley slope, mainly in the form of bungalows, but surrounded by mature planting which gives it a rural feel".

3 RELEVANT HISTORY

No planning application history however a **petition** containing **1,544 signatures** has also been submitted that was considered at Full Council on the 8th May 2014, prior to the application being registered. The petition requested that the proposed development of The Vale Meadows be abandoned in its entirety.

4 THE APPLICATION

4.1 Permission is sought for an outline planning application for the construction of 85 dwellings, formed of detached, semi-detached and terraced houses/apartments, with associated garages, parking bays, estate roads, footways, pedestrian linkages, public open space and strategic landscaping. A new vehicular access from Ovingdean Road and junction improvements would also be provided. Matters for approval include layout, access, landscaping and scale. Matters reserved are appearance.

4.2 A landscaped buffer is proposed on the eastern most side of the site.

The proposal would comprise the following residential units;

- 1 bedroom apartments x 10 (all affordable),
- 2 bedroom apartments x 4 (all affordable),
- 2 bedroom house x 11 (all affordable),
- 3 bedroom house x 53 (including 9 affordable), and
- 4 bedroom house x 7.

4.3 8 of the proposed 40% affordable housing units would be age restricted flats. Such accommodation would only be available to people over 60 years of age and on a housing waiting list.

4.4 At time of submission the application sought permission for the construction of 100 dwellings comprising of semi and detached dwellings and apartments comprising of one, two, three, four and five bedroom units.

4.5 Since submission the application has been amended by way of;

- A reduction from 100 dwellings to 85,

- The omission of the proposed 5 bedroom houses,
- The creation of a wider open space buffer along the eastern boundary,
- The omission of one local area of play,
- The introduction of 1 no. terrace house type,
- Revisions to the proposed internal road layouts and junction arrangements, and
- The incorporation of translocation and receptor sites for the Red Star-thistle.

4.6 **Environmental Impact Assessment (EIA)**

The planning application is accompanied by an Environmental Statement (ES) under the Town and Country Planning (Environmental Impact Assessment) 2011 Regulations. A Regulation 22 notice was served on the applicants requesting an updated Environmental Assessment (EA) and the revised application and the revised ES were re-advertised following the submission of amended details on the 3rd December 2014.

- 4.7 It is indicated within the ES that the 'no development' option would be to leave the application site in its current use and physical state and therefore without development the land would "remain in equestrian use comprising horse grazing paddocks with stabling and associated stables, structures and vehicles. It is likely that these would remain on site in their current condition with trees and hedgerow maintained on a periodic basis".

5 **PUBLICITY & CONSULTATIONS**

External:

- 5.1 **Neighbours: 632 (Six Hundred and Thirty Two)** representations of objection have been received from the addresses which are contained in full within Appendix A of this report. The following grounds of objection are stated:

5.2 Design/Visual Amenities/Landscape Impacts

- Will ruin the beauty, character, heritage and historic, rural feel of the surrounding villages and Conservation Areas. The urban fringe needs protecting. Woodingdean, Ovingdean and Rottingdean are separate villages with their own character, communities and unique attributes; they will end up as one great urban sprawl to the disadvantage of everyone. Development pressures have already sadly eroded some of the character but the unique character still remains. The site is a green buffer zone between the 3 distinct villages. There is a well established understanding that settlements should retain their individuality, best achieved by maintaining appreciable rural land between them,
- Woodingdean, Ovingdean and Rottingdean are beautiful rural areas and the site is an area of natural beauty and natural open space which should be protected from any further buildings of any kind. There are several brown field areas which could be used for building

new house developments, should focus on developing what already exists. There has been insufficient study of Brownfield areas to recognise their full potential. Fully understand the need for more housing but know the Council wishes to limit the impact of new housing around the urban fringe as much as possible,

- The proposal, which is adjacent to the National Park (delineated with great care only a few years ago but wrongly excluding the site) is insensitive, would ruin views into/out of the National Park, towards the coast and surrounding open space. To build here would be a mockery of what the park is supposed to stand for. A legal 15 year promise was given to not build on the site when the land was taken out of the proposed boundaries of the South Downs National Park,
- The local nature reserves will not be the same,
- The housing type and size intended seems ill matched to the further housing provision needed in the area. There is a need for small (truly affordable) houses in east Brighton and the recent development on Falmer Road, compact and reliant on public transport, seems to recognise this. The development of 100 houses including 5 bedroom properties and evident reliance on garaging and parking of private vehicles is essentially conventional development of the kind which has too often elsewhere been detrimental to the environment and inappropriate in the area characterised by residual rural activity,
- Lack of imagination in building style, drawings submitted appear to show units in a conservative faux traditional style. Design of houses is out of character/keeping with semi-rural area,
- Should be built on Brownfield sites not Greenfield sites as required by Government Guidance and Legislation. For the sake of future generations and leisure activities the sustainability of open spaces must be maintained by focusing on the regeneration of brownfield sites before any 'easy' development of urban fringe is permitted,
- 100 new homes is an over-development. The layout, design, massing and size of the development is overbearing in its location. Is an unsuitable site due to its highly prominent position on the main Falmer Road. The amount of housing proposed would mean an increase of 20%. A far smaller number would be in keeping with the area. The development is too big, the density of housing too high and is completely at odds with all other dwellings in the village which are exclusively detached and low density,
- Will take away a vital resource of open green space. The very reason people move to the village is to enjoy this kind of environment, not to come and find it has been paved over,
- A lot of properties in area have larger than average gardens which set them apart from the rest of the City, the proposed houses will have tiny gardens,
- Ovingdean which is closest to the site, and comprises a Conservation Area, is a small agricultural hamlet, surrounded by open downland and farmland. Architecturally it is very distinctive with a number of historically significant flint dwellings, topped with clay tile roofs, traditional flint walls and picturesque rural lanes. Given the current

size of the village and its distinct rural character the suggested scale of the development would be both unsuitable and inappropriate,

- Will increase isolation of Saltdean, Peacehaven, Newhaven and Seaford from Brighton & Hove, areas which have already had services cut without such a development, and
- There are few farm buildings in a rural setting left to enjoy and be of use nowadays, should treasure and preserve those left.

5.3 Amenity

- Resulting air pollution, light pollution, smog and noise disturbance from additional dwellings and associated additional traffic movements. Increased risk to health as Nitrogen Dioxide concentrations at Rottingdean High Street and Woodingdean/Falmer Road already breach the legal limit,
- Loss of views,
- Loss of light/sunlight,
- Overshadowing,
- Overlooking and loss of privacy, including to front gardens of properties on The Vale which are used by many residents as main amenity spaces rather than the steep rear gardens,
- Construction noise, light and pollution,
- The proposal is for 100 homes however it must be realised that this could mean 400 additional people. The quality of life for a community that have chosen to live outside of the City centre will be eroded/destroyed, will lose identity and sense of community,
- Site would spoil an area used by many in the community for dog walking, riding, jogging, mountain biking etc,
- Increased safety issues for pedestrians including school children, road users and horse riders,
- The duration of construction would be long,
- The site is one of the recreational green spaces which are part of the charm of Brighton as a green City. Concreting over green spaces affects the amenity value of these green lungs which are essential for everyone,
- Should the development be allowed the developer should provide community benefits including an extension to Ovingdean Village Hall, a car park by Ovingdean Gap and part time traffic lights at the junction of Ovingdean Road and Falmer Road,
- Any more strain on local services will make life really difficult for disabled people and will compromise their quality of life by restricting their movements around Rottingdean,

5.4 Transport/Access

- The road system to the east of Brighton is limited to just 3 through roads, A27, A259 Marine Drive and the B2123 Falmer Road (a feeder road), which has become an unofficial bypass between the A27 and the coast road. Proposal will add to the traffic problems and the constant traffic congestion, especially at peak times/on football match days/race meeting days in the area, especially on the Falmer Road.

Rottingdean, Woodingdean and Ovingdean have become bottlenecks, especially if lorries/hearse are parked in parts of Rottingdean and are gridlocked with traffic backed up, including to the Racecourse, Universities/A27 and the Coast Road. Since the introduction of the bus lane on the main A259 coast road between Ovingdean and Rottingdean it is normal for traffic to totally clog the road from 3.30pm to 7pm or later,

- Lack of road infrastructure,
- One turning point between Ovingdean and Falmer Road would not be sufficient to cope with the increased volume of traffic during rush hours, where existing queues already extend from Falmer Road and along Warren Road back to the top of the Race Hill and up from the Woodingdean crossroads, often as far back as the Universities,
- Surrounding roads are dangerous at several points including the existing Ovingdean junction, Woodingdean crossroads and the Driveway where there are a significant number of accidents each year,
- Despite proposed garage and parking areas for the dwellings the area around the entrance to the development from Ovingdean Road will be obstructed by parked cars,
- Site location is such that access is going to cause major traffic problems getting onto and off Falmer Road and will cause heavy traffic in Ovingdean itself. It is already difficult to cross Falmer Road due to the heavy traffic flows. There is only one entrance to the proposed development, would cause a bottleneck on Ovingdean Road,
- The traffic data submitted is flawed/inaccurate/misleading and the surveys undertaken have not been done at peaks times. The gross errors in the Transport Assessment mean the stated impact on traffic queues and journey delays at Woodingdean and Rottingdean are very seriously understated. Traffic model is unfit for purpose. Has seriously overestimated the peak time capacity at critical junctions. The actual calculated impact of the proposed development assessment seems to have been taken place over periods of the year that would skew the average traffic flow figures or be unrepresentative of other times. Surveys do not include other transport movements to proposed dwelling such as deliveries, refuse collection, visitors etc. Disagree with Transport Assessment conclusion that there are no valid transport reasons to prevent the proposed residential development on the site. The proposed assessment of impact on local traffic is a gross under-representation of the true impact their development would have as each house unlikely only to have one car, more likely to have 2 or more. The focus of the submitted traffic assessment is on the site and little attention is paid to elsewhere in the area. The report does not acknowledge the opening of the American Express Football Stadium. Assessment did not deem it necessary to consider the junction with the A27. Heading south towards Ovingdean from A27 there is a serious risk of major accidents where queuing cars are stationary as the slip road fills up alongside Sussex University while traffic descends at 70mph from the cutting near Stanmer. Transportation

assessment alludes to traffic saturation at the junction of Rottingdean High Street and the A259 and also the Warren Road/Falmer Road traffic lights but concludes that the proposed development would have minimal impact,

- Residents would require a car to get anywhere. There is no wheelchair accessible bus service from Ovingdean village to Brighton,
- 191 parking spaces will not be sufficient to accommodate the parking needs created by the proposed development if every house has more than 1 car in addition to visitors. Parking will overflow into the surrounding streets,
- Implications to traffic during construction has not been adequately acknowledged or assessed in appropriate detail,
- A new access point onto Ovingdean Road would not be sensible in terms of position and slope. Proposed access road should be off Falmer Road and not Ovingdean Road. Winter access/exit will be problematic as there is a steep hill and with potentially 200 cars trying to exist in icy conditions will throw more pressure and cost on Council Highway gritting requirements. Lack of gritting will cause potential accidents. The villages can become almost inaccessible in times of bad weather,
- Could divert traffic through Ovingdean Village where the roads are not wide enough to support any heavy flow or offer two-way traffic flow. Ovingdean is already used as a rat run/cut through and lacks pavements, has no traffic calming and some blind spots which are taken at dangerous speeds by many vehicles,
- Bexhill Road/Cowley Drive already suffer heavy traffic use with drivers trying to avoid the Falmer Road junction with Warren Road,
- A pre-condition of any further development in the area must be to have adequate traffic calming in Ovingdean, which as a minimum, gives it parity with Rottingdean,
- Will add to traffic movement in close proximity to Longhill School,
- Some of the roads are due to be made 20 mph soon which indicates the Council's concerns of traffic accidents,
- More traffic and more cars will result in more accidents,
- If all the houses are built at once the construction traffic would add to the existing traffic problems in the area,
- The development must be seen in the context of other ongoing and less invasive development such as the proliferation of windfall sites across the Deans, which is also increasing traffic flow. Other sites including St Aubyns School site will undoubtedly be developed bringing more traffic to the villages,
- Public transport in the area is poor, expensive and does not operate late at night. The benefits quoted by the developer (e.g. Falmer Station and its car park) do not add up. There is only one regular bus service, but access into Brighton is on the northbound route via Woodingdean, a torturous journey. There is no bus route from Woodingdean, Ovingdean and Rottingdean to Falmer. The quickest route by road is south bound but the bus service (no. 2) terminates in Rottingdean. Buses out of town to Woodingdean are already so full

particularly at peak times. The developer does not seem to have consulted the bus company,

- Emergency vehicles will not have easy access and road will become blocked as no alternative route if there is an accident,
- Cycle routes are impractical for the majority of people because of the steep hills in every direction.
- If advanced stop lines for cyclists are installed this will encourage cyclists to filter inside of vehicles when drivers are focused on the junction ahead creating a significant danger,
- Site is not in walking distance to local shops so future residents would drive to local shops or more likely to a supermarket. Parking in some parts of the villages is already a problem. Parking at local shops is non-existent now, how are people going to cope with all the extra traffic and people,
- Further congestion will increase travelling times,
- Additional wear and tear on the road fabric,
- The A27 was allowed to carve through Falmer, must not allow development to further engulf and eradicate what is left of Rottingdean,
- The site is too far up Falmer Road to make walking a possibility either up to Woodingdean or down through Rottingdean to the coast road,
- Will be harmful to local businesses, as access will be rendered more difficult and time consuming,
- What thought has been given to pedestrian facilities for crossing Falmer Road to catch a bus to Rottingdean? Longhill students probably need a safer way of crossing the road to the bus stop,
- Atrocious road surfaces should be corrected with proper permanent repairs and not just stopgap patches as appears to happen at present,
- The proposed road works scheme to the junction at Falmer Road/Ovingdean Road means reverting back to an old scheme that was the cause of many accidents and was disbanded by the Council and the lanes had to be redesigned some 10 years ago, and
- Additional traffic using The Vale as a shortcut resulting in wear and tear of this private road.

5.5 Ecology/Biodiversity

- Bordering the South Downs National Park the proposed site is home to many species of birds, mammals, reptiles, insects and plants. Neighbouring green spaces along with the site are vital in linking habitats and ensuring wildlife populations remain connected. This in turn reduces the negative effects of inbreeding that often occur with isolated populations. The unique location of the field means it acts as a 'corridor' for wildlife and building on it will undoubtedly cause habitat fragmentation. The animals that rely on the site will not only lose their homes but the ability to move between areas to reach the resources they need to survive. Although proposal includes number of green areas, presumably designated for wildlife, they are disjointed and will not allow the wildlife to survive and flourish. Will have a negative

impact on the wildlife and natural environment of this area as will strip back fields and trees,

- Whilst animals can be killed on the roads, developing open space will reduce yet further areas where they can live,
- Council has recently been granted UNESCO Biosphere status, an initiative which should be reflected in any decision of the development,
- Increased light pollution will effect wildlife,
- The submitted biodiversity checklists submitted are inadequately detailed. There is minimal proposed compensation for loss of habitat, e.g. how many bat and bird boxes?,
- The City is part of the biodiversity project whereby areas of downland and nature reserves are lined by joining these fringes together, designed to encourage the re-colonization of deprived areas with downland and fauna,
- Would result in the loss of the Red Star Thistle from the site. The suggestion that there are other Red Star Thistle sites nearby misses the point, they are critically endangered, so there should be no warrant to remove habitat for these species,
- Although the biodiversity report indicates that there are no bats nesting in the area, it cites the importance of hedgerows within the development area as providing important sources of food for local bat populations. The removal of these features would create stress on the local bat populations and other wildlife,
- The field is lowland chalk grassland which understand is a habitat of principal importance for the conservation of biodiversity in England,
- The site is known as Meadow Vale, are meadowlands not protected under government legislation?,

5.6 Other Issues

- Existing services in area are inadequate. Proposal would add additional pressure for local services, which will not be able to cope, including doctors, buses, nurseries, dentist, hospitals, emergency services, rubbish collections, schools, shops, recreational facilities and electrical, gas, drainage and sewerage infrastructure. Services in area have already been cut. The expansion of existing/provision of additional services would be expanded at tax payers cost. Children will have to travel further from home for education,
- There is already a water shortage in the area; this is only going to exaggerate the problem. The area has already been designated by the Government as a water stressed area,
- Will lower existing property values in area, which will affect peoples' investments,
- The field is adjacent to an area of Groundwater Source Protection Zone. These zones show the risk of contamination from any activities that might cause pollution in the area. The closer the activity, the greater the risk. Building a large new housing estate will cause potential risk,

- Supporting documentation is flawed. Deficiencies undermine the validity of the conclusions presented,
- Should be acquired by the Council and preserved for posterity as a green passage to link the Beacon Hill Nature reserve with the South Downs Park, which is what it does at present. This would enhance and enrich the quality of the environment for local residents,
- Any granting of the application can never be reversed. Will open up more of the land on the fringes of the National Park to the developers if a precedent is set on this occasion,
- The argument stated by the developer regarding living and working in close proximity is fatuous in terms of actual employment opportunities in the Deans, which are extremely limited outside the Woodingdean Business Park. Where are the proposed occupiers expected to work? If future residents are working in London or elsewhere will put extra pressure on roads and trains,
- Increased risk of flooding/flash flooding and landslide including during the construction phase. Falmer Road and surrounding area already floods during heavy rain, this development will reduce the available green field absorption of rainwater which in turn fill the aquifers of which are depended upon in the area,
- Will reduce grazing area for horses. Owners of horses kept on site have not been informed or consulted about the application. Horses often exercise in this area, the development would interfere with this activity which has formed part of local life, and would deny local people from keeping and riding horses, which is a social benefit for the area. Must not lose tradition of downsland horse tending that exists symbiotically and beneficially on the chalk landscape,
- Should avoid the change of family housing into student accommodation, such as is rife in Bevendean, which is imperative if Council is really concerned about conserving affordable housing for local residents,
- Type of housing proposed would not meet the local need for affordable housing both for the elderly and young residents. Application does not give much hope for the Council to provide “Starter Homes”,
- New houses on Falmer Road are still on the market or were slow to sell (over 2 year period). Empty houses are at risk of squatting and vandalism, requiring more police in area. The enormous Grand Ocean development at Saltdean was not a success with units still unfilled some 6 or more years after completion. The houses to be built are not required in the local area, if they were then the 10 plus houses on the market in Ovingdean would have already been sold. Other developments in the area have been priced to high and did not met people’s needs,
- The submitted statistical justification policy information, which requires such development, is flawed and open to interpretation. It is about private wealth creation and does not address a genuine need for housing. Rather it invites more people to move into the area (from

outside the county), swelling the population, increasing pressure on local infrastructure and denuding the natural environment,

- The urban fringe is a valuable asset to the City not only for those who live there but also for tourists, will result in loss of visitor revenue by changing character of area,
- Lack of sustainability measures in proposal including rainwater harvesting, solar power, no green roofs or walls etc. The sustainability documents leaves much to be desired in terms of the energy efficiency of the proposed buildings,
- Is not economically or socially sustainable,
- Developer has the ulterior motive and only motive of making profit with little consideration for the social and economic impact on the area and its already established communities. The farmer wants to sell his land to make a profit. It is well known why developers prefer Greenfield sites as less planning and pre-construction costs are involved equalling greater profits. What price should be place on the environment?,
- Council should reject any consideration of including the site, and indeed other previous Greenfield sites located in the City, into the new City Plan as suggested within the Urban Fringe Consultants report of July 2014. The recent report concluded that building on the upper, eastern slope of the site was not recommended as it would negatively impact on the South Downs National Park. The policy and resources committee has deferred their vote on whether or not to approve the Urban Fringe Re-assessment as there are serious concerns in the local community and within the committee itself which has agreed to consult local people and community groups and debate this more. The outcome of this will set a powerful precedent. In its current form the re-assessment identifies a cluster of sites in the Deans villages that if built on will create very densely planned housing. It therefore lays a firm foundation for developers to make many applications. For instance for site 42 the re-assessment suggest that an allocation of up to 45 houses might be considered. But this application is phase 1 of a 5 phase masterplan to build 315 houses in the close vicinity. Developers appear to wish to reject the findings in the Urban Fringe Assessment that area 42 is designated code 4, i.e. not suitable for housing,
- The area of land some years ago was the scene of a considerable landslip/mud slide from the surrounding hill which ran across Falmer Road and into houses on the other side. This could happen again and the land is therefore unsuitable for buildings,
- Residents pay a premium to live in Rottingdean and as such it is not affordable to the masses. This is the attraction of the area and to have a new estate built which would no doubt include social housing is a metaphorical slap in the face,
- Given that the Council is allegedly a 'Green Council' in a 'green' city, then surely decreasing pollution would be a priority?
- There are already over 1,000 1 and 2 bedroom properties for sale within 5m of Brighton City Centre. The cheapest of these is showing as £82,000 so more 'affordable' than anything proposed. There are

also over 1,000 3 and 4 bedroom houses in the same radius, 674 4 and 5 bedroom properties and 130 retirement properties. All currently on the market and ready to be purchased, something for everyone in both town and rural locations without sacrificing an existing greenfield site to more development,

- Localism Act, it has been shown by the number of local people who have signed a petition against the development that the development is unwanted. Planners should give account to the weight and strength of public opposition to the development,
- Previous planning decisions in the area have restricted development, including extensions to existing houses, for reasons of being of detriment to the character of the surrounding area and for environmental issues. It would make a mockery of previous decisions if this huge development were allowed to proceed,
- Proposal is contrary to policies of the Brighton & Hove Local Plan, the draft City Plan and the draft Urban Fringe Assessment,
- Exacerbation of 'ribbon' development between Brighton and Newhaven,
- Once marketing is under way and the project is carefully packaged it will attract purchasers many from out of the area in search of something, a rich agrarian history that no longer exists,
- Recent archaeological findings highlight the regions historical importance,
- For Brighton & Hove the demands of central government to substantially increase housing stock are particularly onerous because of the constrained nature of the City between the sea and the South Downs,
- The pressure for use of green urban fringe housing will not stop at Meadow Vale Fields, rather it is a test of the resolve of Brighton & Hove Council. Should the Council choose not to fight this case it will be taken as a sign of weakness by developers,
- The developers are attempting to take advantage of a window of opportunity that exists whilst the Brighton finalises the City Plan, they have rushed through the application in an attempt to get permissions needed in case the City Plan proposals go against their application,
- Poor community engagement by the developers, must raise a question over their commitment to meeting planning obligations should the application be approved,
- Developers are using the excuse of the housing shortage in Brighton as an attempt to justify development on land that has always previously been carefully preserved as valuable green space by previous council administrations,
- The recommendations by the housing association in the application should be researched to ensure that it is without bias,
- The National Planning Policy Framework afford protection to the countryside including green areas bordering more urban sites,
- The Rottingdean parish Council Neighbourhood Plan is being developed in consultation with the community and City Council, it opposes the development,

- The site should not have been taken out of the National Park, the map used was out of date and incorrectly showed the whole site as playing fields rather than predominantly wild green space. This is well known locally and there is currently a community campaign to correct this mistake before it is too late,
- There are major inaccuracies and omissions which misrepresent the availability of primary school places. The surplus figures are also incorrect. The way the amount of school age children generated by the development is presented is misleading,
- Planners have the potential to improve people's lives and build communities, not divide them, and respect the environment, not destroy it. There are plenty of examples in Garden Cities and in the Bedfordshire Zero Emissions housing estate,
- The local community has not been listened to following the public consultation. For example the Community Involvement Document compiled by Bellenden showed 85% of respondents did not support the proposals,
- Ovingdean, Woodingdean and Rottingdean all have a children's playground so there is not a shortage or a need for another Local Area of Play, so providing open play areas within development not a 'benefit' of the development as stated by the developer,
- The developers appear to be disagreeing with many reports/organisations and consultants, to suit their purpose,
- Local horse riding centre and driving schools need calm quiet traffic to practise their road use,
- Proposed development is far too dense for the plot and location. Proposal will mean a massive change in population density in the area,
- Ovingdean has had an increase in number of young people due to the language school and other people visiting the nature reserve in Beacon Hill thanks to the conservation work done there, resulting in more people in and out of the village,
- Will set a precedent,
- A planning application that involved building 3 bungalows on the site was refused in 1999 (BH1999/0131/OA). The reasons for refusal then are still valid now, bearing in mind this development is bigger,
- To describe the development as sustainable is hilarious. Will increase City's carbon footprint,
- Proposal contains no information as to how the proposed lighting scheme will look nor how it will effect the local area including local ecology,
- Most of the houses on the site are likely to be expensive. The proposal does not make a significant contribution to the housing need identified in the City as out of 100 homes only 40% are deemed affordable, if the need for affordable housing is "acute" in the Rottingdean Coastal Ward the development is no where near sufficient in terms of its contribution to addressing affordable housing.
- In sensitive location, it does no one good to object merely for the sake of it, but the development should be carefully designed to that it fits

with and enhances the site, this is perfectly possible, and if done properly can enhance the environment, not damage it,

- Understand need for additional housing however have learnt of all the new student accommodation which has been built and the prospective building at the Old Army Barracks is not contributing towards housing targets, which seems wholly unfair. Have already provided University students with accommodation near Brighton station, the Co-op in London Road and various other places and if we did not have the university, this accommodation would be homes for people. Why are they not taken into account?,
- Stress caused by overcrowding. South East is already over-populated,
- Development does nothing to help those in the first time buyer bracket, for which there is a shortage in the City, as price brackets of development would be prohibitive. The area does not need any further houses at high process developed,
- The field has a value in itself as landscape, natural habitat and horse care and it has significance as a green field which together with downland to the east provides a refreshing gap in the string of development through Woodingdean, Ovingdean
- Horses and anything to do with them, stabling, riding classes, horse racing, is part of the local character and heritage and it all contributes to the City's economy,
- There would not be enough for children to do, which will result in anti-social behaviour when they become bored,
- The denser the population the greater the level of crime. In view of the fact that police numbers are being reduced does not help,
- Developer cannot say in one part of a document that horse grazing offers "an opportunity for diversification" in the National Park but in another say it has "limited potential" in site 42, the argument cannot be both ways,
- Developments such as that proposed should not be viewed in isolation, they must be viewed in conjunction with developments that have already taken place and have already had significant impacts on local residents,
- It must be taken into account that there have been several additional building developments recently in the area, which have increased the housing stock in Rottingdean. Many of these developments have been on brownfield sites not greenfield sites, and
- The application is outline only with many aspects being indicative and should this go to a full planning application the impact of the development on the local area may well be significantly more damaging than indicated by the outline scheme,

5.7 **Petition with 220 signatures** which reads;

"We the undersigned, call on Brighton & Hove City Council to protect the villages of Ovingdean, Rottingdean and Woodingdean from inappropriate development. We believe that a large number of homes in the Meadow Vale area will not be in keeping with the current,

separate village feel and will place greater strain on local services, roads and village facilities”.

- 5.8 **1 (one)** letter of representation have been received from **15 Falmer Gardens** commenting that;
- Do not see it fair to sit in a nice house objecting to people having nice houses, and
 - Hope development will be of the highest possible environmental standard something that other towns can look at and see how it should be done.
- 5.9 **94 (ninety four)** letters of representations of support have been received from the addresses which are contained in full with Appendix A of this report. The following grounds of support are stated:
- Would provide much needed affordable housing and meets Council’s target of 40% affordable, which will significantly boost the affordable housing provision to the East of the City. Sets the precedent for future applications, demonstrating that 40% affordable housing is viable,
 - Scheme has been refined and amended since public exhibition, reducing the density and addressing some highway mater concerns,
 - The City has a massive homeless problem that needs to be addressed, as well as an extensive waiting list for Council properties. Current young, creative and vibrant City cannot be sustained with current housing situation and high housing prices. Proposal would help to provide some of the housing the area so desperately needs, otherwise will just fuel the preposterous situation that exists at the moment where the older generation are sitting pretty in houses purchased years ago and young families cannot afford a home of their own,
 - Scheme is well laid out and provides a balanced mix of housing,
 - Utilises an obvious area of land outside the National Park and immediately adjacent to existing residential development,
 - Disappointed by the apparent scale of the opposition to what appears to be a sensible development and an appropriate use of the land.
 - Have built almost nothing but apartments for decades and its about time we had some proper family-sized homes built in and around the City,
 - So long as the architectural style of the new dwellings is reflective of the environment, ecologically innovative and takes into consideration the overlooking of neighbouring properties, see no reason as to why the development should not proceed in the current economic climate where housing is desperately needed,
 - The land is more or less disused so makes obvious choice for redevelopment, as it is currently used for roaming horses these can easily be relocated,

- Young people would like the opportunity to buy a home in Brighton,
- People and homes must come before grazing horses,
- Not to grant is to actively reduce the economic competitiveness of Brighton, as young graduates are increasingly forced elsewhere due to a lack of affordable first time homes,
- Previous development in Kipling Avenue in Woodingdean, nearly 50 years ago, were objected to but were allowed and constructed and have been very successful and after the passage of time all live relatively peaceful co-existence,
- Happen to be fond of the area as it appears today and pass nearby on at least a daily basis but there has to be some give and take in order for families to find appropriate places to live without moving away from Brighton & Hove entirely,
- Seem to be a well-designed development, sensitive to its local environment and fitting a good number of homes onto a small site, the junction of the Ovingdean and Falmer Road seems a sensible site for development,
- Believe area is well suited to sympathetic and well planned expansion,
- The Urban Fringe site has been identified as a suitable development location within the City Plan evidence base and it is therefore vital the site is maximised to contribute towards the current and future housing issues within the City,
- Scheme is well thought out and includes a mix of different types of houses which reflect the character if the area and provides much needed affordable housing,
- Proposal is in accordance with planning policy, and
- Brownfield site in Brighton & Hove are a rare commodity as the City's 2011 Strategic Housing Land Availability Assessment found out. Anti-housing and anti-development sentiment is quite rife in Brighton & Hove, cannot remain silent against this vocal minority that resists urbanisation in the City's urban fringe.

5.10 Following re-consultation with the revised plans and documents received on 3rd December 2014, **97 (Ninety Seven)** further representations of objection to the revised proposal have been received from the addresses which are contained in full within appendix B of this report. The following grounds of objection are stated;

5.11 Design/Visual Amenities/Landscape Impacts

- Despite a reduction from 100 houses to 85, this huge number of dwellings would still have a massive detrimental impact on the area,
- This is a semi-rural location that has already been overdeveloped. When will the Council stop developing green spaces?,
- The development is not characteristic of the area,
- Historical English countryside of special beauty should be protected as English Heritage,

- Not fitting into rural area of outstanding healthy air quality due to the combination of sea and woodland,
- Will lead to suburban sprawl and loss of separate village identities, and
- Loss of views across the paddocks to the South Downs National Park and beyond.

5.12 Amenity

- Will add to polluting traffic that clogs up Rottingdean. The pollution is above EU limit and carries health risks. Are now aware of the serious danger of diesel. With extra traffic the pollution and risks to health can only get worse,
- A new road junction opposite residential properties would disturb neighbouring properties,
- Loss of light,
- Light pollution. Dark skies should be protected,
- Additional noise,
- Overlooking and loss of privacy,
- As The Vale is in a dip, neighbouring dwellings already loose enough natural day light however with buildings on the opposite field it would create another dip making The Vale loose the eastern daylight which is unacceptable, and
- Impact upon air quality and risk of health to local residents,

5.13 Transport/Access

- Proposed road is far too close to the junction to the Falmer Road to be feasible,
- Area not served by good public transport,
- Applicants transport assessment remains generally unchanged. The transport system in this part of the City is already operating well above what it can cope with. This is causing massive congestion daily and is dangerous. The applicants transport assessment is riddled with errors and ambiguity and seriously misrepresents the true picture of the impacts that the development will have. Furthermore because Falmer Road has become an unintended main traffic artery this is a city wide problem affecting anyone trying to travel around Brighton rather than just the local community of the Deans Villages,
- The Transport Assessment's summary of the analysis is extremely misleading and contains errors. Also concerned about the evidence in the statements. The City Plan modification includes "mitigation plans" for the overloaded A27 interchange,
- Traffic congestion would become unbearable and dangerous with very few sticking to 30mph limit. Ovingdean Road junction with Falmer Road is very busy during the rush hour, this development will add to this. Although proposed additional traffic lanes in Ovingdean Road/Falmer Road have been submitted this will do nothing to alleviate traffic congestion resulting south and north in Falmer Road and additional build up of traffic on the A259,

- The village of Ovingdean has already become a rat run for traffic escaping from the 'improvements' on A259 and additional housing as proposed will make the situation intolerable,
- Falmer Road appears to be at maximum capacity, an additional 85 homes cannot be supported,
- Ovingdean Road already has serious traffic issues during school drop off and pick up times. The proposed development would only make this situation worse and would further put at risk an already very dangerous area with high risks of road traffic accidents. Increase housing numbers and therefore traffic will put nursery and school children at high danger risk,
- There is inadequate safe road crossing facilities at the bus stop near to Longhill School already,
- The alternative access route through Ovingdean is simply too small to consider as viable and the width limits through the village plain dangerous,
- There should be no vehicular access onto Ovingdean Road,
- The coast road and Falmer Road is always congested and this is detrimental to the local environment,
- Increased journey times, and
- Access to residents in The Vale will become impossible,

5.14 Ecology/Biodiversity

- Loss of habitat which plays an important part in conservation and biodiversity of species,
- Area was only left out of the South Downs National Park because of a misunderstanding, this field must not be built on because it is species rich in plants and animals and is of high environmental value,
- There are beautiful old trees at the Meadow Vale site which should be protected. There are many mature trees on The Vale border of the site which cannot have any building near them, for building and safety reasons also these trees have preservation orders on them and therefore cannot be removed, and
- The existing site supports much wildlife,
- There are insufficient safeguards re environment conservation,

5.15 Other Issues

- Previous objections raised in respect of 100 houses are equally valid on the amended application for 85 houses, the reduction would not lessen the negative environmental and social impacts that the development would generate and that would affect local residents/communities,
- The revisions, including a reduction to the number of houses proposed, do not alleviate previous concerns over infrastructure (including roads, traffic, pedestrian pathways), local amenities, lack of facilities such as schools, nurseries, and doctors, green space, impact on local communities of the villages and democracy,
- Area is unsuitable for large increases in housing,

- Concerns regarding the provision of school places are reinforced by the e-mail from the Head of Education and concerned about precisely how the developers financial contribution, that is called for, will alleviate the situation,
- This area is a key and important area for historic and touristic reasons,
- The proposed development would be entirely detrimental to the villages of Ovingdean, Woodingdean and Rottingdean and to the wellbeing of the villages,
- Do not believe that the revised Environmental Impact Survey satisfactorily addresses the traffic, pollution, biodiversity, flooding, infrastructure, economic impacts and landscape, environmental impacts and biodiversity concerns raised by many residents,
- Development is wholly unsuitable for a green site. Whole semi-rural feel of the area would be spoilt forever,
- Already problems with flooding and sewer flooding as the existing foul drains cannot cope in times of heavy rainfall,
- The Council should be listening to local residents not the developers which are just wanting to make money out of local rural area,
- 85 houses is still too many,
- Any expansion in housing provision can only be considered alongside a plan for the Falmer Road, Woodingdean crossroads an Rottingdean bottlenecks,
- Plan goes against the environmental Biosphere plan for the area,
- Development is in a totally unsuitable plot of land,
- Note that the developers are offering to pay sums to local schools to accommodate the pupils that might be attending as a result of the development. Are these local school buildings able to accommodate extra pupils? Are the school heads aware that this is being proposed a part of the development?
- Increased risk of flooding and water run-off. The entrance to The Vale on Ovingdean Road is still flooding in wet weather, is there any guarantee that this will be addressed when the 85 homes are built?,
- Keen to see the development reduced down to a level that would only represent the other side of The Vale road itself being developed, ie the other side of this one sided road be finished off with a similar row of houses that alone would be acceptable,
- Cannot agree to building on greenfield sites when there are plenty of brownfield sites available, many unused, to build on first,
- There are landscaping and economic concerns,
- Object against the use of Meadow Vale fields for any housing, and
- It is essential for future generations to preserve villages for those who work hard and choose to live in the community.

5.16 **Botanical Society of Britain and Ireland:** Objects on the grounds that the development will directly effect and probably eradicate three species or rare and endangered vascular plants (Red Star Thistle, Cut-Leaved Selfheal and Hybrid Selfheal).

- 5.17 **Brighton's Future:** Support. Believe that the provision of affordable housing within Brighton is the only long term practical, ethical and sustainable solution to Brighton's housing crisis. Furthermore the creation of affordable housing will support Brighton's City Plan. The Ovingdean site fits groups' criteria of supporting applications that will provide a minimum of 40% affordable housing as it is stated that the development will meet the 40% quota. Furthermore the building of the Ovingdean site would relieve the already intolerable pressure upon housing stock within Brighton. Passionately believe that within the wider community of Brighton there is a silent majority of individuals who not only support, but require, the creation of new and affordable housing. Sadly too often a 'NIMBY' minority are allowed to derail and stall progress, particularly of constructive housing proposals.
- 5.18 **Brighton & Hove Archaeological Society:** (Comments 24/08/2014 and 11/12/2014) Comment. This major development lies extremely close to a known ancient landscape. Aerial photographs show that the field immediately east of the development contains numerous features. It is also close to the location where the 'Brighton Stag' was found a number of years ago, an important prehistoric find.
- 5.19 Ovingdean is an area rich in archaeological and historical remains. Field walking around Ovingdean has produced finds from the Neolithic, Iron Age and Roman periods. The field to the north of St Wulfran's Church contains the remains of a 13th Century medieval farmstead and possible manor house and an enclosure possibly dated to the Roman period lies in fields to the south of the church.
- 5.20 **Buglife:** Objects as there is insufficient information to assess development impact on populations of rare and endangered invertebrates. Until this work is carried out it is impossible to assess the full impact of the development on wildlife or plan an effective mitigation or compensation scheme. Consequently the application does not meet the biodiversity aims of the National Planning Policy Framework.
- 5.21 The Ecological Statement assessment states that the site is likely to be of poor quality for invertebrates, disagree with this statement.
- 5.22 **CAG:** Recommend Refusal. Group feel the proposals do not recognise the significant detrimental impact the development will have on Rottingdean, Ovingdean, Woodingdean and the South Downs National Park. Have serious concerns about the potential increase of traffic, pollution and demand for services in Conservation Areas as a result of the proposal. Concerns were raised about the accuracy and method of the traffic assessment. Urge Council to prioritise the City's Brownfield site, and feel the Greenfield site is of local importance and a completely inappropriate area for development.

- 5.23 The site is a rural fragment within a triangle of historic villages of Rottingdean, Ovingdean and Woodingdean, which contributes to the quality and diversity of the City. The character of the development is out of keeping with the historic nature of the surrounding villages which should not be further diluted. Request Council to obtain independent professional advise on the validity of the report on traffic provided and a full investigation should take place to identify any archaeological features on the site.
- 5.24 **CPRE Sussex Countryside Trust, Campaign to Protect Rural England (Sussex)**
 (Comments 2/09/2014) Objects on the grounds of the application being contrary in principle to adopted and emerging planning policies, visual and landscape impact and biodiversity impact.
- 5.24.1 (Comments 22/12/2014 following submission of amendments)
 Previous objection still stands. In addition would like to add that the application is premature in the context of the emerging City Plan, having now reached an advanced stage.
- 5.25 **County Archaeologist:**
- 5.25.1 (Comments 18/09/2014) Comment. The site is situated within an Archaeological Notification Area defining an area of prehistoric and Romano-British activity, including settlement.
- 5.25.2 The site has been subject to an archaeological geophysical survey, which indicates the site does not contain remains of national importance, however the survey did identify a number of potential features of archaeological interest. Mitigation of damage to below ground archaeological remains will therefore be required, the first phase of which will need to comprise evaluation excavation, prior to any building works or site preparation commencing.
- 5.25.3 In light of the potential for loss of heritage assets on the site resulting from development the area affected by the proposal should be subject of a programme of archaeological works. This will enable any archaeological deposits and features, disturbed during the proposed works to be adequately recorded.
- 5.25.4 (Comments 16/12/2014 following submission of amendments)
Comment. Have no further recommendations to make to those already made for archaeological planning conditions.
- 5.26 **County Ecologist:**
- 5.26.1 (Original comments 8/09/2014) The proposed development is not covered by any designations, statutory or non-statutory, for nature conservation interest. However, it is within close proximity to, and shares the same interest as, Ovingdean Road Horse Paddocks Site of Nature Conservation Importance (SNCI). The site is within the South Downs Way Ahead Nature Improvement Area (NIA). The site

currently comprises semi-improved grassland, scrub and ruderal vegetation, hedgerow with scattered trees and buildings.

- 5.26.2 The proposed development is likely to have significant impacts on biodiversity, in particular rare plants and reptiles and cannot be supported from an ecological perspective.
- 5.26.3 (Comments 23/10/2014 following submission of a rebuttal from applicant's ecologist) It remains the case that the proposed development is considered likely to have significant impacts on rare plants, and cannot be supported from an ecological perspective. Further information is required to assess the impact of the proposed development on reptiles.
- 5.26.4 (Comments 22/12/2014 following submission of amendments) It is considered that the ecological value of the site, particularly for plants, invertebrates and reptiles, has been underestimated, and as such the potential impacts of the development cannot be properly assessed and appropriate mitigation and/or compensation cannot be agreed.
- 5.27 **County Landscape Architect:**
- 5.27.1 (Original comments 8/09/2014) Objection. The baseline landscape character assessment as set out in the EIA is an accurate assessment of the baseline landscape. However more emphasis should be placed on the contribution that the undeveloped landscape of the site makes to the perception of a green gap between the settlements of Ovingdean and Woodingdean. This green gap connects the open grassland areas of the South Downs National Park on either side of the site. The wooded nature of much of the undeveloped area of Happy Valley is also a key characteristic locally.
- 5.27.2 The assessment of the baseline visual situation provided in Chapter 7 of the Environmental Statement is accurate and comprehensive.
- 5.27.3 It is recommended that the application is not supported due to the potential significant adverse impact on local landscape character and views.
- 5.27.4 The proposed mitigation would not be adequate to reduce these impacts to an acceptable level.
- 5.27.5 (Further comments 17/10/2014 following submission of a rebuttal from agent) The case still remains that whilst the site is not within the South Downs National Park it would have an impact upon the character and visual amenity and this is upheld by the South Downs National Park comments.
- 5.27.6 (Comments 18/12/2014 following submission of amendments) Objection. With regards to Chapter 7 of the Environmental Statement it is still considered that more emphasis should be placed on the

contribution that the undeveloped landscape of the site makes to the perception of a green gap between the settlements of Ovingdean and Woodingdean. This green gap visually connects the open grassland areas of the South Downs National Park which lie to north and east. This point was emphasised in the comments of the South Downs National Park Landscape Architect on the original application.

- 5.27.7 The wooded nature of much of the undeveloped area of Happy Valley which lies to the north is also a key characteristic locally. This character is extended along the western boundary of the site.
- 5.27.8 Chapter 7 of the Environmental Statement now includes a more comprehensive range of views from the bridleway which lies to the north, including those which provide a wide open vista across the site. The significant of which was raised in the previous comments.
- 5.27.9 The revised layout does not adequately address the concerns regarding the impacts on landscape and visual amenity that were raised in relation to the previous layout.
- 5.24.10 It is recommended that the revised layout is not support as it would represent overdevelopment of the site and would have an unacceptable adverse impact on local landscape character and views.

5.25 Deans Preservation Group:

- 5.25.1 (Comments 30/09/2014) Objects. The proposed development falls on land designated as countryside because of its important downland landscape character where residential development is inappropriate. Its sitting, scale and density will have an adverse impact on the landscape setting of the South Downs National Park contrary to draft policy SA5. Is prejudicial to the allocation of sites for residential development in the emerging City Plan and is therefore premature and contrary to paragraph 14 of the National Planning Practice Guidance and is liable to cause demonstrable harm to habitat (lowland calcareous grassland) and a species (Red Star-thistle) protected under national legislation contrary to policy QD18. There is information missing and errors within the documents submitted.
- 5.25.2 (Comments 20/12/2014 following submission of amendments) Affirm objection to the proposal and that original objection and legal and policy submission still stand. Object on grounds of impacts on landscape, biodiversity, South Downs Way Ahead Nature Improvement Area, noise pollution, schools, road traffic pollution.
- 5.25.3 (Comments 11/01/2015) Object to the proposed development on the grounds that the application is unsound as it is not consistent with national policy, as set out in the National Planning Policy Framework in the key areas of sustainability, legality, landscape and biodiversity.

- 5.25.4 **Ashley Bowes (Barrister) On Behalf of Deans Preservation Group:** Object. Since last legal and policy submission which accompanied Group's representation, two further matters have come to the attention of the group. The propose modifications to City Plan Part 1, Draft policy SA4 has been modified in a number of ways. To grant permission for a development of 100 units before the Council has had an opportunity to test constraints, on the delivery of housing as set out in the Urban Fringe Assessment, before the Inspector would be plainly prejudicial to the merging City Plan. Therefore of the view that prematurity as a material consideration in the determination of the application should now be afforded greater weight. Note the letter from the Applicant and are deeply concerned at the manner in which the framework for decision-making is being presented, in particular the section headed "the planning balance". The applicant suggests planning permission must be granted unless the adverse effects significantly and demonstrably outweigh the benefits, this approach is simply wrong and unlawful. Paragraph 1 of the NPPF is only engaged where the development plan is "absent, silent or out-of-date", this is not the case here.
- 5.26 **East Sussex Fire and Rescue Service:** (Comments 10/09/2014 and 24/12/2014) The application does not contain enough information for the Fire Authority to make comment and therefore the Fire Authority will make formal comment at the Building Regulations Stage.
- 5.27 **Environment Agency:** Having screened the documents with regards to low risk of the development type and location of the proposal, confirm have no comments to make. As the development proposal is in flood zone 1 and less than 5 hectares it would fall into flood risk standing advice.
- 5.28 **Kipling Festival:** Objects on the basis that it would not only hurt quality of life locally, it would damage tourism. In 2008 the City's Tourism Strategy was published which highlighted six key areas to be nurtured and protected to enhance Brighton's £400 million yearly income from visitors, Rottingdean being one of these areas. The village is not only designed by the City as a Tourist destination in itself, it is also considered one of Brighton's Tourist Gateways, meaning how it strikes arriving visitors strongly influences their desire to stay and explore the region further. Key Action Goal reads: continue to promote Rottingdean as an existing gateway to the Downs to enjoy walks, local nature reserves and Downland billings. The study also stresses the need to promote sustainable local activities such as festivals in keeping with its village character.
- 5.28.1 Adding a housing project of the proposed size with its additional hundred or more cars shunting down a narrow rural highway leading directly into the narrower lanes of Rottingdean and Ovingdean would

strain that village atmosphere and erase the very charm and character need to preserve and attract tourism.

5.28.2 The increased traffic, noise and crowding would also make it difficult to attract visitors to evocative, leisurely village tours events or activities. Rottingdean's attraction as a literary, cultural and historical destination would falter and this former "key tourist area" would rapidly lose its appeal.

5.28.3 Most importantly, any decision to disrupt and despoil this fragile and irreplaceable part of the Downs, once made, is not reversible. After more than a thousand years as a village with an enchanting, distinctive and independent identity it is to no one's advantage to let Rottingdean become just another part of local suburban sprawl.

5.29 **Natural England:**

(Comments 34/09/2014) Object. The application is in a sensitive location and the development as submitted has not reflected this. The Landscape Visual Impact Assessment has not adequately addressed key sensitivities of developing the site which are specific to its location and, as such, has not adequately recognised or mitigated landscape impacts which are significant in nature. The application would result in the permanent loss of landscape character of a site which is contiguous with, and in keeping with, the National Park and which lies within its setting.

5.29.1 (Comments 16/12/2014 following submission of amendments) Object. The revised application has not sufficiently addressed the points raised in previous response and therefore comments remain unchanged.

5.30 **Ramblers East Sussex Countryside:** Object as the proposed development is very much on the fringe of the South Downs National Park and therefore careful consideration needs to be given to the impact on this protected landscape. Although there are existing dwellings to the north and west, this should not create a precedent for building between these and the boundary of the National Park. The existing dwellings in The Vale are well screened to the east, and building the proposed number of two-story dwellings on the rising ground would have a severe visual impact on the landscape. The proposed site is part of the lower slopes of Balsdean Hill and is separated from the remainder of this downland only by Falmer Road. As the main through-route to and from the site along Falmer Road, would be unwise to add to the existing reported traffic congestion. If it is proven that the number of additional dwellings is actually needed then other sites nearer the City's urban area and further away from the National Park should be considered in preference to this site.

5.31 **Regency Society:** Comments that group supports the consultant's report that the site is suitable for housing. Suggest that the proposed

level of housing density could be increased a little to help meet the challenging targets facing the City. Although the site is adjacent to the National Park, believe that, given an appropriate design, a housing development will not have an adverse impact on the Park. However are aware of the significant traffic problems experienced locally, particularly in the centre of Rottingdean. Statements included in the application suggest that the scheme will make no significant difference to these problems, Council should seek expert, impartial advice on its validity. Expect Council to look at any subsequent full planning application carefully to ensure that the proposed design and materials are appropriate to the location.

5.32 Rottingdean Parish Council:

5.32.1 (Comments 3/09/2014) Objects. The field in question is in the Parish of Rottingdean and therefore much of the date included in the accompanying documentation needs to be refocused on the needs of Rottingdean and not Ovingdean or the City in general.

5.32.2 Sections 5 and 6 refer to the Development Plan and suggest that only limited weight can be given to this plan at present. The applicant seeks to take advantage of the current policy vacuum to push through a development which is not required within Rottingdean Parish. As the site is in Rottingdean any development must fit in with the emerging Rottingdean Neighbourhood Plan and should be in accordance with Rottingdean's housing needs. The needs of Rottingdean are different from those of Ovingdean and with Brighton & Hove.

5.32.3 The application is oversized and inappropriate for the site and its surroundings. The site is open meadowland, bordering on the South Downs National Park (SDNP) and is part of a strategic gap between the villages of Rottingdean, Ovingdean and Woodingdean. If allowed will erode the character of the area and lead to an urban sprawl joining Ovingdean and Rottingdean. It will close the strategic gap which maintains the connectivity of the South Downs National Park. Thus is unacceptable in compromising the integrity of a single contiguous National Park. It is axiomatic that a development does not have to be within the SDNP to have an impact on its scenic beauty and landscape. Moreover the City Council must have regard to the statutory of the SDNP when considering planning applications outside the park area.

5.32.4 Will increase housing stock in Rottingdean by 6%, this will have a significant impact on the village's population dynamics and infrastructure in terms of medical, educational and other services and facilities and on traffic volume and flow. Currently there are no primary school spaces within Rottingdean and medical and dental services are already under pressure. Equally there are no shops close to the development and people will need to travel to Rottingdean and/or Brighton for provisions.

- 5.32.5 A Planning Brief is already in place for the development of a brownfield site within the village of Rottingdean at St Aubyns. Development there will also increase traffic in the village, the cumulative affect of that and this plan will increase what are recognized by the Council as dangerous levels of pollution in the village.
- 5.32.6 Any development must recognise that car usage/ownership in Rottingdean is higher than that of Brighton & Hove and this should be taken into account when looking at cumulative impacts of traffic, which require objective research and assessment. The applicant's answer to the increase in traffic appears to be to include more sheltered accommodation which presumes that people housed there will not have vehicles or will not drive at peak times. The statistics appear to be selective in terms of where and when traffic data has been collected.
- 5.32.7 The Council's Biodiversity Action Plan has identified the site as a linear corridor or stepping stone for wildlife and the site is an important area for biodiversity, containing the Red Star Thistle and The Cut Leaf Self-Heal.
- 5.32.8 The western edge of the site is renowned for its wet and boggy nature. Whilst this has been addressed to some extent the scale of building and increase in hard standing as opposed to the current green field will raise the water levels considerably. The chalk will become saturated increasing the risk of flooding both in The Vale and further down the valley towards Longhill School.
- 5.32.9 Concerned that the ecological implication of the development have not been fully investigated and that its impact could be far more detrimental to the wildlife than estimated.
- 5.32.10 The re-assessed Urban Fringe Assessment recommended that, although the site could support some development, it should be restricted to the western edge. The applicants have attempted to contradict this view in their rationale for development.
- 5.32.11 The outline application fails to give an assurance about quality design in keeping with the vernacular architecture. In fact it includes houses of such varied styles and eras as to undermine confidence.
- 5.32.12 Currently there are views to the sea and across meadows from the Falmer Road at various points in the SDNP. Development on this scale will have a negative impact on these views.
- 5.32.13 (Comments 23/12/2014 following submission of amendments)
Objects The changes to the proposal do not solve the problems which arise from the proposal to build so many dwellings on the field.

Previous objections made are still relevant to the revised plan. In particular, if the developers assert that the increased exposure to the infrastructure and services is minor (contrary to Parish Council's view), then the reduction of 15 dwellings out of the original 100 will not significantly affect the infrastructure and services requirements. Revisions attempt to satisfy local objections to the visibility of the development from the various viewpoints covered in the plans. Moreover, there are still unresolved aspects of the application which the developers have tried to fudge. These are centres on the ecological and air quality problems. The Parish Council objects on grounds of increased road congestion, lack of GP and school places and the underlying problem of the green gap between the here settlements.

5.33 Rottingdean Preservation Society:

5.33.1 Objects. Recognises the need for additional housing within the City however note that the City Plan states that this particular site was graded code 4 (not considered suitable for housing). Appreciates that the NPPF made it clear that there is now a 'presumption in favour of sustainable development' further the Council has been asked to review upward its previous planned housing numbers. Nevertheless, the particular circumstances of the site make it inappropriate for development of the scale proposed. The key issue being that the site is an open site adjacent to the SDNP and is of special significance in that it forms part of a narrow tract of land which links the National Park across Falmer Road to Beacon Hill, the importance of which has recently been increased by the extension of the nature reserve. Beacon Hill is also the location of the iconic Rottingdean Windmill.

5.33.2 The 'indicative street scene' is of a collection of suburban dwellings. These being in stark contrast to the Downland Village characteristics of the settlements' of Rottingdean and Ovingdean.

5.33.3 Would impact on the infrastructure of the village of Rottingdean. This historic core of the village is a designated Conservation Area and is the prime traffic route for the proposed development, The A259 already suffer from air pollution levels well above the City average and the fabric of the buildings is at risk from pollution, let alone the health of inhabitants and visitors.

5.34 Saltdean Swimmers:

5.34.1 (Comments 10/09/2014) Objects on grounds of increased traffic, increased air pollution in Rottingdean, which has breached safety levels with regard to nitrogen dioxide for past 5 years and which has effect on health, lack of appropriate infrastructure, negative effect on the village of Ovingdean destroying the village atmosphere forever, resulting urban sprawl, loss of habitat of lowland calcareous grassland which play an important part in conservation and biodiversity of species. Draw attention to the Environmental Protection UK – Development Control Planning for Air Quality 2010 Update.

- 5.34.2 (Comments 23/12/2014 following submission of amendments)
Objects. Objected to the original application and objections stand with the amendment to 85 dwellings on the greenfield site, adjacent to the South Downs National Park boundary on grounds of additional traffic leading to increased air pollution in Rottingdean which has breached safety levels with regards to nitrogen dioxide for the past 4 years, other effects from air pollution on health, lack of appropriate infrastructure, urban sprawl and destroying village atmosphere, loss of habitat of lowland calcareous grassland which plays an important part in conservation and biodiversity of species, planning law, brownfield sites should be built on first and traffic levels in area need to be decreased not increased.
- 5.35 **South Downs National Park Landscape Architect:**
- 5.35.1 (Original comments 22/09/2014) Objects as the proposed development would have an unacceptable level of detrimental impact on the South Downs National Park and its setting due to over development of the site which would intrude and truncate views to and from the National Park and those of surrounding distinctive landscape features. The proposed development would have detrimental impacts on the setting of the National Park due to the significant magnitude of change to landscape character of the site and the impact that this would have on the surrounding National Park landscape.
- 5.35.2 (Further comments 23/10/2014 following submission of a rebuttal from applicant's ecologist) Have no further comments to make.
- 5.35.3 (Comments 16/12/2014 following submission of amendments)
Objects. The revised proposals for a reduction of 15 no. dwellings are noted. It is not considered that the proposed alterations to the scheme would reduce the impacts (previously identified) to an acceptable level owing to the continued proposed expanse of development and changes in character across the site in this highly visible and sensitive location.
- 5.36 **South Downs Society:**
- 5.36.1 (Comments 26/08/2014) Object. The application site forms an important buffer between the urban conurbation and the South Downs National Park.
- 5.36.2 Note that the site was identified as Urban Fringe in the adopted Local Plan and where development should be resisted. During consultation process for the City Plan the Society objected to any proposals that provide development on the Urban Fringe in favour of new housing being located in the most suitable sites, ensuring that brownfield and low landscape value sites are developed first. Generally support the Councils position that a restrictive approach should be taken to sites within the Urban Fringe notwithstanding that the Planning Inspector

has asked the Council to reconsider its position to meet the housing shortfall. Concern is that granting permission for development on this site at this time would set a precedent for development on other Urban Fringe sites across the City and adjacent to the National Park.

- 5.36.3 Despite the site being unconstrained by any environmental designation, believe that it has some landscape value given its strategic location. Consider that development on the site should be restricted; other sites should be considered first. The Council is under a duty to have regard to the designation of the National Park and compliance should be demonstrated here.
- 5.36.4 Acknowledge that work has been done in the design of the site to mitigate the visual impact on the adjacent National Park. However the affects of providing a development of 100 houses go wider, in particular the anticipated increase in car movement through the Park with associated congestion, noise and pollution. The proposal is in conflict with Policy 3 of the recently approved statutory Partnership Management Plan for the National Park: Protect and enhance tranquillity and dark night skies.
- 5.36.5 (Comments 18/12/2014 following submission of amends) Objects Note reduction of 15 dwellings from 100 to 85. Society has provided previous comments on the original number and associated infrastructure. Concerns were set out therein concluding with a request that the application be refused. Claim that the land is unsuitable for residential development due to potential impacts on the National Park.
- 5.36.6 Since previous response, and in conjunction with examining the proposed modifications to the City Plan Part One, have had the opportunity to study the Council's Urban Fringe Assessment 2014 which includes land subject to the application and known as Site 42. Whilst have strong reservations that any decision on potential housing sites should be made against this Assessment, it is clear from the conclusions of the work carried out to-date by the Council that it would not support a development of 85 houses on the site. Therefore consider that that Council has no other option than to refuse the application.
- 5.37 **Sussex Botanical Recording Society:** Object on grounds of unacceptable damage to a site of considerable ecological importance both within East Sussex and beyond. The proposed development threatens three rare species of plant, all of which are endangered, Red Star Thistle, Cut-leaved Selfheal and Hybris Selfheal.
- 5.38 **Southern Gas Networks:** Comment. Note the presence of Low/Medium/Intermediate Pressure gas main in the proximity to the site. There should be no mechanical excavations taking place above or within 0.5m of the Low pressure and medium pressure system and

3m of the intermediate pressure system. Should where required confirm the position of mains using hand dug trial holes.

5.39 Southern Water:

5.39.1 (Comments 4/09/2014 and 8/01/2015 following submission of amendments) Comment. The exact positions of a public sewers must be determined on site by the applicant before the layout of the proposed development is finalised. Should be note that no development or new tree planting should be located within 3m either side of the centreline of the pubic sewer and all existing infrastructure should be protected during the course of construction works, and no soakaways should be located within 5m of a public sewer.

5.39.2 Due to changes in legislation that came into force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served and potential mans of access before any further works commence on site.

5.39.3 Following initial investigations, there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. The proposed development would increase flows to the public sewerage system and existing properties and land may be subject to a greater risk of flooding as a result. Additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development.

5.39.4 Initial investigations indicate that here are no public surface water sewers in the area to serve the development Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer.

5.39.5 Southern Water can provide a water supply to the site.

5.39.6 The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under Environment Agency's Groundwater Protection Policy.

5.39.7 If approved recommend conditions regarding sewerage infrastructure and means of foul and surface water sewerage disposal.

5.40 Sussex Police (Crime Prevention Design Adviser):

5.40.1 (Comments 29/08/2014) Comment. Have had the opportunity to examine the detail within the application and due to the application being outline comments are broad with more detailed in depth advice being delivered at reserved matters.

5.40.2 Disappointed to note that the Design and Access Statement submitted fails to make reference to specific crime prevention measures that are to be considered in the design and layout.

- 5.40.3 The development in the main has outward facing dwellings which has create good active frontage with the streets and the public areas being overlooked. This has negated the need for vulnerable rear access paths to gardens. Parking has been provided for with in-curtilage, on street parking and a rear parking court which should leave the street layout free and unobstructed. Where communal parking occurs it is important that they must be within view of active rooms within the property.
- 5.40.4 It is important that the boundary between public space and private areas are clearly indicated. It is desirable for dwelling frontages to be open to view, so walls, fences and hedges will need to be kept low or alternatively feature a combination (max height 1m) of wall, railings or timber picket fence. As the first line of defence perimeter fencing must be adequate with vulnerable areas such as side and rear gardens needing more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. In circumstances such as the area parking court where the gardens overlook the area parking court, 1.5m fencing topped by 300m of trellis can provide observation into an otherwise unobserved area whilst achieving a security height of 1.8m. Gates that provide access to the side of the dwelling or rear access to the gardens must be robustly constructed of timber, be the same height as the fence and be lockable.
- 5.40.5 It is important to avoid the creation of windowless elevations and blank walls adjacent to space to which the public have access.
- 5.40.6 The Local Area of Play is positioned well with good surveillance from the surrounding dwellings but it will be necessary to keep foliage low on order to maintain natural surveillance throughout.
- 5.40.7 Lighting will be an important consideration, both in the car parking areas, around the buildings and communal areas.
- 5.40.8 (Comments 18/12/2014 following submission of amendments) Have concerns over the location of the public cycle park. Its present location is unobserved and in a vulnerable location. Its presence would bring unwanted permeability into the development.
- 5.41 **Sussex Police (Joint Commercial Planning Manager):** The development of 100 dwellings represents an increase in the population of Brighton. Policing is a population based service and this proposed uplift in population would inevitably place demands on existing policing services. The proposed development has therefore been assessed having regard to the implications of the development upon the infrastructure requirements of Sussex police and the impact of the scheme will have upon the day to day policing of the area. In order to effectively provide the current level of policing to the increased population develop contributions towards the provision of policing infrastructure will be required. Sussex Police is therefore

seeking a financial contribution of £44,178 (£441.78 per dwelling) towards the provision, maintenance and operation of Sussex Police Infrastructure, to be used in the policing of the Ovingdean and Brighton area. This infrastructure consists of the capital projects and community safety facilities required to support new growth, and is likely to include pooling of contributions, in or to mitigate the cumulative impact of development and provide the police resources necessary at the time development comes forward. Without this contribution, would object to the development.

- 5.42 **Sussex Wildlife Trust:** Object to the proposal on grounds of lack of consideration given to the priority habitats and species found on the site and believe that net gains to biodiversity have not been demonstrated by the applicant.
- 5.43 **UK Power Networks:** (Original comments and comments 9/12/2014 following submission of amendments) Have no objections to the proposed works.
- 5.45 **Councillor David Smith:** Objects to the proposal. Letter Attached.
- 5.46 **Councillor Mary Mears:** (Correspondence 10/09/2014 and 2/01/2015) Objects to the proposal. Letters Attached.
- 5.47 **Simon Kirby MP,**
(9/09/2014) Objects to the application on the following grounds;
- Loss of amenity, the village feel of the area would be completely undermined. The green space is very important to local residents and should not be compromised,
 - The land borders the National Park and therefore may set a precedent if agreed. The land is part of a Nature Improvement Area and this needs to be respected.
 - Ability of infrastructure to cope. The Falmer Road and the A259 are very busy already, proposal would generate additional traffic. The bus service in the area is already busy and often overcrowded to Woodingdean, proposal will lead to more pressure being placed on the service,
 - Additional cars will create more pollution which will reduce air quality for the existing and any new residents,
 - School places and availability of NHS GP services will be put under stress, and
 - Believe the Council should be actively looking at Brownfield and City centre sites and larger areas that could be developed, such as Shoreham harbour in order to meet the City's housing demand long before looking at Greenfield sites like Meadow Vale.

(E-mail 15/12/2014 following submission of amendments) Objects to the land adjacent to Ovingdean and Falmer Road for use as housing land.

Internal:

5.48 Access Officer:

5.48.1 (Comments 2/09/2014) Insufficient information provided to be able to comment. A condition should be attached to an approval to ensure compliance with policy HO13.

5.48.2 (Comment 28/10/2014 following submission of indicative floor plans) The floor plans are still too sketchy to be able to provide comments. They do not show bathroom layouts anywhere and there are even some cases where they do not show walls. Need to check approach gradients, entrance, circulation and stair widths, WC and bathroom provision etc.

5.48.3 (Comments 16/12/2014 following submission of amendments) There is still not enough detail to be able to comment.

5.49 Arboriculturist:

5.49.1 (Comments 16/09/2014 and 16/12/2014 following submission of amendments) Proposal would result in the loss of some trees of little arboricultural value. Overall no objection by the Arboricultural Team subject to conditions regarding an Arboricultural Method Statement and a landscaping scheme.

5.50 City Clean:

5.50.1 (Comment 17/10/2014) Comment. The swept path analysis confirms at the roadway and entrances are adequate for refuse collection vehicles. The layout of the development would involve some reversing to properties but this would be covered by the driver/banksman on the crew.

5.50.2 If road parking is to be implemented recommend that double yellow lines are put on to each road junction within the development, of 3 standard car lengths to allow safe turning for refuse vehicles.

5.50.3 The households will be entitled to 1 x 140 litre wheeled refuse bin for their weekly refuse collection and 3 x recycling boxes per property.

5.50.4 Concerned about properties 17-20, there seems to be no footpath linking the rear of the properties to the road, which would be the nearest and most logical collection point.

5.50.5 (Comments 5/01/2015 following submission of amendments) Comments that the grasscrete areas would need to be load-bearing, that double yellow lines would need to be placed onto each road junction of 3 standard car lengths to allow safe turning of vehicles, that access would need to be permitted to areas identified on the

plans as “shared surface and private drive”, collection points for crews should be no more than 25m and flats would need to share wheeled bin containers. Also confirms that householders would receive wheeled refuse bins for weekly refuse collection and recycling bins for fortnightly collection.

- 5.50.6 (Comments 9/01/2015 following receipt of e-mail from agent) Happy with response provided from agent.
- 5.51 **Economic Development Officer:** No objection. Has no adverse economic development comments to make and requests a contribution through a S106 agreement for the payment of £50,000 towards the Local Employment Scheme in accordance with the Developer Contributions Interim Guidance and the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during the construction phases of the development.
- 5.52 **Education Officer:**
- 5.52.1 (Comments 29/08/2014) If the application were to proceed would seek a contribution towards the cost of providing educational infrastructure for the school age pupils the development would generate, £335,207.60, in respect of primary and secondary education.
- 5.52.2 Ovingdean is a fairly distinct community and is not within the main part of the City. As a result of this there is limited choice in terms of local schools. The closest schools to the development are Rudyard Kipling Primary School, Woodingdean Primary, Our Lady of Lourdes RC Primary and St Margaret’s CE Primary School. None of these schools have any significant surplus capacity and anticipate this being the case for the foreseeable future.
- 5.52.3 The development is in the catchment area for Longhill School in terms of secondary places. While there is currently some surplus capacity at Longhill with the recent growth in primary numbers know that this will not remain the case for much longer.
- 5.52.4 Consequently think that it is entirely appropriate to request a sum of money for nursery, primary and secondary education in respect of this development. It is expected by the DfE that should maintain between 5% and 10% surplus places to allow for parental preference. Taking the schools mentioned above there are a total of 1,260 primary places available and currently there are 1,200 children on roll. This means that there is less than the 5% minimum in this part of the city. A development of 100 residential units will have a serious impact on the school places issue in this part of the City and parents will have no choice whatsoever, believe that developers should ensure that their developments are sustainable in the broadest sense of the work and

this has to include funding the education infrastructure that their development demands.

- 5.53.5 (Comments 16/12/2014 following submission of amendments) If the application were to proceed would seek a contribution towards the cost of providing educational infrastructure for the school age pupils the development would generate. In this instance £348,300 is required in respect of primary and secondary education. This calculation is based on 85 units, excluding the 8 age restricted units.
- 5.54 **Environmental Health (Air Quality):**
- 5.54.1 (Comments 20/10/2014) Insufficient information in the EIA chapter 10, method requires additional information and nitrogen dioxide predictions at monitoring locations in the Rottingdean Air Quality Management Area and hotspots at the junction of Warren Road and Falmer Road.
- 5.54.2 (Comments 11/12/2014 following submission of amendments) Insufficient information. Do not accept the developer's assessment of impact on the Rottingdean Air Quality Management Area. Department estimates 51 houses are exposed to NO² above the annual mean limit in Rottingdean beside the B2123 and has legal obligation to prioritise air quality improvement and mitigate impact at these locations.
- 5.55 **Environmental Health:**
(Original comments 20/10/2014 and 24/12/2014 following submission of amendments) Recommends approval subject to a number of conditions relating to property barriers, glazing scheme, ventilation scheme, contaminated land, lighting and a Construction Environmental Management Plan.
- 5.56 **Flood Engineer:**
- 5.56.1 (Comments 3/10/2014) Comments In principle have no objections to the development. The residential development has been kept away from the flow route as indicated by the uFMfSW 1 in 1000-year event. The Micro Drainage calculations provided estimate the development should be able to cope with a 1 in 100-year storm including climate change.
- 5.56.2 (Comments 12/12/2014 following submission of amendments) No change from previous comments.
- 5.57 **Heritage:**
- 5.57.1 (Original comments 15/09/2014) Historic maps show that the site has always comprised open agricultural downland. Ovingdean Conservation Area and its Listed Buildings, Rottingdean Conservation Area and its Listed Buildings lie within the study area. These are both medieval downland settlements which have developed over time. Having developed from farming origins, the views towards and from

the surrounding open downland are important to their character. This 'green buffer' thus is an important part of their setting.

- 5.57.2 Ovingdean House and Woodingdean Farm were formerly located to the immediate north of the development site. Ovingdean House has since been demolished and the site redeveloped for housing. Woodingdean Farmhouse and its farm buildings survive; the latter has been converted to housing. The farmhouse itself is much altered and some of its character has been eroded. Despite conversion, the farm buildings retain much of their character, form and yard-arrangement. The buildings have been nominated for inclusion on the council's local list, and are currently considered as 'non-designated heritage assets' (as defined in the NPPF).
- 5.57.3 The gateposts with ball finials to The Vale likely relate to the former Ovingdean House to the north of the site (now demolished).
- 5.57.4 It is noted that the indicative design is not accurate, but that design is not being considered at this outline stage. The buildings are of 2 storeys height maximum.
- 5.57.5 The assessment provided within the Environmental Statement is largely an accurate assessment of the impact of the scheme on heritage assets. The non-designated heritage assets at Meadow Vale should appropriately have been included on the Site Location Plan.
- 5.57.6 The farm buildings at Meadow Vale (now converted to residential) have been identified as being of low value, as a result of the aesthetic and illustrative values inherent in their remaining physical fabric. This is in line with the methodology set out in the ES. However, the interest of the farm buildings is also in their partly still rural setting; this emphasises and allows their original use (as agricultural buildings) to be more easily understood. The proposed development will isolate the buildings from the surrounding downland. The ES states that the values of these buildings will 'not be changed by the construction within the site'. It is however considered that the proposed development would have a noticeable impact on the setting of these historic buildings. As such, it would result in a medium magnitude of change and a minor adverse effect. This impact should be weighed against any public benefits of the proposed development.
- 5.57.7 The loss of this green and open space, which has historically always been historic open downland, is regrettable. The potential perceived further merging of Ovingdean, Woodingdean and Rottingdean is also regrettable. The impact of the proposed development on the designated heritage assets in the area is however limited. There is limited intervisibility between Beacon Windmill and the site. The site does not form part of the setting of Ovingdean Conservation Area and its listed buildings, Rottingdean Conservation Area and its listed buildings, nor New Barn.

5.57.8 The retention of green spaces within the site and historic field boundaries/vegetation is important. Where this can be enhanced or better revealed, this would be appropriate. The inclusion of hawthorn and blackthorn hedges, as well as holm oak specimens is considered appropriate. The retention of the mature vegetation directly opposite Meadow Vale is appropriate. The hedge to the south boundary should also be retained.

5.57.9 (Comments 8/12/2014 following submission of amendments) The EIA does now consider the impact on the setting of Woodingdean Farm and its buildings (Meadow Vale). However, the amendments do not alter the remainder of earlier comments made. The impact on the setting of the historic buildings of Meadow Vale should be weighed against any public benefits of the proposed development. The impact on the setting of these buildings should be considered within any detailed application should the outline application be approved.

5.58 Housing Strategy:

5.58.1 (Comments 18/08/2014) Housing Strategy is committed to maximising the provision of affordable housing in the City. Therefore welcome this scheme as it will assist to achieve aims of achieving mixed, balanced and sustainable communities to deliver high quality affordable housing for local people in housing need.

Note that the developer is offering 40% affordable housing in line with housing brief, which equates to 40 units. The tenure mix and unit sizes proposed are in line with the Affordable Housing Brief.

Would expect that at least 10% of affordable units should be built to fully wheelchair accessible standards in line with affordable housing brief. Note that the developer is offering 5% wheelchair housing across the development.

5.58.2 (Comments 31/12/2014 following submission of amendments) The scheme is a new build development which will provide 85 residential units made up of 71 houses and 14 apartments. 40% of the units – 34 – will be developed as affordable housing. The affordable homes will be 10 x 1 bed apartments, 4 x 2 bed apartments, 11 x 2 bed houses, and 9 x 3 bed houses. This equates to 29% 1 beds / 44% 2 beds and 27% 3 beds. The developer has proposed that eight of the affordable units (1 and 2 bed apartments) will be reserved for people aged 60 and over only, in order to provide a 'diverse social mix of people occupying the affordable housing'.

5.58.3 Up to date assessment of housing needs (for example the Strategic Housing Market Assessment April 2008) shows that although greatest need (numerically) is for smaller one and two bed properties there is significant pressure on larger family sized homes.

5.58.4 For the city as a whole the preferred affordable housing mix in terms of unit size and type to be achieved is:

- 30% one bed units
- 45% two bed units
- 25% three + bed units

5.60 **Parks Projects Officer:** (Comments 7/01/2015 following submission of amendments) Boulders and mounding are 'natural play' elements which would have a low visual impact on the landscape. Have experienced difficulty with the maintenance of grass mounds in play areas with heavy footfall but the construction methodology is key. Boulders are not always a popular choice as they have little play value and are deemed dangerous by some parents as they are a hard object that children can fall onto. Would encourage the use of these features to enhance the boundary or as features within a play area but not view them as being sufficient as stand-alone items. The play area does not appear to be fenced but is next to a road, it is not clear if there are physical boundaries planned? More detail on the 'play area' would be good to see when available. Would describe the 'play area' as a small landscape feature.

5.61 **Planning Policy:**

5.61.1 (Original comments 30/09/2014) The principle of residential development on part of the site has been accepted (as a consequence of the City Plan (Part One) Planning Inspector's initial conclusions on the City Plan and the findings of the 2014 Urban Fringe Assessment coupled with policy guidance in the NPPF). In addition, the benefits of some residential development on this site are recognised in terms of helping to meet the City's housing requirements and the City's need for affordable housing.

5.61.2 However, due to the amount of development proposed on the site and having considered the evidence submitted in support of the application (Environmental Statement), the Council's Ecology and Landscape experts consider that the development will lead to significant adverse impacts on local landscape character/views and on biodiversity, (rare plant species and reptiles) without sufficient mitigation of harm. On this basis, it is considered that the proposal will lead to significant and demonstrable adverse impacts on biodiversity and landscape that outweigh the benefits of the scheme.

5.61.3 The proposal should therefore be refused in line with paragraph 14 of the NPPF when considered against Section 6 (Delivering a wide choice of high quality homes) and Section 11 (Conserving and Enhancing the Natural Environment) of the NPPF.

5.61.4 (Addendum comments 13/11/2014) There is no significant change to the weighting of policies and documents as a consequence of the decision to agree main modifications at Policy and Resources Committee (since the original comment). The main modifications are a material consideration in the determination of planning applications

and they indicate direction of travel. The scheme remains unacceptable in principle as set out in the original policy comments.

5.61.5 Without prejudice to the decision on the application, the level of affordable housing proposed is acceptable and meets the requirements of policies HO2 and CP20. If the scheme were to be agreed it should seek to retain a reasonable proportion of the existing identified open space and also seek to provide developer contributions to meet the generated demand for open space from the proposed housing, the Local Employment Scheme and for school places.

5.61.6 The scheme includes a proposal for two children's play areas – there is insufficient information to demonstrate this suitably mitigates for the loss of the remaining identified natural/semi natural open space to housing.

5.61.7 (Comments 12/01/2015 following submission of amendments) Recommendation remains as refusal when considered against paragraph 14 of the NPPF and against policies QD17, QD18, NC7 and NC8 of the Local Plan and policies SA5 (the South Downs) and CP10 of the City Plan on the grounds the proposal will result in significant and demonstrable adverse impacts that outweigh the benefits.

5.62 Planning Contributions (Section 106) Officer:

5.62.1 (31/10/2014) In accordance with policy HO6 the contribution required for the 100 units is £343,342.70. For the 5 bed units these are included in the 4 bed + assessment. In terms of the proposed 8 'age restricted units, if further information is provided confirming what age is restricted and how this is to be secured in the long term, then further consideration can be given for potential discount of the full contribution being provided. For instance, if the age restriction is older persons 60-65 years then there is potential to discount the 'play space' sum as it is unlikely these units will generate children. It would need to be fully demonstrated if any age restriction included extra care for the very elderly or those with severe immobility to justify why the sport or allotment elements of the contribution should not be provided.

5.62.2 (Comments 15/12/2014 following submission of amendments) The total sum required assessed on 85 total units, including 8 units restricted to persons over 60 years is £328,018.01.

5.62.3 For the 8 units to be restricted to persons over 60 years of age, the children's playspace contribution has been discounted as it is unlikely those units will generate young children. For the affordable housing a suitable clause should also be included in the s106 Agreement for securing and enabling an ongoing restriction on occupants of age

restricted units, as offered by the developer in the statement issued by Pegasus Group.

5.63 Private Sector Housing Officer:

5.63.1 (Original comments 21/08/2014) Have no comments under the Housing Act about the broad concept of the application. There are no detailed plans or layouts of the properties at the moment.

5.63.2 (5/11/2014 following submission of indicative floorplans) The layouts do not present any issues under the Housing Act.

5.64 Public Art Officer:

5.64.1 (Comments 16/10/2014) 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 £65,000.

5.64.2 (Comments 7/01/2015 following submission of amendments) 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 £63,000.

5.65 Sustainability Officer:

5.65.1 (Comments 25/09/2014) Proposal fails to meet sustainability policy. There has been no justification for a reduced standard. The applicant should be requested to submit a viability assessment justifying their case to deliver a sustainability standard below that expected by policy or to improve their proposals to properly address sustainability policy.

5.65.2 Code for Sustainable Homes Level 4 would deliver a basic standard of sustainability to meet policy objectives and deliver sustainability standards across a range of issues covered by the Code categories.

5.65.3 In the event that the applicant does not submit such justification but approval is recommended or granted, a condition should be applied requiring that Code for Sustainable Homes Level 4 be achieved in order to make the development acceptable against sustainability policy.

5.65.4 (Comments 16/12/2014 following submission of amendments) As part of recent policy changes the Local Planning Authority published Main Modifications to the Submission City Plan (July 2014). This amended policy CP8 to specify a recommended standard of Code for Sustainable Homes level 4 as a maximum for housing development prior to 2016 as a result of announcements from Government (March and September 2014) and Inspectors comments on the City Plan.

- 5.65.5 The applicant has agreed to a condition securing Code for Sustainable Homes Level 4. This meets current minimum policy requirements. Whilst it is disappointing that the applicant has not sought to deliver a higher standard for the site, which offers opportunities to deliver a very high standard of sustainability, the proposed standard meets current recommended minimum policy standards.
- 5.65.6 Energy modelling was undertaken for the scheme when it incorporated 100 dwellings when the scheme was proposed to meet Building Regulations standards under Part L only. At this point the housing scheme was expected to result in carbon emissions of a massive 7,475 tonnes CO₂ per year (minimum). This fell well below the average currently delivered in the city. The energy modelling has not been re-modelled now that Code Level 4 is targeted, but carbon emissions are expected to be lower due to the Code for Sustainable Homes standard.
- 5.65.7 Very limited information has been submitted to demonstrate how sustainability policy is being addressed. In the sustainability checklist, the following responses have been input: no passive design measures listed; no renewable energy technologies; no Green walls or green roofs; no food growing; no composting provision. Water and energy efficiency standards are proposed to be delivered to Building Regulations standards only.
- 5.65.8 Positive aspects of the scheme include: use of timber from certified sustainable sources and use of rainwater butts.
- 5.65.9 Whilst the scheme overall is disappointing in the lack of consideration given to sustainability at this point, if Code Level 4 is achieved across the scheme, sustainability issues over the key areas will be addressed broadly addressed.
- 5.66 **Sustainable Transport:**
- 5.66.1 (Comments 23/10/2014) Comment. The Highway Authority cannot currently recommend approval nor support the application. Highlighted issues need to be addressed prior to determination and the Highway Authority being in a position to recommend approval.
- 5.66.2 Should the necessary changes be made and the Highway Authority are in a position to recommend approval of the application, likely to be seeking clauses within a S106 Agreement and the inclusion of conditions.
- 5.66.3 (Comments 7/01/2015 following submission of amendments) No Objection. In light of the changes to the proposals but also the agreement to provide the necessary highway works including bus stop improvements, the Highway Authority does not wish to object to this application subject to the inclusion of the necessary conditions on

any permission granted and that the applicant enters into a S106 agreement for the necessary requirements.

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

7 RELEVANT POLICIES & GUIDANCE

The National Planning Policy Framework (NPPF)

Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR2	Public transport accessibility and parking
TR3	Development in areas of low public transport accessibility
TR7	Safe development
TR8	Pedestrian routes
TR11	Safe routes to school and school safety zones
TR12	Helping the independent movement of children
TR13	Pedestrian network
TR14	Cycle access and parking
TR15	Cycle network
TR18	Parking for people with a mobility related disability

TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU8	Unstable land
SU9	Pollution and nuisance control
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
QD5	Design – street frontages
QD6	Public art
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
QD20	Urban open space
QD25	External lighting
QD27	Protection of Amenity
QD28	Planning obligations
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
NC4	Site of Nature Conservation Importance (SNCIs) and Regionally Important Geological Sites (RIGS)
NC5	Urban fringe
NC6	Development in the countryside/downland
NC7	Sussex Downs Area of Outstanding Natural Beauty
NC8	Setting of the South Downs Area of Outstanding Natural Beauty
HE6	Development within or affecting the setting of conservation areas
HE10	Buildings of local interest
HE12	Schedules ancient monuments and other important archaeological sites

Supplementary Planning Guidance:

SPGBH4 Parking Standards

SPGBH9 A guide for Residential Developers on the provision of recreational space

Interim Guidance on Developer Contributions

East Sussex, South Downs and Brighton & Hove Waste and Minerals
Local Plan

WMP 3d Minimising and managing waste during construction,
demolition and excavation.

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
SA4 Urban Fringe
SA5 The South Downs
CP1 Housing Delivery
CP7 Infrastructure and Developer Contributions
CP8 Sustainable Buildings
CP9 Sustainable Transport
CP10 Biodiversity
CP11 Flood Risk
CP14 Housing Density
CP15 Heritage
CP16 Open Space
CP13 Public Streets and Spaces
CP19 Housing Mix
CP20 Affordable Housing

Schedule of Proposed Modification to the City Plan Part One October 2014

Other Documents

Brighton & Hove Urban Fringe Assessment June 2014
Open Space Study Update 2011
South Downs Integrated Landscape Character Assessment December
2005 (Updated 2011)

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to the principle of the proposed development, the impacts of the scale of the proposed development on the visual amenities of the surrounding area, including the setting of the SDNP and the suitability of the proposed layout. The proposed access arrangements and related traffic implications, air quality, impacts upon amenity of neighbouring properties, future occupiers' amenity, ecology, and sustainability impacts must also be assessed.

8.2 Environmental Impact Assessment

An Environmental Statement (ES), including an Addendum, has been submitted as part of the outline planning application. Prior to the

submission of the application a screening and scoping exercise was undertaken in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Environmental Statement has the component parts required by the 2011 Regulations but is considered incomplete for reasons set out in this report. The following has been considered as part of the ES.

- Assessment Methodology,
- The Application Site and Proposed Development,
- Alternatives,
- Socio Economics,
- Ecology and Nature Conservation,
- Landscape and Visual Amenity,
- Cultural Heritage and Archaeology,
- Transport and Access,
- Air Quality,
- Noise and Vibration,
- Flood Risk and Drainage, and
- Ground Conditions and Hydrogeology,

8.3 **Principle of Development**

8.3.1 Third party objections received refer to the determination of this application prejudicing the emerging City Plan and subsequently the Local Planning Authority's consideration of other urban fringe applications. The application is being determined against all current material planning considerations, including non-housing supply polices in the 2005 Local Plan, the National Planning Policy Framework and policies of the emerging City Plan, where such polices can be given weight. If this application was considered acceptable, and therefore allowed, such permission may be a material consideration in respect of the determination of subsequent urban fringe applications. However such subsequent applications would have to be assessed against all material planning considerations which are relevant at the time of the particular application's determination, including any change in adopted policy. Accordingly the Local Planning Authority does not consider that there is an issue of prematurity or prejudice in the determination of this application.

8.4 National Planning Policy Framework

8.4.1 Paragraph 14 of the National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development and advises that where a development proposal accords with the development plan, applications should be approved without delay. It also advises that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the polices in the Framework taken as a whole; or where specific policies in the Framework indicate development should be restricted.

- 8.4.2 The NPPF requires Local Planning Authorities to plan positively to meet objectively assessed housing needs for their area. In the case of Brighton & Hove this is currently assessed as falling between a range of 18,000 to 24,000 new homes by 2030 (Assessment of Housing Development Needs: Sussex Coast Housing Market Area 2014).
- 8.4.3 The City Plan is at a late stage of preparation and is currently at Examination stage. Weight to policies is given on a policy by policy basis, taking account of representations received during consultation at publication stage and the Inspectors initial conclusions.
- 8.4.4 Within the Planning Inspectors initial conclusions on the submission City Plan, letter dated 13th December 2013, the Local Planning Authority was asked to reduce the shortfall between housing supply (the proposed housing provision target in the Submission City plan which was 11,300) and the City's objectively assessed need for housing (then 20,000), by looking more positively at the urban fringe as a source of additional housing supply. The Inspector's view was that urban fringe sites are not subject to nationally recognised designations which would indicate development may be restricted. The Inspector considered that an assessment of potential for housing within the City's urban fringe should look at the scope for mitigation of any adverse impacts and that 'no stone should be left unturned' in meeting as much of this need as possible.
- 8.4.5 As a consequence of the Planning Inspector's initial conclusions, at present there is no agreed up-to-date housing provision target for the City against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing target, appeal Inspectors are likely to use the City's full Objectively Assessed Need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 units) as the basis for the five year supply position.
- 8.4.6 As a housing delivery target has not yet been agreed for the City Plan and that there are a number of policies within the adopted Local Plan relating to housing delivery that are out of date, it is considered pertinent to assess the application against paragraph 14 of the NPPF (presumption in favour of sustainable development), which requires a consideration of balance between the benefits of the scheme and the adverse impacts (which must be demonstrable and significant to justify a refusal the scheme) when assessed against the policies in the NPPF taken as a whole.
- 8.4.7 The Local Planning Authority recognises that the proposed scheme, for the provision of 85 new dwelling units, would lead to social and economic benefits including contributing to meeting the City's significant housing requirements, providing 34 affordable housing units (comprising a mix of unit sizes, tenure and older peoples units)

and the creation of jobs, particularly during the construction phase. In weighing up the benefits of the proposal it is important to offset these against the indicative potential for housing development of site 42, as identified in the Urban Fringe Assessment (45 dwellings on 1.7 hectares) and the benefits that the proposed level of development would bring.

- 8.4.8 As require by the NPPF the net benefits of the proposed scheme must also be weighted against the adverse impacts of the proposal, issues which are discussed in detail below.

8.5 Urban Fringe

8.5.1 The site is classed as an urban fringe site located between the defined built up area boundary of the City (as shown in the adopted 2005 Local Plan) and a boundary of the SDNP, which is located on the eastern side of Falmer Road. The site is located in a sensitive location within the urban fringe where the SDNP narrows to a thin tract of land that separates Ovingdean and Woodingdean villages.

8.5.2 Under the adopted Local Plan the site is subject to the urban fringe and Countryside polices (NC5 and NC6). However these policies now carry only limited weight as a consequence of policy in the NPPF coupled with the Inspector's initial conclusions on the soundness of the City Plan.

8.5.3 Policies NC7 and NC8 of the Local Plan relate to the former Area of Outstanding Natural Beauty that was rescinded when the South Downs National Park was designated. However as stated in the associated supporting text, these polices remain relevant within the consideration of applications within the 'future' National Park locations or within its setting, as in this case.

8.5.4 Policy SA4 of the submission City Plan relates to Urban Fringe. In respect of the submission City Plan this policy states that;

“The council will promote and support the careful use and management of land within the urban fringe to achieve the following objectives:

1. The protection and enhancement of the wider landscape role of land within the urban fringe, the setting of the South Downs National Park and the protection of strategic views into and out of the city.
2. Securing better management of the urban fringe, environmental improvements and safe public access to the countryside through sustainable means.
3. The promotion of the urban fringe as part of the city's green network and encouraging opportunities for multi-functional uses such as, appropriate recreation and cultural experience, new allotments and local food production and biodiversity conservation and enhancements.

4. The protection of sensitive groundwater source protection zones from pollution and encouraging land management practices that reduce rapid surface water runoff and soil erosion.
 5. The creation of 'gateway' facilities and interpretative facilities in connection with the South Downs National Park to support sustainable tourism.
 6. Development within the urban fringe will not be permitted except where:
 - a) a site has been allocated for development in a development plan document; or
 - b) a countryside location can be justified;
 - c) the proposal has regard to the downland landscape setting of the city;
 - d) all adverse impacts of development are minimised and appropriately compensated for; and
 - e) where appropriate, the proposal helps to achieve the policy objectives set out above.
- 8.5.5 Proposed main modifications to the submission City Plan, in response to the Planning Inspector's initial conclusions, provided in December 2013 (on housing supply, the Marina and development viability), were agreed at the Policy and Resources Committee on 16 October 2014. A six week consultation period on the main modifications and new supporting evidence was completed on the 16th December 2014.
- 8.5.6 In terms of policies and main modifications proposed, the weight that should be given to changes made in response to the Inspector's initial conclusions are a material consideration in the determination of planning applications. Other policies should be given weighting in accordance with paragraph 211 of the NPPF (up to date and number of unresolved objections).
- 8.5.7 The agreed modifications for policy SA4 requires the Council, 'where appropriate', to promote and support the careful use and management of land within the urban fringe to achieve the 6 stated objectives. In addition with respect of criterion 6 c) to e) above, clear demonstration is required.
- 8.5.8 The modifications documents sets out that "Much of the city's urban fringe meets the NPPF definition of existing open space and represents a significant proportion of the city's open space resource" in addition to it being acknowledged that "Within the urban fringe, there will be some opportunities for development to help meet citywide needs. The appropriate nature and form of any such development will need to reflect the need".
- 8.5.9 The proposed City Plan modifications also states that "Should proposals for development come forward prior to the adoption of part 2 of the City Plan, the 2014 Urban Fringe Assessment will be a

material planning consideration in the determination of applications for residential development within the urban fringe.

8.6 The Urban Fringe Assessment

8.6.1 The Urban Fringe Assessment 2014 (UFA) is an independent study that was commissioned by the Council in response to the Planning Inspector's initial conclusions on the City Plan. The assessment provides an indication of the overall potential for housing within each of the City's identified urban fringe sites, 66 in total, against 5 key criteria (landscape, open space, historic environment, ecology and environment) and considers the scope for mitigation of any adverse impacts identified.

8.6.2 As stated within the assessment "Accommodating housing in the urban fringe will contribute towards the objectively assessed need for housing in the city. It will also benefit the wider local economy and present opportunities for investment and regeneration in the more outlying communities of the city, both around the main urban area, and at the edges of the 'satellite' settlements to the east". The assessment goes on to state that, "This investment has the potential to result in wider economic, environmental and social (e.g. health and wellbeing) benefits to the city and not just individual communities".

8.6.3 The site, to which this application relates, is identified as site 42 within the UFA, which also includes the playing fields located to the south-east of the application site.

8.6.4 The findings of the UFA indicates that Land South of Ovingdean, known as site 42, has scope for the provision of additional housing, based upon a high level assessment of the need to mitigate for adverse impacts on ecology, landscape and open space. Approximately 1.75ha of land in the lower, north-western part of the current application site (approximately 23% of the whole of site 42) was assessed in the UFA to have the potential for approximately 45 low density residential units (at 25dph). Such development was considered to offer the potential to mitigate adverse impacts on the wider landscape character and would not significantly affect views from the SDNP.

8.6.5 As previously stated the outcome of the UFA is a material consideration in the determination of planning applications for development proposals within the urban fringe against paragraph 14 of the NPPF and therefore the in-principle acceptability of some residential development on part of the application site has been established through the findings of the UFA. It is however noted that the findings of the UFA are indicative and should be applied flexibly on a site by site basis and, where appropriate and justifiable, an increased level of development may be acceptable.

- 8.6.6 In terms of ecology the study acknowledges (Methodology Assumptions set out in Appendix 1 of the assessment) that, in all UFA cases, the effects of development are uncertain as the potential for effects (both positive and negative) will depend upon the exact nature and design of the new development as well as the exact details of the ecological value of the site, including presence/absence of protected and or notable species; which would require detailed survey/investigation at planning application stage.
- 8.6.7 With respect of site 42 the UFA states that “Any development would need to incorporate mitigation for impacts on Red Star Thistle and any other notable/protected species present on site. This may include minimising/avoiding development on areas of the site containing Red Star Thistle and appropriate management of other parts of the site for biodiversity/as a wildlife corridor”.
- 8.6.8 In terms of historic environment the study notes that the site is adjacent to an Archaeological Notification Area to the west and prehistoric remains have been recorded immediately to the east and south of the site. Therefore there is potential for archaeology on site.
- 8.6.9 With regards to open space the study acknowledges that the northern part of site 42 (the application site) is inaccessible natural/semi-natural greenspace which is privately owned. The report states that “Focusing residential development within the portion of the site containing privately owned natural/semi-natural greenspace could create new publically accessible open space in an area of under provision for allotments and urban farms, amenity greenspace and children and young people spaces”.
- 8.6.10 In terms of landscape the UFA notes that the valley location is very visible from higher SDNP ground to the north and east but states “Development on the lower, western side of the site, if sympathetic to the curved form of The Vale and boundary vegetation, would have minimal adverse impact on wider landscape character and would not significantly affect views from the SDNP.
- 8.6.11 In terms of other environmental issues the study states that development in the western edge of the site should be required to ensure surface water run-off rates are at least reduced to existing green-field levels and development in the southern edge would be required to incorporate design features to mitigate against flood risk (e.g. no basement dwellings).
- 8.6.12 Although stated within the UFA that development on the lower sited north-western part of site 42 was considered to offer the potential to mitigate adverse impacts on the wider landscape character and not to significantly affect views from the South Downs National Park (SDNP), it is also noted that “There could be concern, despite the existing presence of houses on Ovingdean Road, that extensive

development in this area would leave very little space between Ovingdean and Woodingdean”.

8.7 **Design/Visual Amenities**

- 8.7.1 Policy QD3 of the Local Plan seeks the more efficient and effective use of sites and policies QD1 and QD2 require new developments to take account of their local characteristics with regard to their proposed design.
- 8.7.2 In particular, policy QD2 requires new developments to be designed in such a way that they emphasise and enhance the positive qualities of the local neighbourhood, by taking into account local characteristics such as height, scale, bulk and design of existing buildings, impact on skyline, natural and built landmarks and layout of streets and spaces.
- 8.7.3 As well as securing the effective and efficient use of a site, policy QD3 also seeks to ensure that proposals will incorporate an intensity of development appropriate to the locality and/or prevailing townscape. Higher development densities will be particularly appropriate where the site has good public transport accessibility, pedestrian and cycle networks and is close to a range of services and facilities.
- 8.7.4 Policy QD4 is concerned with the strategic impact of a development, and the preservation and enhancement of strategic views, important vistas, the skyline and the setting of landmark buildings. All new development should display a high quality of design. Development that has a detrimental impact on any of these factors and impairs a view, even briefly, due to its appearance, by wholly obscuring it or being out of context with it, will not be permitted. Views into and from conservation areas and the setting of listed buildings also require consideration under policy QD4.
- 8.7.5 Policy QD7 requires the developer on major developments to demonstrate how crime prevention has been incorporated into the layout and design as well as transport safety.
- 8.7.6 The South Downs is a landscape of national importance. As set out above the application site is located close to boundaries of the South Downs National Park. Policy SA5 of the City Plan and NC8 of the Local Plan require developments to have due regard to the impact on the setting of the South Downs whilst policies QD4 and NC8 of the Local Plan require development to preserve or enhance strategic views, including those from the Downs.
- 8.8 Layout of the site
- 8.8.1 Following amendments to the proposal a buffer of between approximately 35m and 59m wide would be provided between the eastern most sited dwellings and the boundary with Falmer Road.

Whilst the site area remains at 3.72 hectares the built form of the proposed dwellings (reduced from 100 dwellings to 85 dwellings) and the associated gardens and roads would cover approximately 2.4 hectares.

8.8.2 The proposed dwellings would be arranged in detached, semi-detached and terraced forms. Single storey garages would connect some of the proposed detached/semi-detached properties with further detached garages located across the site and uncovered parking bays. The proposed affordable housing units would be located towards the centre and western side of the site whilst the 8 proposed age-restricted units would be located on the western side of the development.

8.8.3 A pedestrian footpath would provide access from near to the south-eastern corner of the site, across the open space buffer, to the proposed dwellings whilst another footpath would be provided along the western side of the proposed development, to Ovingdean Road.

8.8.4 A new access road, from Ovingdean Road, would provide sole access into and out of the site. Other roads, including grasscrete roads (or another similar surface) would be located off of this proposed main access road to provide vehicular access to at least one frontage of all the proposed dwellings.

8.8.5 Although the appearance of the proposed dwellings is reserved at this stage a plan has been submitted to show that the orientation of the key frontages of the proposed development would vary across the site.

8.8.6 Following amendments to the proposal, one of the formally proposed Local Areas of Play (located towards the centre of the site) has been removed whilst the second has been re-located from a site to the west of the proposed access road onto Ovingdean Road, to the east of this proposed access road.

8.9 Design of Proposed Dwellings

8.9.1 As set out above the Outline Application is with appearance matters reserved. However it is stated within the information submitted that the majority of the development would be two storeys in height, with a maximum height of all the buildings being 10.2m above ground level. However the ridgelines of the proposed properties would reflect the east to west gradient of the site.

8.9.2 A plan showing indicative street scenes has been provided as part of the application which implies that the proposed dwellings would comprise hipped and gable end roof forms and would be built of an array of materials.

8.10 Landscape and Visual Amenity Impacts

- 8.10.1 Paragraph 109 of the NPPF requires development to contribute to and enhance the nature and local environment including by protecting and enhancing valued landscapes. In addition “Great weight should be given to conserving landscape and scenic beauty in National Parks [...], which have the highest status of protection in relation to landscape and scenic beauty” (paragraph 115).
- 8.10.2 The site is located within a sensitive location, bounded by the SDNP to the east, on the opposite site of Falmer Road, in addition to being separated from the park by some residential units to the north and west. As described in the UFA “The National Park narrows to a small tract of land to the north of the site which is sensitive owing to the restricted nature of the connection between this area and the wider National Park landscape to the east”. As a result of this sensitive area careful development of the application site is critical to ensure that the green gap between Ovingdean, located to the west of the site, and Woodingdean, to the north of the site, is clearly maintained. Such issue is discussed in the landscape consideration in the UFA for site 42.
- 8.10.3 The existing character of the site as grazing land contributes to the open sweep of downland from the east of the site, which is experienced on all sides of the site and the surrounding valley.
- 8.10.4 In accordance with EIA Regulations, a Landscape Visual Impact Assessment as part of ES has been submitted to assess the proposal in terms of landscape effects and visual effects. The County Landscape Architect considers that, whilst the landscape assessment provided in the ES is an accurate assessment of the baseline landscape character and visual amenity, more emphasis should be placed on the contribution that the undeveloped landscape of the site makes to the perception of a green gap between the settlements of Ovingdean and Woodingdean. This green gap visually connects the open grassland areas of the SDNP which lie to the east and north of the site.
- 8.10.5 The County Landscape Architect states that the wooded nature of the much of the undeveloped area of Happy Valley, which lies to the north of the site, is also a key characteristic locally, a characteristic which is also extended along the western boundary of the development site.
- 8.10.6 Both the County and SDNP Landscape Architects acknowledge that the UFA concludes that there is scope for some low density development in the north-western corner of the site.
- 8.10.7 With regards to local landscape character the County and SDNP Landscape Architect notes that the South Downs Integrated Assessment identifies the site as being bounded by the Adur to Ouse Open Downland Character area A2. Within this assessment it is

stated that the key landscape sensitivities include, “The vast, open character and long views across the landscape resulting from the uniform land cover of grassland and crops, visually transparent post and wire field boundaries and sparse hedgerow/woodland cover. This means that any landscape change or development has the potential to be highly visible”.

- 8.10.8 Whilst the site is located outside of the SDNP it is considered that the site does have similar characteristics to area A2 identified above. The SDNP Officer states that the “existing open character of the northern part of the site, bounded in typical downland post wire fencing and it’s association with the sweep of the downland to the east means that the site is important to the setting and experience of the National Park in this location”.
- 8.10.9 This SDNP assessment also identifies that the open downland landscape is sensitive to changes beyond the South Downs boundary, for example within the adjacent urban areas. In this context the County Landscape Officer considers that the proposed development would have an impact on the described character of the area, contrary to paragraph 7.7.18 of the amended ES, which acknowledges that the site is located within the A2 character area but states “...and with the development in place none of the key characteristics of the area would be affected”.
- 8.10.10 The SNDP Landscape Architect comments that “Not only is the site important in terms of its contiguous relationship with the surrounding National Park Downland, its open nature allows views across the valley to the extensive woodland on the east facing slopes of the opposite valley side. There are also sea views from the pavement along Falmer Road, ...”.
- 8.10.11 The transition between the SDNP and the built development would need to be open in character. The proposal includes planting between the proposed dwellings and the eastern boundary of the site, which is located adjacent to Falmer Road, in addition to the scattering of standard trees within the site. The County Landscape Architect considers that this proposed planting would be out of character with the open landscape in the ‘local gap’ and would impact on the open character.
- 8.10.12 Whilst stated in the ES that the proposed development would have a minor impact on the local landscape character once the mitigation planting has been established, by year 10, the County Landscape Architect considers that the loss of the open green space and proposed density of the development would be likely to have a moderate to major impact on the character of the immediate area and the surrounding SDNP in the long term.

- 8.10.13 With respect to visual impact the site is visible from within the local area, including from areas within the SDNP, which due to the topography of the area are located higher than the site.
- 8.10.14 One of the most significant views of the site from the SDNP is from the public footpath between Mount Pleasant and Ovingdean Road. This footpath provides extensive views over the site and the surrounding valley together with wider views over the downland to the east. The application site is located in the foreground of these wider views for some distance and time upon descent of the footpath. The County Landscape Architect considers that it is likely that views into the site would be significantly adversely affected by the proposed development, despite the amendments, even after a 10 year establishment period for the proposed tree planting.
- 8.10.15 Views from Falmer Road, especially from the north-eastern corner, would be affected as the proposed development would truncate views of the sweep of the valley side and views to the woodland on the western valley side. Views along the valley to the sea and the National Park to the south would also be obscured. Such impacts would affect users of Falmer Road and their enjoyment of the National Park landscape for the length of the site. The views to the sea and the National Park to the south are notably obscured to either side of the site by existing roadside vegetation and therefore the site is a rare location where such views are possible.
- 8.10.16 Views to the east of the site, from Ovingdean Road, over and across the site, towards the National Park would be largely truncated by views of the proposed suburban houses and the associated boundaries, roads and planting.
- 8.10.17 The SDNP Landscape Architect considers that the proposed development would affect the context of the National Park 'landbridge' by intruding into the sweep of the downland which extends to the valley floor in this area. As noted by the SDNP Officer "The National Park landbridge to the north of the site is enhanced and reinforced by the character of the site, due to the continuous landform and open nature of the site being contiguous with that of the agricultural downland/National Park to the east of Falmer Road". It is considered that the proposed development would completely alter the character of the site, impacting on the character of the surrounding National Park and its setting.
- 8.10.18 Both Landscape Architects consider that it is not possible to mitigate the visual impacts of the revised proposal from the bridleway up to Mount Pleasant, as the expanse of the proposed new dwellings extends too far into the eastern section the site and due to the exposure of the eastern part of the site from the view point of Mount Pleasant. The proposed mitigation would not provide sufficient woodland tree cover to mitigate the visual impacts of views from the

north. Furthermore dense planting close to Falmer Road would obscure the open views across the site from Falmer Road, views which provide a visual link to the downland landscape beyond.

8.10.19 Overall it is considered that the proposed development, by virtue of the expanse of the development proposed, would have a detrimental impact upon the local landscape character and views into and out of the site, views which also comprise the setting of the SDNP. It is considered that such detrimental impacts that not could not be sufficiently mitigated against, with respect to the current scale and expanse of development proposed.

8.11 Heritage

8.11.1 Policy HE6 of the Local Plan requires development within or affecting the setting of conservation areas to preserve and enhance the character and appearance of the area.

8.11.2 HE3 will not permit development where it would have an adverse impact on the setting of a listed building, through factors such as its siting, height, bulk, scale materials, layout, design or use.

8.11.3 Boundaries of the Ovingdean Conservation Area and its associated Listed Buildings and boundaries of the Rottingdean Conservation Area and its associated listed buildings lie within the vicinity of the development site.

8.11.4 The Council's Heritage Officer states that having developed from farming origins, the views towards and from the surrounding open downland are important to the character of the Conservation Areas. The site, which forms a 'green buffer', is therefore an important part of their setting.

8.11.5 The site does not form part of the setting of either the Rottingdean or Ovingdean Conservation Areas nor does the site form the setting of Listed Buildings located within the area, including New Barn, which is located outside of the two Conservation Areas.

8.11.6 The Heritage Officer considers that there would be limited intervisibility between Beacon Windmill, which is a listed structure located to the south of the site near the coast road, and the site.

8.11.7 Since submission of the application Chapter 8 of the ES has been revised, in order to consider the surviving buildings of Woodingdean Farm (Meadow Vale), which are located directly to the north of the site, which are classified as non-designated heritage assets.

8.11.8 The Council's Heritage Officer considers that the loss of the existing green and open space, which has historically always been open downland, is regrettable as is the potential perceived further merging of Ovingdean, Woodingdean and Rottingdean.

- 8.11.9 The retention of green spaces within the site and historic field boundaries and vegetation, including the retention of the hedge to the southern boundary, is considered important and appropriately should be enhanced or better revealed. The inclusion of hawthorn, and blackthorn hedges, and holm oak specimens is considered appropriate as is the retention of the existing mature vegetation located directly opposite Meadow Vale.
- 8.11.10 Overall the impacts of the proposed development on the designated heritage assets in the area is considered by the Heritage Officer to be limited but it is considered that the proposal would be slightly harmful to the setting of the non-designated heritage assets, namely Meadow Vale.
- 8.11.11 The slight harm to the non-designated heritage assets is however considered outweighed by the benefits of the development as a whole, namely a contribution towards the City's housing needs. If approved the impacts, of the design of the proposed dwellings, on the setting of the neighbouring non-designated heritage assets would be fully assessed at reserved matters stage.
- 8.12 **Accommodation Provision/Standard of Accommodation**
- 8.12.1 The revised proposal would have a density of approximately 35dph. It is noted that 2014 UFA Study indicates that an appropriate density of development of site 42 would be 25dph, based upon the character of the area and landscape sensitivities. However the UFA provides indicative density levels which are not fixed as policy and each application should be judged on its merits taking account of the full range of planning considerations. Notwithstanding other issues discussed in this report, including the principle of the proposal, proposed development density of 35dph is considered acceptable in planning policy terms, given the need to make the most effective use of available sites in accordance with policy HO4 of the and CP14 of the emerging City Plan.
- 8.12.2 The proposal would provide 85 residential units made up of 71 houses and 14 apartments. It is intended that 40% of the proposed new units (34) would be developed as affordable housing, an issue which could be ensured should the application be approved. The affordable homes would comprise 10 no. 1 bed apartments, 4 no. 2 bed apartments, 11 no. 2 bed houses and 9 no. 3 bed houses.
- 8.12.3 The proposed affordable element of the development would equate to 29% 1 bed units, 44% 2 bed units and 27% 3 bed units. The developer has proposed that eight of the affordable units (1 and 2 bed apartments) would be reserved for people aged 60 and over only, in order to provide a 'diverse social mix of people occupying the affordable housing'. This proposed housing mix, in terms of size and type, is considered acceptable in terms of up to date assessments of housing needs.

- 8.12.4 To ensure the creation of mixed and integrated communities the affordable housing should not be visually distinguishable from any of the market housing on the site in terms of build quality, materials, details, levels of amenity space and privacy. If overall the proposal was considered acceptable this could be ensured at reserved matters stage.
- 8.12.5 As set out above, the appearance of the proposed dwellings has been reserved at this stage. Whilst indicative floor plans of the proposed dwellings have been submitted it is not possible to assess from such plans the standard of accommodation proposed with respect to provision of window openings, outlook, achievable levels of light/sunlight and compliance with Lifetime Homes Standards or overlooking and loss of privacy between the proposed units. However from the indicative drawings provided it is shown that the size of the proposed units would range from approximately 52.9m² (1 bedroom apartment) to approximately 182m² (4 bedroom house).
- 8.12.6 Policy HO13 requires new residential dwellings to be built to all Lifetime Homes Standards, which enables units to be adapted at a later date to meet the changing needs of occupants, without the need for major structural alterations. There are sixteen standards relating to Lifetime Homes and as the proposal is for a new build development all of the standards must be incorporated into the design (except the standard relating to communal staircases and lifts). Compliance with policy HO13 could be ensured via the attachment of a condition.
- 8.12.7 In order to accord with policy HO13, a minimum of 10% of the proposed affordable housing residential units, and 5% of the overall housing units, are required to be fully wheelchair accessible. Such provision could be ensured via a condition if overall the proposal was considered acceptable.
- 8.13 **Amenity and Open Space and Recreation Provision**
- 8.13.1 Policy HO5 requires new residential development to provide adequate private and usable amenity space for occupiers, appropriate to the scale and character of the development. From the plans submitted it would appear that each unit of accommodation proposed would be provided with some form of external amenity area either private or communal. Details of proposed boundary treatments between the proposed amenity spaces could be obtained via a condition if overall the proposal was considered acceptable.
- 8.13.2 The amendments to the proposal have resulted in the loss of one of the previously proposed Local Areas of Play (LAP) and the repositioning of the retained LAP area. The retained LAP would be located to the east of the proposed access road, towards the north-eastern corner of the site, currently shown as non-equipped. The landscape plans submitted indicate that boulders of varying sizes,

with a height no more than 600mm, would be installed in this area surrounded by proposed mounds with contours set at 0.5m intervals.

- 8.13.3 The findings of the Open Space Study, Update 2011, indicates that there is an existing and future deficit in children's playspace provision (and a deficit in allotments) and therefore the reduction in provision of a LAP as part of the amendments is not welcomed. However the applicant has since indicated that they are prepared to provide equipment within the LAP and would make a contribution towards an off-site equipped children's playspace (subject to formal agreement).
- 8.13.4 As a consequence of the amendments, there would also be an increase in public open space across the site as a whole, with the buffer of open space of natural/semi-natural, located on the eastern boundary increasing, an increase which is welcomed. In view of the findings of the Open Space Study Update 2011 (which indicates there is surplus open space within the Ward and Sub area) and the unlikelihood of this site being able to address any of the open space deficits in other parts of the City, the Council's Policy Officer considers that the provision of suitable public open space (subject to addressing ecological factors) will mitigate/compensate for the impact of the proposed reduction in the quantity of 'private' natural/semi-natural open space on this site.
- 8.13.5 Brighton & Hove Local Plan policy HO6 requires that new residential development provides outdoor recreational space, specifying that 2.4 hectares per 1000 population accommodated within the development should be provided. This policy requires the provision of suitable outdoor recreation space to be split between children's equipped play space, casual / informal play space and adult/youth outdoor sports facilities. The proposal would result in the loss of open space and therefore sufficient provision is not proposed as part of the application.
- 8.13.6 In recognition that development schemes will seldom be capable of addressing the whole requirement on a development site, the policy allows for contributions towards the provision of the required space on a suitable alternative site. A contribution towards off-site improvements is therefore recommended to address the requirements of policy HO6. In this case the contribution required towards recreation open space would be £328,018.01. Such a contribution, which be secured by legal agreement were approval to be recommended, takes into account the fact that it is considered that the proposed age-restricted units (restricted to persons over 60 years old) would be unlikely to generate young children.
- 8.14 **Sustainable Transport**
- 8.14.1 Policy TR1 of the Local Plan requires development proposals to provide for the demand for travel which they create and maximise the use of public transport, walking and cycling. Policy TR7 will permit

developments that would not increase the danger to users of adjacent pavement, cycle routes and roads. Policy TR8 would permit development proposals which provide for the needs of pedestrians by creating short, safe attractive and direct routes for walking. TR18 and TR19 relate to the provision of parking spaces for people with disabilities and parking standards in general which are set out in detail in SPG4 'Parking Standards'.

8.15 Pedestrian Access

As part of the revised proposal three pedestrian access points would be provided into the site as follows;

- 2m footpaths associated on either side of the main vehicular access from Ovingdean Road,
- From Falmer Road (south-east corner of the site), and
- Ovingdean Road, (north west corner of the site).

In terms of permeability to the site the Council's Transport Officer has stated that the general approach is welcomed and pedestrian provision is generally considered acceptable enabling short and convenient pedestrian access into and across the site from all variable directions.

8.16 Cycle Parking

8.16.1 SPG04 states that a minimum of 1 cycle parking space is required for every dwelling plus 1 space per 3 dwellings or visitors. The revised proposal comprises 85 residential units and therefore the minimum cycle parking standard is 113 cycle spaces in total (comprising of 85 for residents and 28 for visitors). Such facilities must be secure, convenient, well lit, well signed and wherever practical, sheltered, in order to accord with policy TR14. The High Authority's preference is for the use of Sheffield stands spaced in line with the guidance contained within the Manual for streets section 8.2.22.

8.16.2 Within section 5.24 of the original Transport Assessment (TA) it is stated that:

"Suitable levels of cycle parking will be provided on site in accordance with the Parking Standards SPG ... Cycle parking will generally be provided within the cartilage of dwellings within garages and dedicated stores or sheds within gardens".

8.16.3 The revised scheme appears to have addressed earlier concerns regarding restricted access to the side/rear of some of the proposed properties in order to utilise proposed cycle storage facilities. Cycle parking facilities are also proposed adjacent to the proposed play area within the north-eastern corner of the site.

8.16.4 Overall it is considered that there would be suitable space to accommodate the required level of cycle parking and further details,

including the nature of the proposed facilities, could be obtained via a condition.

8.17 Disabled Parking

8.17.1 SPG04 states that the minimum standard for disabled parking, for a residential land use, is 1 disabled space per 10 residential units. From the submitted layout plan it appears that all of the proposed residential units would have access to at least 1 car parking space, with some units having 2 spaces. If a resident was disabled they would therefore have a dedicated bay which would be for their sole use, therefore in this instance it is not considered necessary for any of the houses to have a dedicated disabled bay.

8.17.2 With respect to the proposed age restricted units one dedicated disabled bay is now proposed. This level of provision is considered acceptable and is correctly marked out. However it is noted that an acceptable pedestrian route from the proposed bay to the properties is not provided. The Council's Transport Officer has stated that this could easily be corrected by providing an area of hard standing, with a minimum width of 1.5m, in between the front of the bay and the proposed cycle store, an issue that could be addressed via a condition.

8.18 Car Parking

8.18.1 SPG04 states that the maximum car parking standard for a residential unit outside of a Controlled Parking Zone is 1 space per dwelling, plus 1 car space per 2 dwellings for visitors. For this development of 85 residential units the maximum car parking standard is therefore 128 spaces (85 spaces for residents and 43 visitor spaces).

8.18.2 Following revisions to the scheme, approximately 150 car parking spaces for the 85 residential units are proposed. Previously in order to justify the level of car parking the applicant has tried to forecast the level of car ownership associated with these properties in line with guidance in Residential Car Parking Research (2007).

8.18.3 With respect to the original scheme the Council's Transport Officer raised concerns that the level of car parking proposed could result in certain areas of the site having a car dominated street frontage. Following the amendments to the proposal, which has resulted in a reduction in the proposed level of car parking, it is now considered that the street scene has been improved, whilst still providing suitable levels of car parking not to cause significant overspill car parking on the road.

8.18.4 Without on-street parking controls (double yellow lines/Controlled Parking Zones) it can be difficult to manage residential car ownership. Therefore it is acknowledged that future residents would still be likely to own a car even if they do not have a car parking space and would simply park their vehicle on-street. The Highway Authority would

therefore not wish to object to the proposed level of car parking proposed as part of this scheme. A further reduction in formal parking spaces could lead to overspill car parking which could lead to increased on-street parking which could in turn be detrimental to pedestrian and cycle movements and impact upon the street scene.

8.19 Trip Generation/Highway Impact

8.19.1 The applicant has not undertaken any further junction modelling as part of the revised addendum to the ES. Therefore the junction modelling work set out in the originally submitted TA still stands and the applicant states that this is a robust assessment as it assesses the impact of 114 residential units, rather than the previously proposed 100 units.

8.19.2 Now only 85 units are proposed the applicant should have ideally undertaken further junction modelling work to assess the impact 85 residential units would have had on the network. The reduction in forecast trip generation will have a reduced impact upon the transport network.

8.19.3 Taking the assumptions within the originally submitted TA in relation to trip assignment the Highway Authority has forecast the likely vehicle trips from 85 units and assigned these to the network. Below is a table comparing the forecast vehicle trips for the previous proposals and the current proposals for 85 residential units;

	Development Vehicle Trips AM Peak (8-9am)	
	114 Units (previous assessment)	85 Units
Total vehicle two way trips AM peak	52	39
Northbound Falmer Road	21	16
Southbound Falmer Road	8	6
Additional trips at Woodingdean Crossroads in AM peak hour (8-9am)	28	21

8.19.4 Given that the applicant has not amended the modelling work it is assumed that they still conclude that,

“The junction modelling assessments demonstrate that development traffic at these junctions is not predicted to have a material impact over the base scenarios. In terms of NPPF this cannot be considered to be a severe impact.”

8.19.5 While the Highway Authority does not agree with all of the modelling approach, the approach does not significantly alter the overall outcome of the modelling results and the results are broadly what the Highway Authority anticipated. The main junctions of concern for the Highway Authority are the Woodingdean and Rottingdean crossroads. From knowledge of how the junctions operate the Highway Authority

is aware that they can currently operate over theoretical capacity at certain times. However, given the proposed level of development and the proposed mitigation measures (improvements to walking and public transport facilities, provision of a Travel Plan and associated measures) the residual cumulative impacts of this development are not considered to be severe, as set out by the National Planning Policy Framework (NPPF) and therefore would not warrant a refusal on these grounds.

8.20 Access

8.20.1 One vehicular access point into and out of the site; via a priority T-junction on Ovingdean Road, opposite the neighbouring residential unit known as Newlands, would be provided in association with the proposed development. This proposed carriageway would be 5.5m wide and the junction corner radii would be 6m. Following amendments to the proposal the scheme now includes a side road entry treatment at the site access. The Highway Authority raises no objections in relation to this arrangement and it is considered that the proposed arrangement would provide the best use of the existing road network and would not create another access point on Falmer Road in close proximity to Ovingdean Road/Falmer Road junction.

8.20.2 The main vehicular access on Ovingdean Road has a left hand visibility splay of 50.95m and a right hand splay of 56.47m. This is in accordance with the design guidance within Manual for Streets and is therefore deemed acceptable. The right hand visibility splay is not wholly within the adopted highway boundary and does encroach onto land in the developer's control. In order to ensure that this visibility splay is kept free from obstructions the Highway Authority would recommend the inclusion of the visibility splay condition on any permission granted. It is noted that such a requirement would conflict with the current landscaping details submitted; however revised landscaping plans to address the visibility splay requirements could be sought via a condition.

8.21 Public Transport

8.21.1 The nearest bus stops to the application site are located opposite the site on Ovingdean Road however it is noted that these existing bus stops do not benefit from any measures that the Highway Authority would look for to provide accessible access and a high quality bus service, namely Real Time Passenger Information (RTPI), accessible bus kerbs and a bus shelter.

8.21.2 The Ovingdean Road bus stops are served by the number 52 bus service which operates between Brighton Station and Woodingdean. This service provides the most direct route from the development to several main destinations including Brighton Marina, Royal Sussex County Hospital and central Brighton. This service currently runs only every 90 minutes.

- 8.21.3 The next nearest bus stops to the application site are located on Falmer Road, the north bound bus stop benefits from having an accessible kerb but no other necessary infrastructure is in place to ensure a high quality bus service is provided.
- 8.21.4 The Council's Transport Officer states that improvements are needed to public transport services and infrastructure in order for the development to benefit from a quality public transport service that provides a real choice for residents. Such improvements would also ensure that the development is in accordance with the NPPF and Local Plan policies.
Since submission of the application the applicant has agreed to provide the necessary improvements to the four nearest bus stops to the site, these works can be undertaken as part of the S278 agreement.
- 8.22 S38/S106
- 8.22.1 The principle estate roads within the site, which are being offered up for adoption, would be subject to a Section 38 agreement with the Highway Authority.
- 8.22.2 As the Highway Authority would only seek to adopt carriageway and footway which is in the wider public interest and not driveways/footways, which are considered just to provide access to a private property, the applicant would be required to make appropriate arrangements for the ongoing management and maintenance of private access roads and footways within the site.
- 8.22.3 Further details in relation to the construction and design and layout including lining and signing of all the streets within the site should be secured by conditions.
- 8.22.4 In order to maintain pedestrian permeability into and through the site the Highway Authority would look for the applicant to enter into a walkways agreement, as part of a S106 Agreement. The need to enter into a walkways agreement under section 35 of the Highways Act is necessary to agree means of access and management of the pedestrian/cycle routes which do not form the principal estate roads which are to be adopted.
- 8.22.5 In addition to a walkways agreement, should the development overall be considered acceptable the Highway Authority would require the provision of a Construction Management Plan and a residential travel pack to be included as part of a S106 Agreement.
- 8.23 Section 278
- 8.23.1 Due to the lack of necessary public transport infrastructure within the vicinity of the site, the Highway Authority would seek a contribution towards improvements, to ensure that the site has access to a realistic alternative mode to the private car and benefits from a high

quality public transport service. Since submission of the application the applicant has agreed to such improvements through a S278 agreement. The proposed improvements would focus on;

- The Vale bus stop (Westbound) – providing RTPI sign, accessible kerb & shelter,
- The Vale bus stop (Eastbound) – providing RTPI sign, accessible kerb & shelter,
- Ovingdean Road bus stop (Northbound on Falmer Road) – providing RTPI sign & shelter,
- Ovingdean Road bus stop (Southbound on Falmer Road) – providing RTPI sign, accessible kerb & shelter, and
- Providing a suitable walking route from the site to these bus stops via the provision of dropped kerbs and tactile paving.

8.23.1 The proposed highway works to the new site access on Ovingdean Road would also need to be undertaken through a S278 agreement. The Highway Authority would also look for the applicant to reinstate the existing dropped vehicle access on Ovingdean Road back to footway as part of these works.

8.23.2 As part of the addendum ES the applicant has proposed two different options for a right turn lane on Falmer Road. The Highway Authority preference is for the arrangement on drawing number SK03, which has a single exit lane from Ovingdean Road to Falmer road. Such works would be undertaken through a S278 agreement with the Highway Authority and therefore full details should be secured via condition.

8.24 **Impact upon Neighbouring Amenity**

8.24.1 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.

8.24.2 It is noted that residents have objected to loss of views and the loss of value of properties within the area as a result of the proposed development however such objections are not material planning considerations in the determination of the application.

8.25 Daylight/Sunlight/Overshadowing

8.25.1 As set out above, the appearance of the proposed dwellings is not being assessed within this outline application. However within the information submitted it is stated that the proposed two storey dwellings would measure a maximum of 10.2m from related ground level to ridge level whilst eaves to ridge height would measure approximately 4.2m.

- 8.25.2 The site generally falls across the site from east to west, from between approximately 60m to 62m (AOD) adjacent to the Falmer Road (B2123) to approximately 45m (AOD) along the western edge of the site, adjacent to The Vale. Initiative street scene plans have been submitted that show that the gradient of the land would not be altered significantly as part of the proposal and that the height of the proposed dwellings across the site would reflect the east to west gradient.
- 8.25.3 Due to the proposed urban form of the development, gaps would be located between the built forms of the proposed dwellings. Despite the presence of gradient across the site, which would result in the dwellings on the eastern side of the site being located at a higher level than those on the western side, given the proposed layout of the dwellings, the maximum ridge height proposed and the distance to the neighbouring properties on The Vale and Ovingdean Road, it is not considered that the proposal would have a significant adverse impact upon the amenities of neighbouring properties regards to loss of light/sunlight or overshadowing. If overall the proposal was considered acceptable it would be recommended that the eaves and ridge heights of the proposed dwellings be controlled by the attachment of a condition.
- 8.26 Outlook & Privacy
- 8.26.1 The proposed northern most sited dwellings would be located a distance of approximately 16m from the northern boundary of the site, which fronts Ovingdean Road. A minimum distance of approximately 5.7m would be located between the southern most elevation of residential properties located the northern side of Ovingdean Road and their associated front boundaries.
- 8.26.2 The BRE 'Site Layout Planning for Daylight and Sunlight; A Guide to Good Practice' states that recommended privacy distances vary widely, typically from 18m up to 35m. Despite it not currently being known where windows would be located in the proposed new dwellings, due to the distance that would be located between the northern elevation of the proposed northern most sited dwellings and the southern elevation of the nearest northern located neighbouring properties it is not considered that the proposal would have a significant adverse impact upon the amenities of these neighbouring properties, located on Ovingdean Road, with regards to overlooking or loss of privacy.
- 8.26.3 The proposed western most sited dwellings would be located a minimum of approximately 13m from the western boundary of the site. A wooded area of approximately 25m wide is located to the west of the site, between the western boundary of the site and The Vale. Due to the distance of the nearest western sited houses from the western boundary and the presence of the wooded area to the west of the site it is not considered that the proposal would have significant adverse

impact upon the amenities of the existing eastern neighbouring properties, located along The Vale, with regards to overlooking or loss of privacy.

8.27 **Noise and Vibration**

- 8.27.1 The Council's Environmental Health Officer has stated that the submitted ES details that a baseline noise survey has been carried out which consists of two road traffic noise surveys and a background noise survey. The road traffic noise surveys were carried out on the eastern side of the site boundary with Falmer Road and on the northern site boundary with Ovingdean Road. A background noise survey was also carried out on the southern site boundary with the Longhill School playing fields.
- 8.27.2 Noise and vibration sensitive receptors were also been identified around the site. They are identified as;
- Receptor R1 – Gable End, Ovingdean Road;
 - Receptor R2 – 12 The Vale;
 - Receptor R3 – School Playing Fields;
 - Receptor R4 – Longhill School.
- 8.27.3 Construction Noise and Vibration
Residents living nearest to the site would be exposed to construction noise. It is foreseen that the construction of the development would be phased over a 3 year period. Measurements taken at the noise survey sites of between 58 to 61 dB(A) results in yield noise levels of above 65dB(A) at receptors indicating a potentially significant effect during the standard proposed construction times of weekdays 07.00 - 19.00 and Saturdays 07.00 - 13.00.
- 8.27.4 The Environmental Health Officer states, that based on knowledge of previous projects of similar scale and duration, the report has used a typical selection of construction plant and machinery and used recognised noise modelling techniques to predict noise levels during both phases of the site preparation and construction. Noise levels that will result from an average case scenario (all plant being located in approximate centre of development) and those that will result in a worst case scenario (loudest item of plant on development site boundary closest to the nearest noise sensitive receptor) have been calculated at all 4 of the receptor sites stated above.
- 8.27.5 Due to their location and type, sensitivity to noise is categorised as 'high' for all of the receptors. When considering this against the calculated average and worst case site noise levels during both site preparation and construction, at every receptor there is predicted to be an adverse temporary short term effect categorised as being of 'Major' significance. However, the Environmental Health Officer notes that the report points out that the prediction is arrived at when assuming a worst case scenario with no mitigation measures.

- 8.27.6 The report also notes that it is unlikely that operations are to be conducted on the sections of the development site closest to each of the identified receptors for significant periods of time and that for the majority of the site, it is expected that preparation and construction phases will be conducted at greater distances from the receptors.
- 8.27.7 The ES also examines issues regarding construction vibration. A table of 'Predicted Groundborne Vibration Levels Applicable to Typical Vibration Generating Construction Activities' is provided. This is used to make an assessment of 'Predicted Magnitudes of Impact from Groundborne Vibration' at all of the receptors from the construction piling activities.
- 8.27.8 When considering that the sensitivity of the receptors is 'high' at R1, R2 & R3, the predictions indicate there will be an adverse temporary short term effect categorised as being of 'Major' significance.
- 8.27.9 While still having a sensitivity of 'high', Receptor R4 (Longhill school) fares slightly better but only during the construction phase when the adverse temporary short term effect is categorised as being of 'Moderate significance whereas during the site preparation phase the adverse temporary short term effect is as with the others, of 'Major' significance.

However, the ES report again notes:

'...that this is very much a worst case assessment based on the minimum possible distances at which construction activities could reasonably take place from existing vibration sensitive receptors. In reality, for the large majority of the earthwork/construction phase, it is expected that activities will take place at greater distances from such properties thus leading to lesser significance of effects.'

- 8.27.10 With regards to mitigating the effects of construction noise, the ES lists generic safeguards which exist to minimise the effects of construction noise. If overall the proposal was considered acceptable.
- 8.27.11 The Council's Environmental Health Officer has stated that monitoring methods and management techniques would help to manage noise and vibration levels. If overall the proposal was considered acceptable a Construction Environmental Management Plan (CEMP) could be secured through a Section 106 Agreement. The CEMP would set out the broad principles for construction, while the individual activities would be covered in more detail by a Section 61 Consent, the requirement of which could also be ensured via a S106 Agreement.

8.28 Construction Generate Road Traffic Noise

In order to accommodate the proposed development it would be necessary to move an amount of material to and from the site, resulting in a number of construction generated road traffic movements. The Environmental Health Officer notes that the

submitted ES sets out that an increase in construction generate road traffic noise levels would be below 3dB(A) and therefore the report concludes that there is predicted to be a negligible effect in all receptors and as a result the Environmental Officer does not consider that it is necessary to consider mitigation measures for construction generated road traffic noise.

8.29 *After Completion Road Traffic Noise Effect on Proposed Development*

8.29.1 The addendum ES takes account of the reduced number of dwelling units proposed. One effect of the reduction in the number of dwellings proposed is that the dwellings and associated amenity areas have been moved further away from Falmer Road.

8.29.2 In order to achieve World Health Organisation external noise levels criteria in external amenity areas, within the addendum ES it is stated that barriers (formed of either fencing or solid walls) of 1.5m on the northern boundary with Ovingdean Road and barriers of at least 1.7m high on the eastern boundary with Falmer Road, would be installed to the most exposed part of the external amenity areas. Full details of such boundaries could be obtained via a condition.

8.30 *Construction Environmental Management Plan*

8.30.1 It is recommended that should the application be approved a Construction Environmental Management Plan (CEMP) is secured through a Section 106 Agreement, which builds on the information set out in the ES (section 3.5 entitled 'Construction Programme'). The CEMP would set out the broad principles for construction, while the individual activities would be covered in more detail by the Section 61 Consent. As consent under Section 61 of the Control of Pollution Act (1974) is voluntary, it is also recommended that the Section 106 Agreement requires the developer gain a Section 61 Consent.

8.30.2 Monitoring methods and management techniques would help to manage noise and vibration levels and should enable quick identification of problems and subsequently prompt action to bring noise levels down to acceptable levels, if complaints are made or if noise monitoring shows that it is necessary.

8.30.3 Details ensuring how local residents would be kept fully briefed on the development should also be contained within a CEMP and it would be critical that developers are open to meetings and communications with local residents before and during the development.

8.31 **Arboriculture/Landscaping**

8.31.1 As part of the application soft landscape plans have been submitted. These plans indicate the provision of existing and proposed vegetation and tree planting across the site, including the proposed species.

- 8.31.2 The Council's Arboriculturist considers that the arboricultural information submitted as part of the application is comprehensive and is in full agreement with the contents.
- 8.31.3 The proposal would result in several trees scattered through the site, such as Elder, some ornamental conifers and self-set Sycamores being lost. As a result of these trees being considered to have little Arboricultural value no objections to their loss are raised.
- 8.31.4 Other trees, additional to those referred to above, would also be removed in order to accommodate the proposal. Trees referred to as G9 is a group consisting of 2 Hawthorns and 1 Elder situated on the north-east corner of the site. The Arboricultural Section has no objection to the loss of this Group as all specimens are of low arboricultural value.
- 8.31.5 A section of a group of trees referred to as G8 will also need to be removed on the lower eastern side of the site to facilitate a pedestrian access. This linear group along the boundary consists of a Elder, a Dogrose, a Hawthorn and a Bramble, all considered to be of low arboricultural value and as a result no objection so their removal are raised.
- 8.31.6 The application site itself does not contain any trees protected by Preservation Order, however, there are two areas adjoining the site that contain trees covered by Preservation Orders. The Arboricultural Officer notes that all of the proposed development would be outside of the Root Protection Areas of all trees covered by the existing Preservation Orders.
- 8.31.7 It should be noted that a tree (identified as Tree T3), an English Elm and a group of English Elms (identified as G2), have all succumbed to Dutch Elm Disease and will be removed by the City Council in due course.
- 8.31.8 The submitted landscape plans show the provision Quercus robur, Liquidamber and Amalanchier arborea tree species that the Council's Arboriculturist considers unlikely to survive on the sites chalky soil and therefore recommended that such species should be omitted or substituted.
- 8.31.9 Overall, no objections to the proposals on arboricultural or landscaping grounds are raised, subject to suitable conditions should the application overall be considered acceptable, regarding revised landscaping to address the issues raised above and tree protection.
- 8.32 **Archaeology**
- 8.32.1 Policy HE12 of the Local Plan relates to scheduled ancient monuments and other important archaeological sites. The policy

states that development proposals must preserve and enhance sites known and potential archaeological interest and their setting.

- 8.32.2 The development is site is situated within an Archaeological Notification Area, defining an area or prehistoric and Romano-British activity, including settlement.
- 8.32.3 The site has been subject to an archaeological geophysical survey, which indicates that the site does not contain remains of national importance, however the undertaken survey has identified a number of potential features of archaeological interest. As a result of the finding of the survey mitigation of damage to below ground archaeological remains would be required, the first phase of which would need to comprise evaluation excavation, prior to any building works or site preparation commencing.
- 8.32.4 The County Archaeologist recommends that, as a result of the potential loss of heritage assets on the site, the area affected by the proposal should be subject to a programme of archaeological works, an issue which can be dealt with via the attachment of a condition should overall the proposal be considered acceptable.
- 8.33 Ecology/Biodiversity/Nature Conservation**
- 8.33.1 Policy QD17 of the Local Plan requires development to minimise the impact on existing nature conservation features on site and also that new nature conservation features be provided as part of the design of the scheme. SPD 06, Nature Conservation & Development provides further guidance regarding this.
- 8.33.2 Paragraph 109 of the NPPF states that “The planning system should contribute to and enhance the natural and local environment by: ...minimising impacts on biodiversity and providing net gains in biodiversity where possible....”.
- 8.33.3 Paragraph 118 of the NPPF sets out that Local Planning Authority’s, in determining applications, should aim to conserve and enhance biodiversity by applying principles including “if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”.
- 8.33.4 As stated previously the site is not covered by any designations, statutory or non-statutory for nature conservation interest. However, within close proximity to the site is Ovingdean Road Horse Paddocks Site of Nature Conservation Importance (SNCI). The County Ecologists state that the site shares the same interest as this nearby SNCI.

8.34 Habitats and Plants

8.34.1 The site currently comprises semi-improved grassland, scrub and ruderal vegetation, hedgerow with scattered trees and buildings. The grassland is classified by the Sussex Biodiversity Record Centre as Lowland Calcareous Grassland, a Habitat of Principle Importance under Section 41 of the Natural Environment and Rural Communities Act 2006.

8.34.2 Although some additional botanical surveys have been carried out since submission of the application, in November 2014, the County Ecologist considers that that the Environmental Statement underestimates the botanical value of the site;

- Whilst the ES acknowledges that the grassland has a calcareous character, can be classified as moderately species-rich and supports species which are indicators of Lowland Calcareous Grassland priority habitat, it goes on to state that it does not qualify as the Section 41 habitat but classifies the site as Mesotrophic Grassland of low to moderate ecological value,
- Independent botanical surveys undertaken in summer 2014 reported several species which were not recorded in the ES, and conclude that the site does meet the required species abundance threshold for Lowland Calcareous Grassland. Also, rather than constituting a single community, the site comprises a number of different plant communities, including Calicolous Grassland Communities,
- Whilst the ES confirms the presence of Red Star-thistle (a Critically Endangered, Nationally Rare, Section 41 Species), and additional surveys undertaken in November 2014 showed more than was recorded in the summer, from the available evidence it is considered that the ES has underestimated the abundance and distribution of the species on site. Independent botanical surveys undertaken in summer 2014 showed a greater abundance and wider distribution on-site than that reported in the ES,
- The ES confirms the presence of Cut-leaved Selfheal (listed on the Sussex Rare Species Inventory). However, its distribution and abundance is again disputed by independent botanical surveys undertaken in summer 2014. The ES also fails to acknowledge that the site is the only known location of the species in Sussex,
- The ES does not make reference to the presence of other notable plant species on site including Hybrid Selfheal (for which the site is the only known location in Sussex) and Corky Fruited Water-dropwort, both of which are listed on the Sussex Rare Species Inventory.

8.35 Invertebrates

8.35.1 Despite a request in the EIA Regulation 22 letter dated the 13th November 2014, the value of the site with regards to invertebrates has not been reassessed in the ES.

8.35.2 The addendum ES states that information, from the Sussex Biodiversity Record Centre, includes no records of protected or

notable invertebrate species from the application site and subsequently assesses the site as being unlikely to support any significant populations of protected, rare or notable species. However the County Ecologist states that this is incorrect and that a search of the same records in early November returned 5 records of Hornet Robberfly, a Section 41 species, from the application site. In addition independent surveys, in the summer of 2014, recorded the Hornet Robberfly species being on site, as well as other rare and notable species and species indicative of calcareous grassland.

8.36 Reptiles

8.36.1 The site has been shown to support populations of slow worm and common lizard, which are protected species. Despite a request in the Regulation 22 letter for further information as to assess whether reptile surveys had been carried out in accordance with best practice, such information regarding the survey methodology has not be included as part of the addendum ES. However, from the information provided within the ES the County Ecologist considers it likely that the populations may have been underestimated.

8.36.2 From the information submitted it is apparent that the proposed mitigation would consist of habitat manipulation, possibly accompanied by trapping to a temporary holding area and the enhancement of retained areas/open spaces along the eastern and western boundaries of the site, or reptiles. However it is unclear how the proposed habitat manipulation and proposed enhancements would impact on the proposed mitigation for chalk grassland and notable botanical species previously mentioned.

8.36.3 Once development is complete, the proposed temporary reptile holding area would be opened allowing reptiles to permeate the site. However the County Ecologist notes that the two areas of suitable reptile habitat are isolated from one another by the proposed development, therefore reducing the area of habitat available to the on-site populations.

8.37 Absence of Development

In accordance with best practice guidance, the ES bases an assessment of ecological impacts on the likely future scenario in the absence of development. The ES states that the botanical interest of the site, including the existing populations of Red Star-thistle, has the potential to decline if grazing was to persist and if grazing was relaxed. The County Ecologist considers that, whilst it cannot be guaranteed that current management practices, which are conducive to the preservation of a favourable environment for the species discussed, would continue in the absence of development, there is no indication that grazing at the current level would change in the absence of development, or that agricultural practices would change to use herbicides. As a result the County Ecologist considers that it is

reasonable to assume that in the absence of any predicated change, that the species would prevail.

8.38 Proposed Mitigation

In order to agree the appropriate mitigation and/or compensation the County Ecologist states that the baseline ecological value of the site needs to be established. However despite the baseline not being agreed, the following general comments have been provided by the County Ecologist in relation to the proposed mitigation for likely impacts in the grassland and associated species;

- The ES proposes the retention of some small areas of Red Star-thistle along the western boundary of the site. The Landscape Concept Plan and the soft landscape proposal drawings show tree planting, proposed chalk grassland and amenity grassland within the same area, and state that preparation for planting and seeding will involve the application of herbicide and cultivation of the land. The proposed landscaping scheme and its required preparation are unlikely to be conducive to retention of a healthy population of Red Star-thistle. The linear nature of the areas proposed for retention of the species, confined by a proposed access route, limit any possible expansion of the populations. It is also unclear how the management proposed for the species in the Red Star-thistle mitigation strategy, as set out in the ES, would be undertaken in such an area confined by other planting and seeding.
- The ES also proposed the translocation of the remainder of the Red Star-thistle on-site to areas of green space within the site, and to off-site locations. However the provided soft landscape proposals do not show any areas of retained grassland, as stated in the submitted ES, other than the areas of Red-Star-thistle to be retained in situ along the western edge. All of the grassland around the areas of Red-Star-thistle to be retained and to be translocated is shown as “proposed chalk grassland” and “proposed amenity grass”. The richest area of grassland along the eastern boundary is shown as “proposed native structure planting”. There the proposed landscape plans do not reflect the recommended mitigation/compensation measures of the semi-improved grassland.
- The submitted landscape plans also state that preparation of areas to be seeded as amenity grassland and meadow would include the areas being sprayed out a glyphosate herbicide. As it is recognised that the survival of Red-Star-thistle relies on the absence of agricultural improvement such as the use of herbicides to benefit grasses, the Red-Star thistle mitigation strategy set out in the submitted ES states that the use of herbicides and fertilizers would be avoided altogether within the receptor areas. However the proposed landscape plans conflict with the mitigation strategy set out in the ES.
- Red Star-thistle is reliant on a continuity of heavy grazing at the same locality for its survival, as this provides areas of bare ground

where new seedlings can establish and limits competition from other plants. Seeds also do not tend to disperse long distances other than on the hoofs of animals. The proposed mitigation strategy for Red Star-thistle includes management of translocated land on-site through regular mowing/scarifying and the collection and sowing of seeds by hand. It is not clear whether the proposed mitigation will adequately replicate the effects of heavy grazing. Also, it is labour intensive, which means there is a risk that it will not be continued in the long term without a robust long term management agreement. Furthermore, as management of the Red Star-thistle areas is likely to differ from management of the surrounding chalk grassland, any expansion of the population is restricted.

- Whilst the technique of turf lifting has been successfully used for the translocation of grassland habitats, it is strongly recommended that advice be sought from the Millennium Seed Bank on best practice guidelines. The proposals include no back-up in case the retained populations and/or the translocated populations fail. It is therefore strongly recommended that mitigation should include the collection and storage of seed in advance of any translocation.
- SPD11 states that to achieve sustainable development, the area of habitat available for species and habitats within Brighton & Hove should at least be maintained and wherever possible increased as a consequence of development proposals. It goes on to state that to achieve this, translocation of species to sites which already support good populations of the same species, or when habitat enhancement to accommodate the increased population size cannot be reasonably achieved, is not acceptable. Both the proposed off-site receptor sites are SNCIs designated for the presence of Red Star-thistle. The ES states that Cowley Drive Paddocks SNCI has the capacity to receive at least 13,000m² of Red Star-thistle, although it is unclear how this figure has been derived. Further detail is required on whether translocation to sites which already support Red Star-thistle will meet the requirements of SPD 11 and will result in no net loss of the species.
- In A policy for conservation translocation of species in Britain, the Joint Nature Conservation Committee (JNCC) state that it is the view of the statutory conservation agencies that relocation of species is not an acceptable alternative to in situ conservation, but where a development has been given planning approval, relocation should be considered as a means of partially compensating for the loss of populations affected. It is recognised that guidance is needed to deal more fully with relocation of species threatened by development, but principles include that translocation of species should not damage donor populations, or species or communities at recipient sites. Further information is required to ascertain whether the proposed mitigation strategy will achieve this aim.

- JNCC's policy also states that post translocation, establishing appropriate monitoring for the species concerned is required to assess the outcome of the translocation. Monitoring will need to be continued for a sufficiently long period so as to be able to measure the population's performance over several generations. Resources to undertake the monitoring should be available at the inception and for an agreed duration to assess the outcome.
- The proposed aims of monitoring within the proposed mitigation strategy require more detail. For example, how is a satisfactory level of overall Red Star-thistle defined, and what constitutes excessive levels of grazing/poaching? There are also no targets for monitoring success of the retained populations and those translocated within the proposed development site.

Overall the County Ecologist considers that the ecological value of the site, particularly regarding plants, invertebrates and reptiles, has been underestimated and as such the potential impacts of the development on ecology/biodiversity cannot be properly assessed and subsequently appropriate mitigation and/or compensation cannot be agreed. Such uncertainties weigh as a potential adverse impact of the scheme contrary to paragraph 118 of the NPPF and policies QD17, QD18 of the Local Plan and policy CP10 of the City Plan.

8.39 **Sustainability**

- 8.39.1 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.
- 8.39.2 Following receipt of the Planning Inspectors initial conclusions on the submission City Plan, the Local Planning Authority has published Modifications to the City Plan which has resulted in amendments to policy CP8. These amendments specify a recommended standard of Code for Sustainable Homes Level 4 for housing development prior to 2016, as a result of announcements from the Government (in March and September 2014) and the Inspectors Initial conclusions.
- 8.39.3 Since submission of the application the applicant has agreed to meet Code for Sustainable Homes Level 4.
- 8.39.4 Energy modelling was undertaken for the scheme with respect to the provision of 100 dwellings, when the scheme was proposed to meet Building Regulations standards under Part L only. At this point the housing scheme was expected to result in carbon emissions of a massive 7,475 tonnes CO₂ per year (minimum). This fell well below the average currently delivered in the city. The energy modelling has not been re-modelled now that Code Level 4 is proposed, but carbon emissions are expected to be lower due to the proposed Code for Sustainable Homes standard.

8.39.5 Very limited information has been submitted to demonstrate how sustainability policy is being addressed with the proposal. From the Sustainability Checklist it has been identified that positive sustainability aspects of the proposed scheme would include the use of timber from certified sustainable sources and the use of rainwater butts.

8.39.6 Whilst the scheme overall is disappointing with respect to the lack of consideration given to sustainability at this point, if Code Level 4 is achieved across the scheme, the Council's Sustainability Officer considers that sustainability issues over the key areas would be broadly addressed.

8.40 Waste Management

8.40.1 No details of the storage of refuse and recycling for the proposed new dwellings have been submitted as part of the application however it is considered that there would be sufficient space on site for such facilities to be provided and therefore details could be obtained via a condition if overall the proposal was considered acceptable.

8.40.2 A Site Waste Management Plan has been submitted as part of the application which sets out the approach to waste management that would be applied to the construction of the proposal.

8.40.3 The anticipate construction waste includes soils and organic waste from site clearance works, waste of construction materials during build phase and cardboard packing.

8.40.4 At this stage the likely amounts of waste that would be generate by the proposed development is unknown and a contractor is yet to be appointed. A Site Waste Management Plan would need to be updated in more detail and become a working document as the construction process take place and this could be conditioned.

8.41 **Developer Contributions**

Public Art

Local Plan policy QD6 states that the provision of public art will be sought from major development schemes although the type of public art and level of contribution will vary depending on the nature of the development proposal, the characteristics of the site and its surroundings. No acknowledgment of policy QD6 has been made within the application however an 'artistic component schedule' could be included as part of a S106 agreement, to the value of at least £63,000, if overall the proposal is deemed acceptable, in order to ensure that the proposal complies with policy QD6.

8.42 Local Employment Scheme

8.42.1 Should the application be approved, the Developer Contributions Interim Technical Guidance provides the supporting information to request a contribution through a S106 agreement to the Local

Employment Scheme. In this instance a financial contribution of £42,500 would be sought (based on £500 per residential unit).

8.42.2 An Employment and Training Strategy would also be required, with the developer committing to using an agreed percentage of local labour. It would be requested that in respect of the proposed development 20% local employment is utilised during the construction phase.

8.43 Education

8.43.1 Should the development be considered acceptable, a contribution of £348, 300 towards the cost of providing primary and secondary educational infrastructure in the City for the school age pupils this development would generate has been requested by the Education Officer.

8.43.2 Such contribution request takes into account the fact that it is considered that the proposed age-restricted units (restricted to persons over 60 years old) would be unlikely to generate young children.

8.43.3 It is considered entirely appropriate to request a sum of money for primary and secondary education in respect of this development as it is expected by the Department of Education that the Council should maintain between 5% and 10% surplus places to allow for parental preference. Taking account of the schools in the area there are a total of 1,260 primary places available and currently there are 1,200 children on roll. This means that there is less than the 5% minimum in this part of the City. A development of residential units would have a serious impact on the school places issue in this part of the City and parents would have no choice whatsoever. The Council's Education Officer believes that developers should ensure that their developments are sustainable in the broadest sense of the work and this has to include funding the education infrastructure that their development demands.

8.44 Other

It is noted that Sussex Police have requested a financial contribution of £44,178 (equivalent to £441.78 per dwelling) towards the provision, maintenance and operation of the forces infrastructure, to be used in the policing of the Ovingdean and Brighton areas should the development be allowed, otherwise they would object to the proposal. Policies QD28 and SU15 outlines the policy basis for securing developer contributions and further detail is provided in the Developer Contributions Technical Guidance approved. There is no policy basis to justify the securing of contributions specifically towards funding of the police service and therefore such a contribution would not be sought should the proposal be deemed acceptable.

8.45 **Other Considerations**

8.45.1 Flood Risk and Water Drainage

Policy SU4 of the Local Plan states that development will not be permitted if it would increase the risk of flooding is located in an area at risk of flooding or would create additional surface water run-off liable to harm people, property of the environment.

8.45.2 The Environment Agency has stated that as the proposed development site is less than 5 hectares in Flood Zone 1 they have no comments to make. However the Council's Flood Engineer has assessed the proposal and has confirmed that there are existing flood defences, comprising of embankments and ditches, within the vicinity of the site, at New Barn Valley and Longhill School.

8.45.3 It is noted that there is a history of muddy flooding in the area in October 2987, January and December 1998 and in November 2000. The updated Flood Map for Surface Water (uFMfSW) indicates that the site is at risk from surface water flooding. However no objections are raised to the proposed development by the Council's Flood Engineer as the proposed residential development would be located away from the flow route as indicated by the uFMfSW 1 in 1000-year event and the Micro Drainage calculations provided estimate the development should be able to cope with a 1 in 100-year storm including climate change.

8.45.4 Full details of the proposed drainage system including the long term maintenance of the soakaways and permeable paving could be dealt with via a condition.

8.46 Air Quality

8.46.1 Policy SU9 of the Local Plan will only permit development which may cause pollution, when human health is not put at risk and it does not reduce the Local Planning Authority's ability to meet the Government's air quality targets.

8.46.2 As set out in the submitted ES "The proposed development has the potential to cause air quality effects during the construction and operational phases. These may include fugitive dust emissions during construction and road vehicle exhaust emissions associated with traffic generated during the operational phase".

8.46.3 The ES states that the potential effects associated with fugitive dust emission during the construction phase have been assessed in accordance with the methodology outlined within the Institute of Air Quality Management document 'Guidance on the Assessment of Dust from Demolition and Construction'.

8.46.4 The Council's Environmental Health Officer acknowledges that much of the Air Quality Chapter of the submitted ES discusses dust and particulate matter (PM) however such assessment is not deemed a priority for the villages in this scope where it is known that PM levels are low much of the time. The important issue in this case is the

impact of the proposed development upon the Rottingdean Air Quality Management Area (AQMA), as declared in August 2013, which is located between Vicarage Lane and Marine Drive (A259), approximately 1.45km south of the application site.

- 8.46.5 Within the EIA Regulation 22 letter the applicant was requested to acknowledge the presence of the AQMA within Rottingdean and to include the predictions of nitrogen dioxide (NO₂) levels at three monitoring receptors in the Rottingdean High Street (which is classed as a tight street canyon), with and without the proposed development, during construction phase and first years of operation. It was also requested that a receptor should be placed at the nearest resident to the hotspot junction of Warren Road and Falmer Road, which is located to the north of the site.
- 8.46.6 The Council's Air Quality Officer has stated that many of the receptors selected for assessment within the ES do not have an issue for air quality and are not representative of worse case. The Officer agrees that the locations outside of the AQMA are not an issue for air pollution. However the impact of the proposed development on the Rottingdean AQMA is critical.
- 8.46.7 The Council's Air Quality Officer has stated that in comparisons to the Council's advanced dispersion models the assessment submitted in the ES under predicts traffic and emissions through Rottingdean village. The Officer also states that lower counts of diesel vehicles used in the submitted ES will give lower emission rates with Defra's Emissions Factor Toolkit, which is likely to underestimate the impact of the development in the AQMA.
- 8.46.8 The Council's Air Quality Officer concludes that for many hours of the week Rottingdean High Street does not have the capacity for additional traffic. Mitigation measures are likely to be justified in order to reduce any additional road traffic emissions as a result of the proposed development however the Air Quality is not convinced that the proposed development would cause an increase of NO₂ that is less than 1% of the annual legal limit.
- 8.46.9 Model predictions need to be;
- Verified with all three long term monitoring results in the AQMA (verification to date does not take account of the monitor with the highest levels of NO₂ over a prolonged period, known as E23), and
 - Additional traffic generated by the site including attracted traffic such as deliveries and maintenance (diesel vans), visitors (assume diesel cars with higher emissions of NO₂ compared to petrol cars).
- 8.46.10 Overall the Council's Environmental Health Officer does not accept the developer's assessment of the impact of the proposed

development on the Rottingdean AQMA and as a result it is considered that the submitted ES is incomplete.

8.47 Ground Conditions and Contamination

8.47.1 Policy SU11 of the Local Plan states that proposals for the development of known or suspected polluted land or premises will help to ensure effective and productive use is made of brownfield sites. However, such proposals must ensure that an increase in contamination does not occur and remediation must be effective to ensure there is no harm to the environment and human health.

8.47.2 The submitted ES includes a 'Phase 1 Geotechnical & Contaminated Land Desk Survey, which concludes that the site is considered to have an overall low or very low potential from remnant contamination. However the Council's Environmental Health Officer considers that due to the size of the proposed development, the proposed residential usage and the potential human receptors to contamination of construction workers and future site occupier's, further geotechnical investigation would be required. The report recommends that 'check' contamination analyses are undertaken to confirm a conceptual model and allow a generic quantitative risk assessment to be undertaken. This model should then be used to determine any appropriate remedial works or design features, if proven to be necessary. Further contaminated land investigation needs to be carried out before development begins and as such, must be a condition of any consent granted.

8.48 External Lighting

8.48.1 Policy QD25 of the Local Plan will not permit lighting units which would emit over-intense light in the context of the use of the building or space to be illuminated and which could cause detriment to amenity, highway safety, or cause light pollution.

8.48.2 Lighting of the proposed scheme would include street lighting, lighting of open spaces and lighting of courtyard parking areas.

8.48.3 As part of the application a Lighting Statement has been submitted in which it is confirmed that a detailed lighting scheme would be devised at Reserved Matters stage should the Outline Application be approved. However it is stated that the proposed lighting of the development would be informed by general principles including the recommendations of the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light (2011) for Zone E". The Council's Environmental Health Officer recommends that a condition is attached to an approval regarding external lighting of the proposed development.

8.49 Omissions in the Environmental Statement

The Local Planning Authority considers that the Environmental Statement has the following omissions;

- With respect to Air quality in the Rottingdean Air Quality Management Area, insufficient information has been submitted to satisfy the Local Planning Authority that the development would cause an increase of NO² that is less than 1% of the annual legal limit, and
- With regards to ecology there is insufficient and conflicting detail to satisfy the Local Planning Authority that there would be no adverse impacts on the ecology of the site. It is considered that the ecological value of the site, particularly for plants, invertebrates and reptiles has been underestimated and as such the potential impacts of the proposed development cannot be properly assessed and appropriate mitigation and/or compensation cannot be agreed.

9 CONCLUSION

- 9.1 In accordance with the NPPF it is recognised that the proposed development would lead to social and economic benefits, including contributing towards meeting the City's significant housing requirements, the provision of 34 affordable units and job creation particularly during the construction phase. However the net benefits of the proposed scheme must be weighted against the adverse impacts of the proposal.
- 9.2 Since submission of the application the scheme has been amended to reduce the proposed number of dwellings from 100 to 85 and to increase the landscape buffer along the eastern boundary of the site in an effort to reduce the adverse visual impact on the scheme. Despite such amendments it is considered that the revised layout does not adequately address concerns raised regarding the proposal representing an overdevelopment of the site and would have a resultant adverse impact on the local landscape character and views in addition the proposal would have an unacceptable detrimental impact on the South Downs National Park and its setting.
- 9.3 The ecology evidence provided underestimates the ecological value of the site and, as a consequence, the potential impacts of the proposed development on ecology and biodiversity cannot properly be assessed nor can appropriate mitigation measures be agreed.
- 9.4 Having assessed the identified adverse impacts of the proposed scheme against the net benefits, on balance it is considered that the harmful impacts of the proposal on local landscape character, visual amenity and the setting of the National Park in this sensitive location represents demonstrable and significant adverse impacts that outweigh the benefits of the proposed scheme. The proposal is considered contrary to policies NC7 and NC8 of the Local Plan and SA5 of the emerging City Plan. In addition uncertainties remain in relation to the impacts of the proposal upon ecology and biodiversity. This uncertainty also weighs as a potential adverse impact of the scheme contrary to paragraph 118 of the NPPF and policies QD17, QD18 of the Local Plan and policy CP10 of the City Plan.

10 EQUALITIES

- 10.1 The scheme would provide for 40% affordable housing. If overall considered acceptable conditions could be attached to ensure that all dwellings are built to Lifetime Homes standards and that 5% would be built to Wheelchair Accessible Standards.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The Local Planning Authority has not been able to assess the likely impacts of the proposed development with respect to Air Quality within the Rottingdean Air Quality Management Area, due to the omissions in the Environmental Statement. Consequently it has not been possible to identify whether and what mitigation measures may be appropriate and therefore the Local Planning Authority is unable to complete a full assessment of the proposal. The proposal is therefore considered to be contrary to the requirements of the Town and Country Planning (Environmental Impact Assessment) 2011 Regulations, policies SU9 of the Brighton & Hove Local Plan.
2. The Local Planning Authority has not been able to assess the likely impacts of the proposed development with respect to Ecology due to the omissions in the Environmental Statement. Consequently it has not been possible to identify whether and what mitigation measures may be appropriate and therefore the Local Planning Authority is unable to complete a full assessment of the proposal. The proposal is therefore considered to be contrary to the requirements of the Town and Country Planning (Environmental Impact Assessment) 2011 Regulations, policies QD17 and QD18 of the Brighton & Hove Local Plan, policies CP10 of the emerging City Plan Part One and SPD11 on Nature Conservation and Development.
3. By virtue of the scale of development proposed and the site coverage, it is considered that the harmful impacts of the proposal on local landscape character, visual amenity and the setting of the National Park, in this sensitive location, represents an overdevelopment of the site. The demonstrable and significant adverse impacts are considered to outweigh any benefits of the proposed scheme. As such the proposal is contrary to policy NC8 of the Brighton & Hove Local Plan and policies SA4 and SA5 of the emerging City Plan part 1.

11.2 Informatives:

1. The applicant is advised that the Local Planning Authority has identified concerns regarding the positioning of the dwellings on plots identified as nos. 4 and 34 with regards to potential outlook for future occupiers and, overlooking and loss of privacy for neighbouring properties depending upon the positioning of window openings, due to the proposed orientation towards neighbouring properties.
2. 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.

3. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Site Location Plan	BRS.4783_04 -1	Rev. B	13 th August 2014
Topographical Survey – Sheet 1 of 3	TS14-099S\1	-	1 st August 2014
Topographical Survey – Sheet 2 of 3	TS14-099S\2	-	1 st August 2014
Topographical Survey – Sheet 3 of 3	TS14-099S\3	-	1 st August 2014
Building Heights Plan	BRS.4783_46	Rev. B	3 rd December 2014
Layout Plan	BRS.4783_20	Rev. Q	3 rd December 2014
Landscape Concept Plan	BRS.4783_ 32-1	Rev I	3 rd December 2014
Proposed Site Access Arrangement	SK03	-	3 rd December 2014
Proposed Access Arrangements on Ovingdean Road	Figure 5.1	Rev. B	3 rd December 2014
Detailed On-Plot Soft Landscape Proposals – Sheet 1 of 2	BRS.4783_45	Rev. B	12 th December 2014
Detailed On-Plot Soft Landscape Proposals – Sheet 2 of 2	BRS.4783_45	Rev. B	12 th December 2014

Appendix B - Letters of Objection (Re-consultation)

Property Name/Number	Street	Town	Postcode
15 (x2)	Ainsworth Avenue		BN2 7BG
17	Ainsworth Close	Ovingdean	BN2 7BH
77	Aysgarth Court		FY4 5LX
85	Balsdean Road		BN2 6PG
2	Beacon Court		BN2 7AY
29	Beacon Hill		BN2 7BN
Unknown	Beacon Point		BN2 7BE
50	Brownleaf Road		BN2 6LB
53 (x2)	Chailey Avenue	Rottingdean	BN2 7GH
21	Cowley Drive		BN2 6WB
38	Cowley Drive		BN2 6WB
84	Cowley Drive		BN2 6WD
139	Cowley Drive	Brighton	BN2 6TE
13	Cranleigh Avenue		BN2 7GT
21	Cranleigh Avenue	Rottingdean	BN2 7GN
30	Crescent Drive South		BN2 6RB
118	Crescent Drive South		BN2 6SA
124	Crescent Drive South	Brighton	BN2 6SA
31 (x2)	Donnington Road	Brighton	BN2 6WH
12	Downland Close		BN2 6DN
65	Downs Valley Road		BN2 6RG
9	Eileen Avenue	Saltdean	BN2 8AD
13	Eley Crescent		BN2 7FE
34	Eley Drive		BN2 7FH
8 (x2)	Elvin Crescent		BN2 7FF
47	Elvin Crescent		BN2 7FF
498	Falmer Road		BN2 6LH
553	Falmer Road		BN2 6NA
1 Winton Cottages	Falmer Road		BN2 7FJ
5	Grand Crescent	Rottingdean	BN2 7GL
14 (x3)	Knole Road	Rottingdean	BN2 7GR
17	Lindfield Close		BN2 8AP
6	Longhill Close		BN2 7AX
8	Longhill Road	Brighton	BN2 7BE
24	Longhill Road		BN2 7BE
1 Meadow Vale	Ovingdean Road	Brighton	BN2 7AA
4 Meadow Vale	Ovingdean Road		BN2 7AA
11	Meadow Close		BN2 7FB
13	Meadow Close		BN2 7FB
58	Nevill Road		BN2 7HG
2	New Barn Road		BN2 7FN

8	New Barn Road		BN2 7FN
3	Ovingdean Close		BN2 7AD
5	Ovingdean Close		BN2 7AD
18 (x2)	Ovingdean Close		BN2 7AD
20	Ovingdean Close		BN2 7AD
Gable End Cottage	Ovingdean Road	Brighton	BN2 7AA
Newlands (x2)	Ovingdean Road	Brighton	BN2 7AA
Threeways	Ovingdean Road	Ovingdean	BN2 7BB
Winton	Ovingdean Road	Brighton	BN2 7AA
Firhaven	Rock Road	Storrington	RH20 3AF
6	Romney Road	Rottingdean	BN2 7GG
33 (x2)	Rowan Way	Rottingdean	BN2 7FP
43	Rowan Way	Rottingdean	BN2 7FP
54	Rowan Way		BN2 7FP
58	Rowan Way	Rottingdean	BN2 7FP
66	Rowan Way		BN2 7FP
74	Saltdean Drive	Saltdean	BN2 8SD
76	Saltdean Drive	Saltdean	BN2 8SD
35	Selhurst Road		BN2 6WE
7 Kipling Court	St Aubyns Mead		BN2 7JT
1	The Ridings	Ovingdean	BN2 7A
2	The Ridings	Ovingdean	BN2 7AE
12	The Ridings	Ovingdean	BN2 7AE
10	The Rotyngs		BN2 7DX
3	The Vale	Brighton	BN2 7AB
4	The Vale		BN2 7AB
6	The Vale		BN2 7AB
5 (x2)	The Vale	Ovingdean	BN2 7AB
11	The Vale	Brighton	BN2 7AB
14	The Vale		BN2 7AB
15	The Vale	Brighton	BN2 7AB
16	The Vale		BN2 7AB
21	Tintnern Close		SW15 2HF
11	Wanderdown Road		BN2 7BT
27	Wanderdown Road	Ovingdean	BN2 7BT
45	Wanderdown Road	Ovingdean	BN2 7BT
48 (x2)	Wanderdown Road	Ovingdean	BN2 7BF
54	Wanderdown Road	Ovingdean	BN2 7BT
8	Wanderdown Way	Brighton	BN2 7BX
11	Wanderdown Way		BN2 7BX
Broomfield Cottage	West End Lane		GU10 3EP
39	Westfield Avenue North	Saltdean	BN2 8HS
18	Westfield Avenue South	Saltdean	BN2 8HT
Unknown -	Unknown	Unknown	BN2 9SQ

Emily Furman			
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Appendix A - Letters of Objection

Property Name	Street	Town	Postcode
29	Abinger Road	Woodingdean	BN2 6LF
31	Abinger Road	Brighton	BN2 6LF
33	Abinger Road	Brighton	BN2 6LF
5	Ainsworth Avenue	Ovingdean	BN2 7BG
Badgers Copse, 11	Ainsworth Avenue	Ovingdean	BN2 7BG
14 (x2)	Ainsworth Avenue	Ovingdean	BN2 7BG
15 (x2)	Ainsworth Avenue	Ovingdean	BN2 7BG
26	Ainsworth Avenue	Ovingdean	BN2 7BG
31	Ainsworth Avenue	Brighton	BN2 7BG
32	Ainsworth Avenue		BN2 7BG
34	Ainsworth Avenue	Ovingdean	BN2 7BG
41	Ainsworth Avenue	Ovingdean	BN2 7BG
42 (x2)	Ainsworth Avenue	Ovingdean	BN2 7BG
50	Ainsworth Avenue	Ovingdean	BN2 7BG
54	Ainsworth Avenue	Ovingdean	BN2 7BG
60	Ainsworth Avenue	Ovingdean	BN2 7BG
68	Ainsworth Avenue	Ovingdean	BN2 7BG
70	Ainsworth Avenue	Ovingdean	BN2 7BG
9	Ainsworth Close	Ovingdean	BN2 7BH
14	Ainsworth Close	Ovingdean	BN2 7BH
15	Ainsworth Close	Ovingdean	BN2 7BH
17	Ainsworth Close	Ovingdean	BN2 7BH
195	Arundel Road Central	Peacehaven	BN10 7NU
23	Ashdown Avenue	Saltdean	BN2 8AH
9	Balsdean Road	Woodingdean	BN2 6PG
18	Balsdean Road	Woodingdean	BN2 6PF
30	Balsdean Road	Woodingdean	
52	Balsdean Road	Woodingdean	BN2 6PF
53	Balsdean Road	Woodingdean	BN2 6PG
55	Balsdean Road	Woodingdean	BN2 6PG
85	Balsdean Road	Brighton	BN2 6PG
101	Bannings Vale	Saltdean	BN2 8DH
13	Bazehill Road	Rottingdean	BN2 7DB
15 (x2)	Bazehill Road	Rottingdean	BN2 7DB
1A	Beacon Hill	Ovingdean	BN2 7BN
7	Beacon Hill	Ovingdean	BN2 7BN
15	Beacon Hill	Ovingdean	BN2 7BN
19	Beacon Hill	Brighton	BN2 7BN
27	Beacon Hill	Brighton	BN2 7BN
29	Beacon Hill	Ovingdean	BN2 7BN
Green Point	Beacon Hill	Ovingdean	BN2 7BN
Unknown	Beacon Point		BN2 7BE

74	Bexhill Road	Woodingdean	BN2 6QA
142	Bexhill Road	Woodingdean	BN2 6QA
146	Bexhill Road	Woodingdean	BN2 6QA
6	Bishopstone Drive	Saltdean	BN2 8FF
17	Bishopstone Drive	Saltdean	BN2 8FF
42	Bishopstone Drive	Saltdean	BN2 8FF
15 (x2)	Briarcroft Road	Woodingdean	BN2 6LL
1	Broad Green	Woodingdean	BN2 6TB
3	Broad Green	Woodingdean	BN2 6TB
Brook Cottage		Adforton	SY7 0NF
19	Brownleaf Road	Woodingdean	BN2 6LD
34	Brownleaf Road	Woodingdean	BN2 6LB
50 (x2)	Brownleaf Road	Woodingdean	BN2 6LB
Ferndale House	Burdell Road	Yapton	BN18 0HT
3	Burnham Drive	Reigate	RH2 9HD
16 (x2)	Burnes Vale	Rottingdean	BN2 7DW
20	Burns Vale	Rottingdean	BN2 7DW
24	Burnes Vale	Rottingdean	BN2 7DW
4	Bush Close	Woodingdean	BN2 6SS
2	Byre Cottages	Rottingdean	BN2 7BB
6	Byre Cottages	Ovingdean	BN2 7BB
10	Catherine Vale	Brighton	BN2 6TZ
28	Catherine Vale	Brighton	BN2 6TZ
160	Cavell Avenue North	Peacehaven	BN10 7QQ
16	Chailey Avenue	Rottingdean	BN2 7GH
26	Chailey Avenue	Rottingdean	BN2 7GH
53 (x2)	Chailey Avenue	Brighton	BN2 7GH
33	Chalkland Rise	Woodingdean	BN2 6RJ
43	Chalkland Rise		BN2 6RJ
45	Chalkland Rise	Woodingdean	BN2 6RJ
65 (x3)	Chalkland Rise	Woodingdean	BN2 6RJ
2 (x2)	Challoners Close	Rottingdean	BN2 7DG
7	Challoners Close	Rottingdean	BN2 7DG
9	Challoners Close	Rottingdean	BN2 7DG
11	Challoners Close	Rottingdean	BN2 7DG
9	Chesham Street	Brighton	BN2 1NA
36	Chichester Drive East		BN2 8LB
2	Chorley Avenue	Saltdean	BN2 8AQ
12	Court Farm Road	Rottingdean	BN2 7FL
3	Court Ord Cottages	Rottingdean	BN2 7FT
8	Court Ord Cottages	Brighton	BN2 7FT
10	Court Ord Road	Rottingdean	BN2 7FD
12	Court Ord Road	Rottingdean	BN2 7FD
21	Court Ord Road	Rottingdean	BN2 7FD
25	Court Ord Road	Rottingdean	BN2 7FD
14	Cowley Drive	Woodingdean	BN2 6WA

22	Cowley Drive	Woodingdean	BN2 6WA
38	Cowley Drive	Woodingdean	BN2 6WB
39	Cowley Drive	Woodingdean	
42	Cowley Drive	Woodingdean	BN2 6WB
48	Cowley Drive		BN2 6WB
66	Cowley Drive	Woodingdean	BN2 6WD
72	Cowley Drive	Woodingdean	BN2 6WD
78	Cowley Drive	Woodingdean	BN2 6WD
84 (x2)	Cowley Drive		BN2 6WD
107	Cowley Drive	Brighton	BN2 6WD
139	Cowley Drive	Woodingdean	BN2 6TE
12	Cranleigh Avenue	Rottingdean	BN2 7GT
13 (x2)	Cranleigh Avenue	Rottingdean	BN2 7GT
26	Cranleigh Avenue	Rottingdean	BN2 7GN
37	Cranleigh Avenue	Rottingdean	BN2 7GN
The Rockeries, 69	Crescent Drive North	Woodingdean	BN2 6SL
12A	Crescent Drive South	Woodingdean	BN2 6RB
30	Crescent Drive South	Woodingdean	BN2 6RB
73	Crescent Drive South	Woodingdean	BN2 6SB
84	Crescent Drive South		BN2 6SA
99	Crescent Drive South	Woodingdean	BN2 6SB
107	Crescent Drive South	Brighton	BN2 6SB
110	Crescent Drive South	Woodingdean	BN2 6SA
124	Crescent Drive South	Brighton	BN2 6SA
7 (x2)	Crowborough Road		BN2 8EA
31	Cruden Street	London	N1 8NH
5 Tudor Close	Dean Court Road	Rottingdean	BN2 7DF
6	Dean Court Road	Rottingdean	BN2 7DH
46 (x2)	Dean Court Road	Rottingdean	BN2 7DJ
48	Dean Court Road	Rottingdean	BN2 7DJ
57	Dean Court Road	Rottingdean	BN2 7DL
60	Dean Court Road	Rottingdean	BN2 7DJ
69	Dean Court Road	Rottingdean	BN2 7DL
79	Dean Court Road	Rottingdean	BN2 7DL
82	Dean Court Road	Rottingdean	BN2 7DJ
90	Dean Court Road	Rottingdean	BN2 7DJ
92	Dean Court Road	Rottingdean	BN2 7DJ
109	Dean Court Road	Rottingdean	BN2 7DL
111	Dean Court Road	Rottingdean	BN2 7DL
117	Dean Court Road	Rottingdean	BN2 7DL
8	Deans Close	Brighton	BN2 6RN
11	Deans Close	Brighton	BN2 6RN
27	Donnington Road	Woodingdean	BN2 7WH
31 (x2)	Donnington Road	Brighton	BN2 6WH
5	Dower Close	Rottingdean	BN2 7BW
6	Dower Close	Brighton	BN2 7BW

18	Downhill View	Woodingdean	BN2 6ST
5 (x2)	Downland Close	Woodingdean	BN2 6DN
12	Downland Close	Brighton	BN2 6DN
1A	Downs Valley Road	Woodingdean	BN2 6RP
4 (x2)	Downs Valley Road	Woodingdean	BN2 6RP
43	Downs Valley Road	Woodingdean	BN2 6RG
45A	Downs Valley Road	Woodingdean	BN2 6RG
45	Downs Valley Road	Woodingdean	BN2 6RG
65	Downs Valley Road	Woodingdean	BN2 6RG
74	Downs Valley Road	Woodingdean	BN2 6RF
79	Downs Valley Road	Woodingdean	BN2 6RG
33	Downsway	Woodingdean	BN2 6BD
9	Eileen Avenue	Saltdean	BN2 8AD
12	Eley Crescent	Rottingdean	BN2 7FE
13	Eley Crescent		BN2 7FE
16	Eley Crescent	Rottingdean	BN2 7FE
9	Eley Drive		BN2 7FH
10	Eley Drive	Rottingdean	BN2 7FH
16	Eley Drive	Rottingdean	BN2 7FH
18 (x2)	Eley Drive	Rottingdean	BN2 7FH
25	Eley Drive	Rottingdean	BN2 7FH
26	Eley Drive	Rottingdean	BN2 7FH
29 (x2)	Eley Drive	Rottingdean	BN2 7FH
34	Eley Drive	Brighton	BN2 7FH
39	Eley Drive	Rottingdean	BN2 7FG
64	Eley Drive	Rottingdean	BN2 7FG
67	Eley Drive	Rottingdean	BN2 7FG
69	Eley Drive	Brighton	BN2 7FG
10	Elvin Crescent	Rottingdean	BN2 7FF
12	Elvin Crescent	Rottingdean	BN2 7FF
30	Elvin Crescent	Rottingdean	BN2 7FF
37	Elvin Crescent	Rottingdean	BN2 7FF
38 (x2)	Elvin Crescent	Rottingdean	BN2 7FF
40	Elvin Crescent	Rottingdean	BN2 7FF
47	Elvin Crescent	Rottingdean	BN2 7FF
61	Elvin Crescent	Rottingdean	BN2 7FF
73	Elvin Crescent	Rottingdean	BN2 7FF
13	Falmer Avenue	Saltdean	BN2 8FH
6	Falmer Gardens	Brighton	BN2 6NE
34	Falmer Gardens	Woodingdean	BN2 6NE
29	Falmer Road	Rottingdean	BN2 7DH
31	Falmer Road	Rottingdean	BN2 7DA
33	Falmer Road	Rottingdean	BN2 7DA
35	Falmer Road	Rottingdean	BN2 7DA
5 Winton Cottages, 57 (x2)	Falmer Road	Rottingdean	BN2 7FJ

71	Falmer Road	Rottingdean	BN2 7FJ
386	Falmer Road	Brighton	BN2 6LA
450	Falmer Road	Brighton	BN2 6LG
456	Falmer Road	Brighton	BN2 6LG
486	Falmer Road	Brighton	BN2 6LH
498	Falmer Road	Brighton	BN2 6LH
553	Falmer Road	Brighton	BN2 6NA
558	Falmer Road	Brighton	BN2 6NA
Unknown	Rottingdean Place, Falmer Road		BN2 7FS
16	Rottingdean Place, Falmer Road	Rottingdean	BN2 7FS
48 (x2)	Rottingdean Place, Falmer Road	Rottingdean	BN2 7FS
Ballaria (x2)	Founthill Road	Rottingdean	BN2 8AJ
56	Foxdown Road	Woodingdean	BN2 6TL
1	Frimley Close		BN2 6SD
2	Frimley Close		BN2 6SD
13	Frimley Close	Woodingdean	BN2 6SD
24A	Gladstone Place	Brighton	BN2 3QD
Flat 12, 23-25	Gloucester Place	Brighton	BN1 4UD
16	Glynde Avenue		BN2 8QR
111	Goldstone Crescent	Brighton	BN3 6LS
16 (x2)	Gorham Avenue	Rottingdean	BN2 7DP
18	Gorham Avenue	Rottingdean	BN2 7DP
26	Gorham Avenue	Rottingdean	BN2 7DP
35	Gorham Avenue	Rottingdean	BN2 7DP
50	Gorham Avenue	Rottingdean	BN2 7DP
4	Gorham Close	Rottingdean	BN2 7EA
7	Gorham Way	Telscombe Cliffs	BN10 7BA
4	Grand Crescent	Rottingdean	BN2 7GL
5	Grand Crescent	Rottingdean	BN2 7GL
23	Grand Crescent	Rottingdean	BN2 7GL
24	Grand Crescent		BN2 7GL
29	Grand Crescent	Rottingdean	BN2 7GL
38	Grand Crescent	Rottingdean	BN2 7GL
46-48	Grand Crescent	Rottingdean	BN2 7GL
2 Beacon Court	Greenways	Ovingdean	BN2 7AY
5 Beacon Court	Greenways	Ovingdean	BN2 7AY
7 Beacon Court	Greenways	Ovingdean	BN2 7AY
13 Grange Farm Cottages	Greenways	Ovingdean	BN2 7BA
76	Greenways	Rottingdean	
88A	Greenways	Ovingdean	BN2 7BL
88	Greenways	Ovingdean	BN2 7BL
100	Greenways	Brighton	BN2 7BL

The Barn (x2)	Beacon Court	Ovingdean	BN2 7AY
The Rectory	Greenways	Ovingdean	BN2 7BA
7	Greenways Corner	Ovingdean	BN2 7BQ
20	Heathfield Avenue	Saltdean	BN2 8QB
6 Denes Mews	High Street	Rottingdean	BN2 7AH
71A	High Street	Rottingdean	BN2 7HE
16	Holtview Road		BN2 6DH
11	Hunston Close	Woodingdean	BN2 6TN
Unknown	Kipling Avenue	Woodingdean	BN2 6UD
20	Kipling Avenue	Woodingdean	BN2 6UD
76	Kipling Avenue	Woodingdean	BN2 7UE
86	Kipling Avenue	Woodingdean	BN2 6UE
94	Kipling Avenue	Woodingdean	BN2 6UE
100	Kipling Avenue	Woodingdean	BN2 6UE
134	Kipling Avenue	Woodingdean	BN2 6UE
137	Kipling Avenue	Woodingdean	BN2 6UF
14 (x3)	Knole Road	Rottingdean	BN2 7GR
6	Laughton Road	Brighton	BN2 6QF
1 (x2)	Lenham Road East	Rottingdean	BN2 7GP
2	Lenham Road East	Rottingdean	BN2 7GP
2A	Lenham Road West	Rottingdean	BN2 7GJ
13	Lenham Road West	Rottingdean	BN2 7GJ
14	Lenham Road West	Rottingdean	BN2 7GJ
19	Lenham Road West	Rottingdean	BN2 7GJ
2 Ursa Court, 108	Lewes Road		BN2 4AE
4 (x2)	Little Crescent	Rottingdean	BN2 7GF
17	Little Crescent	Rottingdean	BN2 7GF
18	Little Crescent	Rottingdean	BN2 7GF
20	Little Crescent	Rottingdean	BN2 7GF
23	Little Crescent	Rottingdean	BN2 7GF
6	Lockwood Crescent	Woodingdean	BN2 6UG
36 (x2)	Lockwood Crescent		BN2 6UG
2 (x3)	Longhill Close	Ovingdean	BN2 7AX
6 (x2)	Longhill Close	Ovingdean	BN2 7AX
11	Longhill Close	Ovingdean	BN2 7AX
7	Longhill Road	Ovingdean	BN2 7BF
8 (x2)	Longhill Road	Ovingdean	BN2 7BE
11	Longhill Road	Ovingdean	BN2 7BF
12	Longhill Road	Ovingdean	BN2 7BE
15	Longhill Road	Ovingdean	BN2 7BF
16	Longhill Road	Ovingdean	BN2 7BE
21	Longhill Road		BN2 7BF
23 (x2)	Longhill Road	Ovingdean	BN2 7BF
24	Longhill Road	Ovingdean	BN2 7BE
Flat 3, Beacon Hill House, 27A	Longhill Road	Ovingdean	BN2 7BF

27A	Longhill Road	Ovingdean	BN2 7BF
Flat 6, Beacon Hill House, 27A (x2)	Longhill Road	Ovingdean	BN2 7BF
29	Longhill Road	Ovingdean	BN2 7BF
31A	Longhill Road	Ovingdean	BN2 7BF
33	Longhill Road	Ovingdean	BN2 7BF
35	Longhill Road	Ovingdean	BN2 7BF
37	Longhill Road	Ovingdean	BN2 7BF
43	Longhill Road	Ovingdean	BN2 7BF
44	Longhill Road	Ovingdean	BN2 7BE
46	Longhill Road	Ovingdean	BN2 7BE
47	Longhill Road	Ovingdean	BN2 7BF
51	Longhill Road	Ovingdean	BN2 7BF
52 (x2)	Longhill Road	Ovingdean	BN2 7BE
58A (x2)	Longhill Road	Ovingdean	BN2 7BE
90 (x2)	Longhill Road	Ovingdean	BN2 7BD
92	Longhill Road	Ovingdean	BN2 7BD
108	Longhill Road	Ovingdean	BN2 7BD
126	Longhill Road	Ovingdean	BN2 7BD
136A	Longhill Road	Ovingdean	BN2 7BD
140	Longhill Road	Ovingdean	BN2 7BD
77	Lustrells Crescent	Saltdean	BN2 8FL
78	Lustrells Crescent	Saltdean	BN2 8FL
94	Lustrells Crescent	Saltdean	BN2 8FL
110 (x2)	Lustrells Crescent	Saltdean	BN2 8FL
116	Lustrells Crescent	Saltdean	BN2 8FL
128	Lustrells Crescent	Saltdean	BN2 8FL
Point Clear	Lustrells Road	Rottingdean	BN2 7DS
28	Lustrells Vale	Saltdean	BN2 8FE
160	Lustrells Vale	Saltdean	BN2 8FB
15 (x2)	Marine Drive	Rottingdean	BN2 7HJ
12	Marine Square		BN2 1DL
14	Martyns Close	Ovingdean	BN2 7BU
9	Meadow Close		BN2 7FB
11	Meadow Close		BN2 7FB
13	Meadow Close		BN2 7FB
14	Meadow Close	Rottingdean	BN2 7FB
25	Meadow Close	Rottingdean	BN2 7FB
28	Meadow Close	Rottingdean	BN2 7FB
41 (x2)	Meadow Close	Rottingdean	BN2 7FB
49	Meadow Close		BN2 7FB
63	Meadow Close	Rottingdean	BN2 7FB
6	Meadow Parade	Rottingdean	
9	Merston Close	Woodingdean	BN2 6WJ
12	Millyard Crescent	Woodingdean	BN2 6LJ
32 (x2)	Millyard Crescent		BN2 6LJ

18	Netherfield Green		BN2 6QP
32	Netherfield Green	Woodingdean	BN2 6QP
22	Nevill Road		BN2 7HG
24	Nevill Road	Rottingdean	BN2 7HG
28	Nevill Road		BN2 7HG
30	Nevill Road	Rottingdean	BN2 7HG
33	Nevill Road	Rottingdean	BN2 7HH
36	Nevill Road	Rottingdean	BN2 7HG
37	Nevill Road	Rottingdean	BN2 7HH
2	New Barn Road	Rottingdean	BN2 7FN
3 Ocean Reach	Newlands Road	Rottingdean	BN2 7GD
16 (x2)	Newlands Road	Rottingdean	BN2 7GD
20	Newlands Road	Brighton	BN2 7GD
2	Nolan Road		BN2 6RS
8	Northfield Rise	Rottingdean	BN2 7DR
1	Northgate Close	Rottingdean	BN2 7DZ
101 (x2)	Oaklands Avenue	Saltdean	BN2 8PD
2	Ovingdean Close	Ovingdean	BN2 7AD
3	Ovingdean Close	Ovingdean	BN2 7AD
6	Ovingdean Close	Ovingdean	BN2 7AD
7	Ovingdean Close	Ovingdean	
8	Ovingdean Close	Ovingdean	BN2 7AD
11	Ovingdean Close	Ovingdean	BN2 7AD
18 (x2)	Ovingdean Close	Ovingdean	BN2 7AD
20 (x2)	Ovingdean Close	Ovingdean	BN2 7AD
21	Ovingdean Close	Ovingdean	BN2 7AD
Ashdown House	Ovingdean Road		BN2 7BB
4 Byre Cottages	Ovingdean Road	Ovingdean	BN2 7BB
Gable End Cottage	Ovingdean Road		BN2 7AA
1 Meadow Vale (x2)	Ovingdean Road	Ovingdean Road	BN2 7AA
2 Meadow Vale	Ovingdean Road	Ovingdean	BN2 7AA
4 Meadow Vale	Ovingdean Road	Ovingdean	BN2 7AA
5 Meadow Vale	Ovingdean Road	Ovingdean	BN2 7AA
6 Meadow Vale	Ovingdean Road	Ovingdean	BN2 7AA
Newlands (x2)	Ovingdean Road	Ovingdean	BN2 7AA
1 Orchard Court (x2)	Ovingdean Road	Ovingdean	BN2 7BB
3 Orchard Court	Ovingdean Road	Ovingdean	BN2 7BB
Sandhurst	Ovingdean Road	Ovingdean	BN2 7AA
The Lodge (x2)	Ovingdean Road	Ovingdean	BN2 7BB
The Nook	Ovingdean Road	Ovingdean	BN2 7BB
Threeways	Ovingdean Road	Ovingdean	BN2 7BB
Winton	Ovingdean Road	Ovingdean	BN2 7AA
Woodingcote House	Ovingdean Road	Ovingdean	BN2 7AA
2 Upper Cottages	Ovingdean Road	Ovingdean	BN2 7BR
16	Park Close	Rottingdean	BN2 7HL

4 Conway Court	Park Crescent		BN2 7JB
17	Park Crescent		BN2 7HN
Upper Flat 4	Park Road	Rottingdean	BN2 7HL
14	Park Road	Rottingdean	BN2 7HL
15	Park Road	Rottingdean	BN2 7HL
16	Park Road	Rottingdean	BN2 7HL
1	Pinfold Close		BN2 6WG
11	Pinfold Close	Woodingdean	BN2 6WG
12	Pinfold Close	Brighton	BN2 6WG
16	Pinfold Close	Brighton	BN2 6WG
12	Pitt Gardens	Woodingdean	BN2 6LR
17	Pitt Gardens	Woodingdean	BN2 6LR
19	Pitt Gardens	Woodingdean	BN2 6LR
48	Princes Road		BN2 3RH
100	Rodmell Avenue	Saltdean	BN2 8PJ
114A	Rodmell Avenue	Saltdean	BN2 8PJ
6	Romney Road	Rottingdean	BN2 7GG
5	Rosedene Close	Woodingdean	BN2 6LE
19	Rosedene Close	Woodingdean	BN2 6LE
3	Rowan Way	Rottingdean	BN2 7FP
12	Rowan Way	Rottingdean	BN2 7FP
13	Rowan Way	Rottingdean	BN2 7FP
18	Rowan Way	Rottingdean	BN2 7FP
19 (x2)	Rowan Way	Rottingdean	BN2 7FP
20	Rowan Way	Rottingdean	BN2 7FP
33 (x2)	Rowan Way	Rottingdean	BN2 7FP
34	Rowan Way	Rottingdean	BN2 7FP
37	Rowan Way	Rottingdean	BN2 7FP
43	Rowan Way	Rottingdean	BN2 7FP
46	Rowan Way	Rottingdean	BN2 7FP
54	Rowan Way	Rottingdean	BN2 7FP
56	Rowan Way	Rottingdean	BN2 7FP
58 (x2)	Rowan Way	Rottingdean	BN2 7FP
64	Rowan Way		BN2 7FP
66	Rowan Way	Rottingdean	BN2 7FP
2	Royles Close	Rottingdean	BN2 7DQ
10 (x2)	Royles Close	Rottingdean	BN2 7DQ
12	Royles Close	Rottingdean	BN2 7DQ
40	Rudyard Road		BN2 6UB
43 (x2)	Rudyard Road	Woodingdean	BN2 6UB
36	Saltdean Drive	Saltdean	BN2 8SB
74 (x2)	Saltdean Drive	Saltdean	BN2 8SD
44	Saltdean Vale	Brighton	BN2 8HQ
135	Saltdean Vale	Brighton	BN2 8HE
1	Selhurst Road		BN2 6WE
18	Selhurst Road	Woodingdean	BN2 6WF

19	Selhurst Road	Woodingdean	BN2 6WE
27	Selhurst Road		BN2 6WE
28	Selhurst Road	Woodingdean	BN2 6WF
35	Selhurst Road	Brighton	BN2 6WE
3	Sherrington Road	Woodingdean	BN2 6QJ
13	Sherrington Road	Woodingdean	BN2 6QJ
21	Sherrington Road	Woodingdean	BN2 6QJ
12	Shipley Road		BN2 6TA
23	Shipley Road	Woodingdean	BN2 6TA
7 Kipling Court	St Aubyns Mead	Rottingdean	BN2 7JT
15	St Aubyns Mead		BN2 7HY
1	Stanstead Crescent	Woodingdean	BN2 6TR
37	Stanstead Crescent	Brighton	BN2 6TR
66	Stanstead Crescent		BN2 6TQ
Blenheim House	Steyning Road	Rottingdean	BN2 7GA
Braemar House (x2)	Steyning Road	Rottingdean	BN2 7GA
4 (x3)	Sudeley Street		BN2 1HE
Flat 3, 19-20 Bristol Mansions	Sussex Square	Brighton	BN2 5AA
49	Sutton Road	Seaford	BN25 1SU
1	Sycamore Close	Woodingdean	BN2 6SJ
5	Sycamore Close	Woodingdean	BN2 6SJ
6	Sycamore Close	Woodingdean	BN2 6SJ
16	Sycamore Close		BN2 6SJ
28	Terminus Road		BN1 3PD
22A	The Brow	Woodingdean	BN2 6LN
24A	The Brow	Woodingdean	BN2 6LN
41	The Brow	Woodingdean	BN2 6LP
51	The Brow		BN2 6LP
64	The Brow	Woodingdean	BN2 7LN
Hillside	The Green	Rottingdean	BN2 7HA
Little Barn	The Green	Rottingdean	BN2 7DD
Pax	The Green	Rottingdean	BN2 7HA
18	The Park	Rottingdean	BN2 7GQ
23	The Ridgway	Woodingdean	BN2 6PE
26 (x2)	The Ridgway		BN2 6PE
38	The Ridgway		BN2 6PE
48	The Ridgway	Woodingdean	BN2 6PD
70	The Ridgway	Woodingdean	BN2 6PD
75	The Ridgway	Woodingdean	BN2 6PB
83	The Ridgway	Woodingdean	BN2 6PB
1	The Ridings	Ovingdean	BN2 7AE
2	The Ridings	Ovingdean	BN2 7AE
4	The Ridings	Ovingdean	BN2 7AE
7	The Ridings	Ovingdean	BN2 7AE
8	The Ridings	Ovingdean	BN2 7AE

12	The Ridings	Ovingdean	BN2 7AE
7 (x2)	The Rotyngs	Rottingdean	BN2 7DX
9	The Rotyngs, Falmer Road	Rottingdean	BN2 7DX
15	The Rotyngs	Rottingdean	BN2 7DX
16	The Rotyngs	Rottingdean	BN2 7DX
20	The Rotyngs	Rottingdean	BN2 7DX
23	The Rotyngs	Rottingdean	BN2 7DX
1	The Vale	Ovingdean	BN2 7AB
2	The Vale	Ovingdean	BN2 7AB
3	The Vale	Ovingdean	BN2 7AB
4	The Vale	Ovingdean	BN2 7AB
5	The Vale	Ovingdean	BN2 7AB
6	The Vale	Ovingdean	
7	The Vale	Ovingdean	BN2 7AB
9	The Vale	Ovingdean	BN2 7AB
10 (x2)	The Vale	Ovingdean	BN2 7AB
11	The Vale	Ovingdean	BN2 7AB
12A	The Vale	Ovingdean	BN2 7AB
14	The Vale	Ovingdean	BN2 7AB
Hawthorns, 15 (x2)	The Vale	Ovingdean	BN2 7AB
16	The Vale	Ovingdean	BN2 7AB
18	The Vale	Ovingdean	BN2 7AB
21	The Vale	Ovingdean	BN2 7AB
21	Tintnern Close		SW15 2HG
42	Tyedean Road	Telscombe Cliffs	BN10 7AU
66-67	Upper North Street	Brighton	BN1 3FL
1	Vicarage Terrace		BN2 7HT
3	Vicarage Terrace	Rottingdean	BN2 7HT
5	Vicarage Terrace	Rottingdean	BN2 7HT
1 (x2)	Wanderdown Close	Ovingdean	BN2 7BY
3 (x2)	Wanderdown Close	Ovingdean	BN2 7BY
5	Wanderdown Close		BN2 7BY
9 (x2)	Wanderdown Close	Ovingdean	BN2 7BY
6	Wanderdown Drive	Ovingdean	BN2 7BZ
8	Wanderdown Drive	Ovingdean	BN2 7BZ
7 (x2)	Wanderdown Road	Ovingdean	BN2 7BT
10	Wanderdown Road	Ovingdean	BN2 7BT
14 (x2)	Wanderdown Road	Ovingdean	BN2 7BT
15	Wanderdown Road	Ovingdean	BN2 7BT
16	Wanderdown Road	Ovingdean	BN2 7BT
17	Wanderdown Road	Ovingdean	BN2 7BT
19	Wanderdown Road	Ovingdean	BN2 7BT
25 (x2)	Wanderdown Road	Ovingdean	BN2 7BT
27	Wanderdown Road	Ovingdean	BN2 7BT
28 (x2)	Wanderdown Road	Ovingdean	BN2 7BT

31	Wanderdown Road	Ovingdean	BN2 7BT
37	Wanderdown Road	Ovingdean	BN2 7BT
44	Wanderdown Road	Ovingdean	BN2 7BT
45 (x2)	Wanderdown Road	Ovingdean	BN2 7BT
47	Wanderdown Road	Ovingdean	BN2 7BT
48 (x2)	Wanderdown Road	Ovingdean	BN2 7BT
51	Wanderdown Road	Ovingdean	BN2 7BT
53	Wanderdown Road	Ovingdean	BN2 7BT
54	Wanderdown Road	Ovingdean	BN2 7BT
57 (x2)	Wanderdown Road		BN2 7BT
58	Wanderdown Road	Ovingdean	BN2 7BT
60	Wanderdown Road	Ovingdean	BN2 7BT
61	Wanderdown Road	Ovingdean	BN2 7BT
62	Wanderdown Road	Ovingdean	BN2 7BT
63	Wanderdown Road	Ovingdean	BN2 7BT
66	Wanderdown Road	Ovingdean	BN2 7BT
3	Wanderdown Way	Ovingdean	BN2 7BX
6	Wanderdown Way		BN2 7BX
7	Wanderdown Way	Ovingdean	BN2 7BX
8	Wanderdown Way	Ovingdean	BN2 7BX
11	Wanderdown Way	Ovingdean	BN2 7BX
12	Wanderdown Way	Ovingdean	BN2 7BX
17	Wanderdown Way	Ovingdean	BN2 7BX
18	Wanderdown Way	Ovingdean	BN2 7BX
16	Warren Avenue	Woodingdean	BN2 6BJ
58	Warren Way	Woodingdean	BN2 6PJ
73	Warren Way	Woodingdean	BN2 6PH
6 (x2)	Welesmere Road	Rottingdean	BN2 7DN
16	Welesmere Road	Rottingdean	BN2 7DN
39	Westfield Avenue North	Saltdean	BN2 8HS
18	Westfield Avenue South	Saltdean	BN2 8HT
19	Westmeston Avenue	Brighton	BN2 8AL
23	Westmeston Avenue		BN2 8AL
44	Westmeston Avenue	Saltdean	BN2 8AN
64	Westmeston Avenue		BN2 8AN
73	Westmeston Avenue		BN2 8AL
2 Victoria Mews	West Street	Rottingdean	BN2 7JR
113	Wilmington Way	Brighton	BN1 8JF
7 (x2)	Woodland Walk	Ovingdean	BN2 7AR
Unknown	Woods Mill	Henfield	BN5 9SD
Unknown - Angela Thomson			BN2 7FG
Unknown – Amanda Hawes			
Unknown – Amanda Monti			

Unknown – Andrew Clark			
Unknown – Carol Alexander			
Unknown – Carol Voss			
Unknown – Dave Church			
Unknown – Elizabeth Darling			BN2 7FP
Unknown – Faebhean Kwest			
Unknown – Fr Kevin O'Donnell			
Unknown – Hester Hayes			
Unknown – Jackie Comrie			
Unknown – Joyoti Grech Cato			
Unknown – Lee Rolf			
Unknown – Liam Byrne			
Unknown – Michael Gilling			
Unknown – Michael Shove	Wanderdown Road	Ovingdean	
Unknown – Nina Merchant			
Unknown – Rachel Gordon		Woodingdean	
Unknown – Ross Hudson			
Unknown – Simon Dobson			BN2 7GN
Unknown – Tracy Woodcock			
Unknown – W Durant			

Appendix B - Letters of Support

Property Name / Number	Street	Town	Postcode
43	Abbey Close		
32	Abergavenny Road	Lewes	BN7 1SN
29	Aldrington Avenue	Hove	BN3 7EL
29	Applesham Avenue	Hove	

12	Arthur Road	New Malden	KT3 6LX
10	Baden Road	Muswell Hill	N8 7RJ
3A	Beaconsfield Villas	Brighton	BN1 6HD
3	Bennett Road	Brighton	BN2 5JL
29	Bevendean Road	Brighton	BN2 4FN
Hodges Farmhouse	Bodle Street Green	Hailsham	BN27 4RH
6	Briarcroft Road	Brighton	BN2 6LL
1A (x2)	Buckingham Place	Brighton	BN1 3TG
5 (x3)	Caburn Road	Hove	BN3 6EF
8 Cecil Court	Cecil Road	Lancing	
10	Cranmer Avenue	Hove	BN3 7JQ
Whitecrofts	Crofts Mews		N12 8TR
15	Denmark Road	Portslade	BN41 1GJ
91	Ditchling Road	Brighton	BN1 4SD
28	Downsway		BN2 6BD
99	Ewart Street	Brighton	BN2 9UP
48	Farm Hill	Brighton	BN2 6BH
7	Freshfield Close	Hailsham	BN27 2DN
5	Gloucester Street	Cardiff	CF11 6EL
13	Goldstone Villas	Hove	BN3 3RR
6	Graham Avenue	London	W13 9TQ
21	Grassmere Avenue		BN10 7BZ
18	Grosvenor Road	Seaford	BN25 2BS
2	Guild Place	Burgess Hill	RH15 0GN
Unknown (x2)	Hartington Road		
14B	Hartington Road	Brighton	BN2 3LJ
30	Highlands Drive		RH15 8JJ
79	Holdenhurst Avenue		N12 0JB
5	Jay Mews	Hove	BN1
114	King Edwards Road		
33	Kings Road	Southwick	BN42 4RJ
48	Kipling Avenue	Woodingdean	BN2 6UE
2	Ladymead	Burgess Hill	RH15 0QW
51 (x2)	Lansdowne Street	Hove	BN3 1FT
61	Larkspur Drive		RH15 0UL
35	Little Russell Street		WC1L 2HH
Unknown	London Road	Brighton	BN1 6RN
58	Lyndhurst Road	Hove	BN3 6FB
115	Mile Oak Road		BN41 2PJ
1	Modena Road	Hove	BN3 5QF
182	Mount Pleasant Road	Hastings	TN34 3SR
37	New Barn Close		BN41 2GQ
12C	Newnton Close	Woodberry Grove, London	N4 2RQ
9	Norfolk Terrace	Brighton	BN1 3AD
48	North Gardens	Brighton	BN1 3LB

70	Pankhurst Avenue		BN2 9YN
68	Park Avenue		BN43 6PG
1	Parklands	Rednal, Birmingham	B45 9PZ
22	Parkland Road		BN6 8JZ
6	Park View Close	Telescombe Cliffs	BN10 BNF
3	Park View Rise		BN10 7NQ
5	Phoenix Rise		BN2 9WR
9	Portland Mews		BN2 1EQ
52	Quarry Lane	Seaford	BN25 3BJ
16G	Queens Park Road		BN2 0GG
82	Ravendale Avenue		N12 9HT
17	Reigate Road	Brighton	BN1 5AJ
42	Richmond Street	Brighton	BN2 9PD
19	Rochester Street		BN2 0EJ
8 Ayrton Gould House	Roman Road	London	E2 0SD
32	Shaftesbury Road	Brighton	BN1 4NF
38 (x2)	South Park Road	Wimbledon	SW19 8SZ
14	Stanford Avenue	Brighton	BN1 6AA
Flat 4, 60	St Aubyns	Hove	BN3 2TE
Flat 3	St James Court	London	E2 NR5
2	Steincroft Road		LS25
52	Surrenden Lodge		BN1 6QB
69 (x3)	Sutton Lane		WF11 9DT
107	Tennyson Road	Stratford	E15 4DR
29	The Drive		
2	Tivoli Road	Brighton	BN1 5BH
112	Waldegrave Road		BN1 6GG
134	Waldegrave Road	Brighton	Bn1 6GG
76	Washington Street		BN2 9SR
3	West Common	Lindfield	RH16 2AE
17	Winfield Avenue		BN1 8QH
74	Woodland Road		N10 3UA
The Quays	Victoria Street	Shipley	BD17 7BN
18	Unknown	Woodingdean	BN2 6TB
Unknown – Gabriella Sheno	Unknown	Saltdean	BN22 8FF
Unknown – Jim Croyden	Unknown		
Unknown – Simon Brewin	Unknown		BN2 4DL

Letters of Comment

Property Name / Number	Street	Town	Postcode
15	Falmer Gardens	Brighton	BN2 6NE



Liz Arnold
Planning Officer.
Development Control

L Arnold

Councillor Mary Mears

Brighton & Hove City Council
King's House
Grand Avenue
Hove BN3 2LS



Re Amended Planning Application BH2014/02589
Land South of Ovingdean Road Brighton (Meadow Vale)

Dear Liz Arnold.

As a Councillor for Rottingdean Coastal Ward, I wish to object to the above amended planning Application.

I have already registered my objection to the original planning application, and on viewing the revised site lay-out.

With a proposed reduction from 100 houses to 85, and other amendments, which in my view is still an inappropriate development of a green field site, both Rottingdean and Ovingdean have been designated as Conservation Areas.

The amended plans do not address the very serious strain the infrastructure is already under in the surrounding area, this proposed development would add even more pressure to doctors, dentist and school places. As stated in my original letter of objection.

Nor do the proposed amended plans address the serious traffic issues this development would create with regards to added pressure on the Falmer Road and the A259 and the lack of public transport as set out in my original letter of objection.

I cannot support the proposed amended plans.
And reserve my right to speak at committee on this planning application.

Yours sincerely,

Mary Mears



Tel: (01273) 294370
B/berry: 07795 336 001
Email: mary.mears@brighton-hove.gov.uk

Conservative Member for Rottingdean Coastal Ward
Visit my blog pages at:
www.brighton-hove-councillors.org.uk/marymearsblog

Telephone: 01273 290000
www.brighton-hove.gov.uk
Printed on recycled, chlorine-free paper



COUNCILLOR DAVID SMITH

17 Pitt Gardens
Woodingdean
Brighton
BN2 6LR

Ms Liz Arnold
Planning officer
Development Control
Hove Town Hall
Norton Road
HOVE BN3 3 BQ

9th September 2014

Dear Ms Arnold
Re: Planning Application BH2014/02589
Land South of Ovingdean Road (Meadow Vale)

I wish to object to the above planning application on the following grounds.

- 1 The proposed development is located between three small communities - the conservation area of two villages, Rottingdean and Ovingdean and the residential area of Woodingdean which adjoins the SDNP. The proposed development of 100 houses could set the precedent for an urban sprawl - ie the other greenfield sites already identified by the developer.
- 2 I believe Meadow Vale was withdrawn from the SDNP by mistake, since at that time the national park officials were under the impression that this area was an extension of the school playing fields.
- 3 If this development were to go ahead, even more strain would be added to an already stretched situation experienced by the bus service through Ovingdean, the primary schools, the doctors and the dentists and would result in the complete ruination of village life to this rural community.
- 4 Falmer Road (B2123) and the coast road (A259) are two of the busiest roads in the City and any increase in traffic volume would create serious bottle necks where these roads join the A27 via Woodingdean. This, in addition to the obvious additional air pollution problems already above EU regulations, makes the case for refusal obvious.

I understand my colleague Cllr Mary Mears has requested to speak at the planning meeting and I will be attending.

Yours sincerely





Councillor Mary Mears

Brighton & Hove City Council
King's House
Grand Avenue
Hove BN3 2LS
10 SEP 2014

Liz Arnold.
Planning Officer.
Development Control.
Hove Town Hall.
Norton Road.
Hove BN3 3BQ

8th September 2014

RE Planning Application BH2014/02589
Land South of Ovingdean Road Brighton (Meadow Vale)

Dear Liz Arnold

As a Councillor for Rottingdean Coastal Ward I wish to object to the above planning application for the following reasons:

The proposed development site is located between three small rural villages, Rottingdean, Ovingdean and Woodingdean. Both Rottingdean and Ovingdean have been designated as Conservation Areas, defined as having special architectural or historic interest that should be preserved and enhanced

With the proposed development of a 100 houses this would set a precedent and the start of an urban sprawl with other sites near-by already identified by the developer.

In my view the infrastructure already under strain in the surrounding area, would be put under even more pressure with this development, Already we are seeing doctor surgery's unable to cope with the demand, dentist and school places would also be affected with many new families needing to access health and school services.

The Falmer Road, and the A259 are some of the busiest roads in the city, additional cars will create more traffic, and a serious bottle neck causing queues at the proposed entrance to the development in Ovingdean Road. Plus added pollution will reduce air quality for existing and new residents. Rottingdean High Street omission levels are already seriously higher than EU regulations.

There is a very poor bus services running through Woodingdean to Ovingdean and Rottingdean, and this development will add more pressure and cause even more frustration to existing and new residents..

I wish to reserve my right to speak at committee on this planning application.

Yours sincerely



Tel: (01273) 294370
B/berry: 07795 336 001
Email: mary.mears@brighton-hove.gov.uk

Conservative Member for Rottingdean Coastal Ward
Visit my blog pages at:
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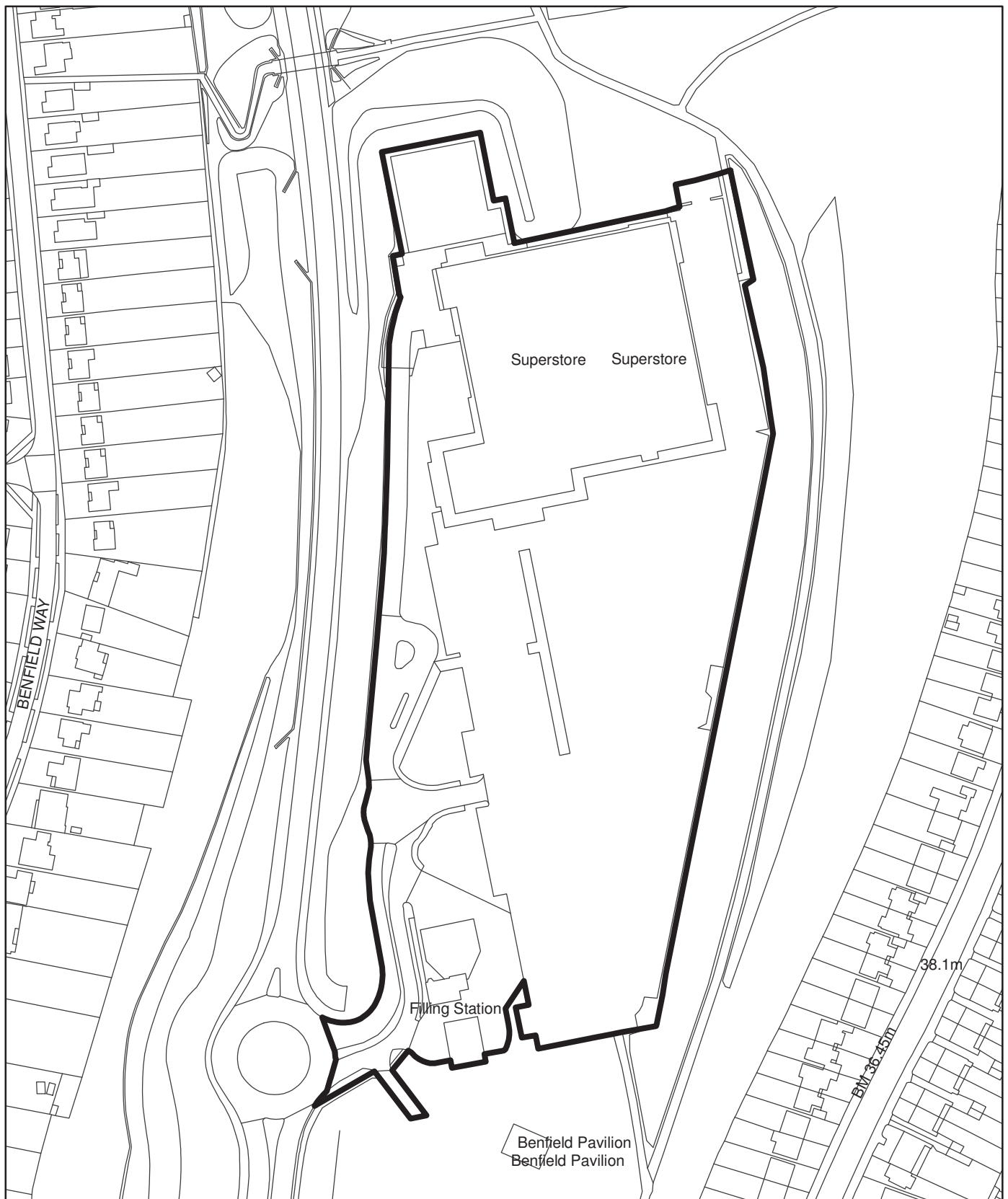
ITEM B

361-367 Old Shoreham Road, Hove

BH2014/03426
Full planning

28 JANUARY 2015

BH2014/03426 361-367 Old Shoreham Road, Hove



<u>No:</u>	BH2014/03426	<u>Ward:</u>	HANGLETON & KNOLL
<u>App Type:</u>	Full Planning		
<u>Address:</u>	361-367 Old Shoreham Road Hove		
<u>Proposal:</u>	Construction of a single storey front extension incorporating repositioned entrance lobby, demolition of the existing goods online building and replacement with an enlarged single storey side (west) extension, construction of a two storey (ground and mezzanine) rear/side (east) extension and installation of photovoltaic solar panels on the roof of the building. General alterations to the layout of customer car park including 16 extra new spaces and installation of new cycle stands. Demolition of the existing petrol station and construction of a new 18 pump facility with associated retail kiosk, car wash and improved access road layout.		
<u>Officer:</u>	Jason Hawkes Tel 292153	<u>Valid Date:</u>	03 November 2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	02 February 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	WYG, 100 St John Street, London, EC1M 4EH		
<u>Applicant:</u>	Sainsbury's Supermarkets Ltd, 33 Holborn, London, EC1N 2HT		

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 **MINDED 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 Sainsbury's retail store located to the east of the Hangleton Link Road north of Old Shoreham Road. The existing store occupies a 5.19ha site and comprises a retail store, customer car park, access roads and a petrol filling station. The building is single-storey with a large pitched roof which includes a number of gable ends with a flat roof behind. The building is at the north end of the site with its main entrance facing south over a large car park. The car park currently has a total of 530 spaces and is accessed via a roundabout from the Hangleton Link Road. The car park includes a glazed covered walkway and includes landscaped areas and lampposts. There is a recycling area at the south side of the car park.
- 2.2 A petrol filling station for the supermarket lies to the south east of the site adjacent the car park which includes a covered petrol pump area, a single-storey kiosk building and a car wash. The petrol filling station is accessed via a mini roundabout. The roundabout allows access to the petrol filling station, the customer car park and an access road along the west side of the site. The

access road leads to a bus turning circle and bus stop and to the west side of the store.

- 2.3 The site is surrounded by green areas which include mature trees to the north, south and west of the site. These areas separate the site from the residential properties to the west on Hangleton Road and from Hove Park Lower School to the north of the site. The site also bounds Benfield Valley Golf Course to the north and Portslade Cricket Club to the south.

3 RELEVANT HISTORY

This site has been the subject of a number of applications since 1991. The most recent planning history is listed below:

BH2013/03313: Erection of single storey standalone retail unit. Approved 21/11/2013.

BH2013/03312: Display of 3 no illuminated fascia signs and 3 no non-illuminated fascia signs to single storey standalone retail unit. Approved 21/11/2013.

BH2007/00788: Replace existing totem sign with a 7M high totem sign. Refused 19/04/2007.

BH2007/00764: Alterations to car park including 2 new covered trolley bays, relocating recycling area, alterations to kerb line to front entrance & landscaping. (Retrospective application). Approved 18/05/2007.

BH2007/00380: Relocation of existing entrance doors forming new enclosed lobby under existing canopy and new enclosed trolley storage under gable. Approved 23/03/2007.

BH2007/00378: Replacement & additional pole mounted, wall mounted & lamppost signs to car park area. Approved 26/03/2007.

BH2007/00374: Installation of 2 new covered trolley bays. Approved 21/03/2007.

BH2007/00360: Replacement internally illuminated Totem sign adjacent entrance. Approved 26/03/2007.

BH2007/00345: Replacement fascia signs with internally illuminated letters 'welcome wall' panel & ATM signage. Approved 02/04/2007.

BH2006/04304: Replacement internally illuminated canopy signs, externally illuminated fascia sign & various non-illuminated signs. Approved 13/03/2007.

Permission was granted for the construction of a retail store along with a petrol station and ancillary facilities including access roads, service yards, car parking and landscaping in June 1991 under applications refs: **3/90/0077** and **3/90/0078**.

4 THE APPLICATION

- 4.1 Planning permission is sought for extensions and alterations to the existing retail store which comprise the following:
- A front extension single-storey extension for a replacement checkout and sales area.

- The demolition of the existing goods on-line extension to the side (west) of the building and the construction of a replacement single-storey extension to form a replacement goods on-line building and restaurant.
- Construction of a two-storey extension to the north east elevation of the building to form a staff area, warehouse and sales area.
- Construction of a replacement entrance lobby to the front elevation.
- Demolition of existing external Timpsons concession pod.
- Alterations to car park layout, access and circulation.
- Construction of a replacement petrol filling station and car wash facilities.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours: One (1)** representation has been received from **Portslade Cricket Club** with the following objection:

- The ground is used every day from the middle of April to early September and access to the club is required at all times. The major impact of the development will be the repositioned car wash. The car wash could be in danger of being hit by cricket balls resulting in damage or injury. The cricket club request a 15m high fence to be erected to alleviate any potential damage.
- The proposal results in the loss of established trees and bushes. This will increase noise from the car wash which will be detrimental to the enjoyment of playing the game of cricket. The existing planting also acts as boundary for security purposes. The club request replacement planting to be introduced to act as a noise buffer.
- The red line on the plans does not appear accurate.
- A query is raised over possible funding of community activity for the improvement of the cricket club.

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

5.3 **East Sussex Fire and Rescue Service:** No objection. The service would recommend the installation of sprinkler systems.

5.4 **East Sussex Police:** No objection.

5.5 **Environment Agency:** No objection subject to the following:

- No development shall commence until a scheme to manage the pollution risks associated with the operations of the proposed petrol filling station have been submitted to and approved, in writing, by the local planning authority.

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

- The applicant is required to enter into a formal agreement with Southern Water for the connection to the public sewerage system.
- The application makes reference to Sustainable Urban Drainage Systems. It is critical that these systems are maintained in perpetuity.

- Areas used for vehicle washing should only be connected to the foul sewer after consultation with Southern Water. The applicant is advised to discuss the matter further with Southern Water's Trade Effluent Inspectors.

5.7 **UK Power Networks:** No objection.

Internal:

5.8 **Arboricultural Section:** No objection subject to a landscaping scheme.

5.9 **Economic Development:** No objection subject to a S106 agreement for the payment of £16,780 towards the Local Employment Scheme in accordance with the Developer Contributions Interim Guidance and the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during the construction phase.

5.10 **Ecologist:** No objection subject to recommended mitigation measures being implemented.

5.11 **Environmental Health:** No objection. The applicant shall be aware that if there are any changes to the fuel infrastructure, then the Environmental Health Section would need to be notified in terms of petrol vapour recovery and the petroleum officer at East Sussex Fire and Rescue.

5.12 **Planning Policy:** No objection. The proposal seeks to increase the sales area of the store by a modest amount as well as increasing other facilities in the store. It is considered that the proposal meet the sequential test as set out in the NPPF.

5.13 **Sustainability:** No objection subject to the following:

- Further details are required which indicate how the details set out in the application to reduce net annual CO2 emissions will be achieved. This could entail submission of evidence that the low and zero carbon technologies referred to in the application have been installed.
- Submission of rainwater feasibility study and implementation, if feasible.
- Evidence that the scheme involves the use of sustainable materials.

5.14 **Sustainable Transport:** No objection subject to the following:

- No development shall take place until a scheme setting out details of dropped kerbs and tactile paving at all crossing points within the site where a formal footpath is and details of level thresholds from all disabled bays has been submitted to and approved in writing by the Local Planning Authority.
- No development shall take place until a scheme setting out improvements to the existing bus stop within the site located to the west of the main car parking area has been submitted to and approved in writing by the Local Planning Authority. These works shall include the provision of accessible bus stop kerbs, Real Time Passenger Information signs, enhanced waiting facilities and improved pedestrian access to the floating island bus stop. No part of the building hereby approved shall be occupied until the

approved public transport works have been carried out in accordance with the approved scheme.

- The development hereby permitted shall not be commenced until details of a minimum of 22 secure cycle parking facilities for the workers 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.
- No development shall commence until full details of all directional and access road signage has 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 development hereby permitted and shall thereafter be retained for use at all times.
- The development hereby permitted shall not be commenced until details of electric vehicle charging points 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 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 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).

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.

- 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
TR4	Travel Plans
TR7	Safe development
TR14	Cycle access and parking
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD10	Shopfronts
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD18	Species protection
QD19	Greenways
QD20	Urban open space
QD27	Protection of Amenity
SR2	New retail development beyond the edge of existing established shopping centres
SR20	Protection of public and private outdoor recreation space

Supplementary Planning Guidance:

SPGBH4	Parking Standards
Interim Guidance on Developer Contributions	

Supplementary Planning Documents:

SPD02	Shop Front Design
SPD03	Construction & Demolition Waste

SPD06 Trees & Development Sites
SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development
CP4 Retail provision

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to whether the scheme meets the tests for out of centre retail development, design considerations, impact on amenity, traffic and highway considerations, landscaping, impact on trees, ecology and sustainability considerations.

Planning Policy:

8.2 Policy SR2 of the Brighton & Hove Local Plan relates to new retail development beyond the edge of existing established shopping centres. The policy states that applications for new retail development on sites away from the edge of existing defined shopping centres will only be permitted where:

- a. they meet the requirements of Policy SR1 (with the exception of clause (b); and where;
- b. the site has been identified in the local plan for retail development and a more suitable site cannot be found firstly, within an existing defined shopping centre; or secondly, on the edge of an existing defined shopping centre; or
- c. the development is intended to provide an outlying neighbourhood or a new housing development with a local retail outlet for which a need can be identified. Unless the site has been identified in the Local Plan, applications for new retail development away from the edge of existing established shopping centres will be required to demonstrate that there is a need for the development.

8.3 Policy CP4 of the City Plan, Part 1, sets out the retail hierarchy for the city and sets out that applications for all new edge and out of centre retail development will be required to address the tests set out in national policy. It is considered that policy CP4 will replace the current local plan policy SR2 and is more compliant with the requirements set out in the NPPF. Policy CP4 is therefore considered to carry more weight than policy SR2 in the consideration of this application.

8.4 The NPPF states 'Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.' (para 24)

8.5 Paragraph 26 goes on to state that 'when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally

set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m).’

- 8.6 The National Planning Policy Framework sets out two key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accordance with an up to date Local Plan – the sequential test and the impact test. The sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy).
- 8.7 This proposal would be classified as an out of centre proposal as it would not fall within one of the defined retail centres listed in the retail hierarchy. There are unresolved objections following the examination of the City Plan in October 2013 regarding the proposed locally set threshold of 1,000 sqm for a retail impact assessment, and as such in the absence of the Inspector’s Report the default position is the threshold of 2,500 sqm as set out in the NPPF paragraph 26.
- 8.8 It is understood that the proposal seeks to increase the sales area of the store by 262sqm along with improvements to warehousing, online shopping facilities, checkouts, lobby, changing rooms and toilets.
- 8.9 It has been stated by the applicant that the business model is to modernise and improve the existing foodstore facility. In agreement with the council the applicant has undertaken a sequential assessment in line with the NPPF paragraph 24. The NPPF sets out a checklist of considerations that should be taken into account in determining whether a proposal complies with the sequential test.
- 8.10 The applicant has assessed the availability of sites within the neighbouring retail centres of Boundary Road / Station Road District Centre, Mill Lane Local Centre and the Grenadier Local Centre and has determined that the entirety of the development could not be accommodated within these centres as stores within these centres range from approximately 50 to 350 sqm in size. (The approach by the applicant in assessing sites for the entirety of the development and not for the proposed extension amount has been agreed with council lawyers in light of recent high court judgements).
- 8.11 In conclusion it is considered that with respect to the applicant’s proposed business model to modernise and improve the existing foodstore facility and the fact that there is considered to be no suitable sequentially preferable locations, the sequential test is passed.

- 8.12 Policy CP4 of the City Plan is yet to be adopted and therefore the default position for the Retail Impact Test contained in the NPPF is the threshold of 2,500sqm. The scheme would result in an additional 2,068sqm of additional floor area (not including areas to be demolished) . The total amount of additional floorspace proposed is below the 2,500 sqm threshold set in the NPPF which means that an impact assessment under paragraph 26 is not required for this application.
- 8.13 The scheme includes the relocation of the existing Timpson's pod to inside the building. It is felt that the unit would be ancillary to the main supermarket, with customers and trips linked with the main / existing supermarket use of the site. The transfer of the Timpson's unit into the main part of the building is therefore considered appropriate.
- 8.14 It should also be noted that the proposal is for extensions to an existing store. The retail unit is an established use and it could be argued that any extensions to the building would not significantly result in an impact on local shopping centres.
- 8.15 Given the above, the scheme would not affect the vitality of local shopping centres and is deemed in accordance with policy SR2 of the Brighton & Hove Plan, policy CP4 of the forthcoming City Plan and the requirement for new retail development set out in the NPPF.

Design:

- 8.16 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 QD14 relates to extensions to buildings and requires extensions to be appropriately designed in relation to the building to be extended.
- 8.17 To the main building, the scheme proposes various extensions and alterations. The scheme proposes extensions to the front, side (west) facing and rear elevations. To the front elevation, an extension is proposed which will add up to 12.5m to the front elevation. The extension would largely replace an existing paved area and requires the removal of the existing Timpson's Pod and the relocation of disabled parking bays. The proposal is for a flat roofed extension with extensive glazing and in matching brickwork. The extension would include a canopy overhang with supports. The extension would be 4.5m high set below the main gable ended roof.
- 8.18 To the front elevation, the scheme also proposes the relocation of the main entrance to the store to a more central position. The new entrance would be glazed set under the proposed canopy. The scheme also includes alterations to the remaining part of the front elevation which comprise framed curtain wall glazing and matching brickwork.

- 8.19 A new individual letter sign is proposed above the new entrance lobby. This sign requires separate advertisement consent. An informative is recommended informing the applicant of this requirement.
- 8.20 To the rear north east elevation, a two-storey extension is proposed. The extension is proposed over a grassed area. This grassed area is an unused area within the ownership of the supermarket. Given that this grassed area is largely unused, no objection is raised to its loss. The proposed two-storey extension would be 25.5m x 19m with a height of 6.8m with a flat roof. The extension includes windows and is proposed in matching brickwork. This extension is proposed for staff facilities warehouse and sales area.
- 8.22 To the west elevation, an extension is proposed to the goods on-line section of store. This addition would replace the existing goods on-line building and would be 12.5m from the building. The extension would again be flat roofed and includes parking for delivery vans. This addition would be a continuation of the existing warehouse addition. The extension would match the height and finish of the existing addition in aluminium cladding. This extension faces onto a service road and would not be visible from the front of store.
- 8.23 The proposal includes the installation of photovoltaic solar panels on the roof of the building. The solar panels are proposed to the flat roofs of the side and rear extension proposed and also to the main roof of the building. The solar panels are extensive but they have been placed in positions where they would not be readily visible on the building.
- 8.24 Overall, the extensions to the building are considered to be appropriate. The extensions and alterations have been sympathetically designed and would respect the appearance of the building. The rear extension proposed would not match the pitched roofed design of the building with its two-storey flat roof. However, the extension is in a secluded position at the rear surrounded by trees. In this position, the two-storey extension would not significantly detract from the appearance of the building or surrounding area and would not stand out as an inappropriate addition. The scheme is considered to accord with the requirements of policy QD14.
- 8.25 The scheme includes alterations to the layout of the supermarket car park and access roads. This includes a rearrangement of the car park layout with disabled parking bays relocated and replacement landscaping. The proposal indicates the retention of the substantial covered walkway in its central position. The proposal involves relocating the recycle area from the rear of the site to the east side of the car park. The alterations to the car parking arrangement are deemed appropriate and would not significantly affect the appearance of the site.
- 8.26 Finally, the scheme includes a replacement petrol station and car wash. The petrol station would remain in its existing position in the south west corner of the site near the junction with the Hangleton Link Road. The scheme proposes a new single-storey kiosk, canopy and jet wash. The replacement kiosk would be a square structure finished in grey aluminium cladding. The proposed car wash

building would be a glazed structure set at the rear of the site adjacent trees. The replacement petrol filling station is of a similar modern design to the existing and is considered appropriate in this location.

8.27 The site abounds a Greenways route to the west which includes a number of mature trees. The scheme would not affect the Greenways route. The scheme does involve new landscaping within the site and the removal of some existing trees. The Council's Arboricultural Section has stated no objection to the proposal subject to a comprehensive landscape scheme with details of hard landscaping, planting plans, schedules of plants, plant sizes and proposed numbers. These details are to be secured by condition and would help preserve the appearance of the site. An additional condition is recommended requiring details of how existing trees to be retained on site are to be protected during works.

8.28 Having regard to the above, the scheme is considered appropriate in respect of its design and appearance and is in accordance with policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan.

Impact on Amenity:

8.29 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.

8.30 In respect of impact on residential amenity the scheme is considered appropriate. The supermarket is mostly surrounded by trees which screen the site from view from adjacent houses and from the school to the north. The nearest residential properties lie to the east of the site on Hangleton Way. These houses are set a significant distance away from the site and are separate from the store by banks of mature trees. Given the distance and screening, these houses would not be significantly affected by the proposal.

8.31 Portslade Cricket Club has raised an objection to the scheme on the grounds that the proposed car wash would have a detrimental impact on the enjoyment of the cricket ground. The proposed car wash would be closer to the boundary when compared to the existing. The proposed car wash would still be screened by existing landscaping and would be over 25m from the cricket pavilion. The applicants have stated that car wash would be to the latest specifications to control noise emission. Given the screening and distance from the cricket ground, the proposed car wash would not have a detrimental impact on the amenity or enjoyment of the cricket ground.

Environmental Considerations:

8.32 The proposal includes a replacement petrol filling station which includes relocated petrol pumps. The Council's Environmental Health team have raised no objection to the proposal subject to the applicant being aware that any change to the fuel infrastructure would require the need to be notify the Environmental Health Team and petroleum officer at East Sussex Fire and Rescue. This is in respect of petrol vapour recovery.

- 8.33 The Environment Agency has also commented that permission can be granted subject to a condition stating that no development shall commence until a scheme to manage the pollution risks associated with the operations of the proposed petrol filling station have been submitted to and approved, in writing, by the local planning authority. The scheme shall include and address the following components:
- A Feasibility Assessment is to be submitted that addresses the design and risks related to the storage.
 - Details of the tanks design and infrastructure.
 - Details of fuel delivery pipework.
 - Drainage details for the forecourt and drainage within the tanker off loading area.
 - Information relating to the proposed third party leak detection system.
 - A site specific staff training manual that explains to site staff specific environmental risks associated with the petrol filling station, and actions to be taken in the event of an incident.
- 8.34 The above condition would ensure that applicants provide adequate information to demonstrate that the risks posed by development to groundwater can be satisfactorily managed.

Sustainable Transport:

- 8.35 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.
- 8.36 In respect of pedestrian & mobility impaired access, pedestrian access is broadly along the same routes as the existing layout. The Sustainable Transport Manager has commented that the use of zebra crossings within the site is welcomed to provide increased pedestrian priority. It is not apparent from the submission whether dropped kerbs and tactile paving are to be provided at necessary crossing points. The Sustainable Transport Manager would look for dropped kerbs and tactile paving to be provided at all crossing points where a formal footpath is provided. Further details of internal site footpaths and dropped kerbs/tactile paving can be secured via condition. The Sustainable Transport Manager has commented that there should also be a level threshold from the end of all clear zones around disabled bays as is currently the case.
- 8.37 SPG04 states that a minimum of 1 cycle parking space is required per 550m² of gross floor space. Therefore for this development of 10,798m² the minimum cycle parking standard is 22 spaces.
- 8.38 In order to be in line with Policy TR14 of the Brighton & Hove Local Plan 2005 cycle parking must be secure, convenient, well lit, well signed and wherever practical, sheltered. The Sustainable Transport Manager preference is for the use of Sheffield type stands spaced in line with the guidance contained within the Manual for Streets section 8.2.22.

- 8.39 The Sustainable Transport Manager has commented that the existing cycle parking spaces are not deemed to meet guidance on cycle parking. The stands are located too close to the wall which makes it difficult for users to easily secure a bike by the frame and both wheels. The stands are also too long which again make it difficult to store a bike by both wheels and the frame. Therefore the Sustainable Transport Manager would look for new policy compliant cycle parking to be provided in the form of covered Sheffield stands in line with the guidance in the Manual for Streets section 8.2.22. It would also be beneficial if separate staff cycle parking is provided. There is plenty of space on-site to provide cycle parking therefore further details can be secured via condition. The creation of usable, convenient and secure cycle parking is also in the operator's interest as it reduces the likelihood of fly cycle parking which can cause clutter and obstruct customer movements. A condition is therefore recommended requiring the submission of further details of cycle parking.
- 8.40 SPG04 states that the minimum standard for disabled parking for an A1 food store use is 1 space plus 1 space per 1000m². Therefore for this development of 10,653m² the minimum disabled car parking standard is 12 spaces.
- 8.41 The applicant is proposing 29 relocated spaces for disabled people which is deemed acceptable and in line with the Department for Transport guidance in Traffic Advisory Leaflet 5/95 Parking for Disabled People. Therefore the number of disabled car parking spaces is deemed acceptable.
- 8.42 All the disabled bays are designed with a 1.2m clear zone to the rear and both sides which is also appropriate. The applicant should also provide a level threshold from the clear zone to the adjacent pavement to ensure people in wheelchairs can access the footpath to the store. Further details could be secured via condition.
- 8.43 The applicant is intending to retain the existing servicing arrangements from the service yard located to the north of the store. The applicant has provided a swept path analysis of an oil tanker and a recycling collection vehicle. All vehicles can safely access the site within a forward gear and then leave the site. No objections to the proposed servicing arrangements which are deemed appropriate.
- 8.44 Vehicular access to the store is retained as per the existing arrangements from the existing site access roundabout on the A293 Hangleton Link Road. The Sustainable Transport Manager has no objections to this.
- 8.45 The applicant is proposing some realignment to the service road within the site, to provide an enhanced access arrangement to the petrol station. All these highway works are on land in the applicants control and do not encroach onto the adopted highway.
- 8.46 Turning to car parking standards, SPG04 states that the maximum car parking standard for an A1 major food store outside a CPZ is 12 spaces per 100m². For this development of 10,798m² the maximum car parking standard is 1296 spaces. The applicant is proposing to increase the number of spaces from 530

to 546. Currently there are 530 total car parking spaces of which 39 spaces are for disabled users, 35 spaces are for parent and child. While the applicant is proposing 546 total car parking spaces of which 29 spaces are for disabled users, 29 spaces are for parent and child and 10 electric vehicle charging points are proposed. The applicant is also providing a point for motorcycle parking. The Sustainable Transport Manager would look for further details of an appropriate locking point for the motorcycle parking spaces.

- 8.47 The applicant has undertaken a parking assessment by using a parking accumulation survey undertaken in September/October 2011. The results of this survey have been factored up to take account of the forecast 4.5% increase in customer transactions as a result of these proposals. The applicant has forecast that the peak periods for parking accumulation are:
- Friday 12 – 13 411 spaces parked / 119 spare capacity
 - Saturday 12 - 13 426 spaces parked / 104 spare capacity
- 8.48 Even with the forecast additional traffic there are 116 spare car parking spaces on a Friday peak and 101 on a Saturday peak. No objection is raised to the overall car parking provision of 546 spaces which adequately accommodates parking demand for the supermarket.
- 8.49 The Sainsburys store is relatively well served by public transport, with several services operated by both Brighton & Hove Buses and Compass Travel operating services which serve the site. The nearest bus stop to the store is within the site to the west of the main car parking area.
- 8.50 The facilities at this bus stop are currently lacking, with there being only a dated bus shelter. The Sustainable Transport Manager would look for the applicant to renew the facilities at this bus stop and provide the following:
- Accessible bus stop kerb at both bus stops – to ensure all members of society can easily board and alight the buses.
 - Real Time Passenger Information (RTPI) Sign – a RTPI should be provided to ensure passengers waiting for services are well informed.
 - Enhanced waiting facilities – enhanced waiting facilities should be provided.
 - Enhanced pedestrian access to bus stops – the pedestrian access to the floating bus stop island is poor. The kerbs are all at full height and it would be extremely difficult for someone with mobility issues to access this bus stop. Therefore, appropriate dropped kerbs and tactile paving should be provided to ensure there is convenient and safe access to both bus stops.
- 8.51 While it is acknowledged that the a car will be needed for bulky food shopping trips there is significant scope to encourage some trips to be made by sustainable modes and bus public transport forms a realistic potential at this site. All these improvements are necessary to ensure that bus public transport is a viable option for all members of society irrespective of their mobility. This development should have the necessary infrastructure to enable and promote bus public transport trips to and from the site.
- 8.52 The National Planning Policy Framework (NPPF) supports the need for development to have access to high quality public transport. The NPPF states:

- 8.53 “Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes can be maximised.”
- 8.54 “...developments should be located and designed where practical to: ... give priority to pedestrian and cycle movements, and have access to high quality public transport facilities...consider the needs of people with disabilities by all modes of transport.”
- 8.55 Therefore the Highway Authority would recommend that the need to provide enhanced public transport provision is secured via condition.
- 8.56 The proposals are for an extension to provide a store of 10,653m² gross internal area with an 18 pump petrol station. The applicant has forecast that the proposed increase in trips is likely to be:

No. of Trips	Arrivals	Departures	Total
Friday PM Peak	21	22	43
Saturday PM Peak	25	23	48

- 8.57 The applicant has also assumed that 30% of the new trips will already be on the transport network (pass by trips). This further reduces the number of new trips likely to be attracted to the site. There is forecast to be approximately 30 additional new trips in the Friday and Saturday peak hour.
- 8.58 In light of the nature of the proposals the Highway Authority would not seek a S106 contribution in this instance but would seek the highlighted improvements to be secured via condition as outlined above.
- 8.59 Subject to appropriate conditions, the scheme will not result in an unacceptable demand on traffic or parking in the area.

Ecology and Sustainability:

- 8.60 Local Plan 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. City Plan Policy CP8 also seeks that development incorporates sustainable design features to avoid expansion of the city's ecological footprint, help deliver the principles of the One Planet approach, radical reductions in greenhouse gas emissions, particularly CO₂ emissions, and mitigate against and adapt to climate change.
- 8.61 Under supplementary planning document SPD08 and City Plan policy CP8 major new built development is expected to achieve BREEAM, and extensions to existing buildings are expected to make improvements in order to prevent additional net annual carbon emissions for the existing and proposed development.

- 8.62 It is considered that the standalone new build element, the petrol station, is not suitable for a BREEAM assessment, as this type of development has not been assessed in the UK under BREEAM, and because the conditioned area (heated, cooled, lit indoor space) of the kiosk is an area that would fall below the threshold that might trigger a BREEAM assessment under SPD08. For retail this would be 151sq/m, whereas the proposed petrol station kiosk is around 100m².
- 8.63 The extension to the existing building is delivered over several different areas of the building, the southern façade, the west corner and the northeast corner. For this reason a new build BREEAM assessment may not be appropriate as a means of assessment for these new build extensions out of the existing store.
- 8.64 The applicant has aimed to meet the SPD08 recommended approach to deliver enhancements to the existing store so that when taking into consideration the extended elements of the store, the overall energy use and resulting carbon emissions will not be increased. Modelling of energy performance indicates that the improvements will go beyond preventing increased carbon emissions, and are modelled to achieve annual reductions of 400tonnes CO₂ a year. The Council's Sustainability Officer has commented that this is welcomed, although it must be acknowledged that the supermarket currently has a very large carbon footprint of 2,380tonnes CO₂ annually.
- 8.65 A Renewable Energy and Energy Efficiency Assessment has been submitted with the application. The assessment sets out current and future modelled energy use and carbon emissions, and sets out a wide range of energy efficiency measures and the proposed renewable technologies that will be incorporated into the proposed scheme. These are considered to meet local policy requirements in relation to energy efficiency, renewables and carbon emissions.
- 8.66 The Council's Sustainability Officer has commented that the application has responded well to planning policy in its approach to energy efficiency, carbon reduction, and use of renewable technologies. The following energy efficiency measures are proposed include the following:
- Replacement LED luminaires lighting in the existing sales area, car park, ambient, frozen case, cold room and display lighting;
 - Excellent building air tightness rates in extensions;
 - Daylight linked dimming control systems to the main sales area and staff facilities area lighting;
 - Night time / out of hours lighting levels reduced to 20% in lieu of 30%;
 - Bakery equipment sourced in agreement with DEFRA;
 - Cold air is removed from the chilled aisles and utilised to cool certain areas of the store specifically the checkout and GM areas of sales floor;
 - Induction type extract canopies to the bakery, prep rooms, staff and customer kitchens optimise fresh air intake;
 - Inverter drives on HVAC plant, with economy settings; weir screens on refrigeration to improve efficiency;
 - Use of night blinds on sales area refrigerated cabinets;

- A full store Building Management System (BMS) that pre authorises all use of energy in the building removing the chance of human error and a comprehensive building control strategy reflecting different building usages throughout the day;
 - Web-based sub-metering on all major energy loads to manage usage and future maintenance.
- 8.67 The low and zero carbon energy technologies proposed with the application include:
- On-site CHP installation to provide the total electricity, heating and hot water requirements of the store;
 - Air Source Heat Pumps provided to the Customer Restaurant and colleague areas;
 - and a 150kWp PV installation on the store roof which will provide 130,500 kWh per annum equivalent to 3% of the anticipated total energy demand of the extended store.
- 8.68 In addition to the energy efficiency measures and technologies referred to above, which in themselves fully address local policy, the documents refer to the intention to further reduce CO2 emissions through offsite solutions. This forms part of an aspiration that the extended store having zero carbon emissions from all operational energy.
- 8.69 It is very much welcomed that Sainsbury's intend to take steps to reduce their operational energy use to zero emissions. However, this would go far beyond recommended sustainability standards and the means of achieving this will not be through measures that can be secured through the planning system.
- 8.70 In addition to measures referred to above, a rainwater harvesting system to flush public and staff toilets is referred to that will be subject to further appraisal during detailed design phase.
- 8.71 Brighton & Hove Local Plan policy SU13 requires the minimisation and re-use of construction waste. Further detail of the information required to address this policy is set out in SPD03 Construction and Demolition Waste. The applicant has submitted a waste minimisation statement. SPD03 requires the submission of a waste management plan for a scheme of this scale. Conditions requiring the submission of a plan is submitted.
- 8.72 In respect of ecology, the County Ecologist has commented that, given the nature and scale of the proposed works, it is unlikely that there will be any significant impact on ecology in the area and that the site is of a relatively low ecological value. The Ecologist welcomes the measures to replace landscaping and trees within the site.

9 CONCLUSION

- 9.1 The development is of an appropriate scale, bulk and design and is appropriate in the context of the existing building and surrounding area. The development would not cause significant harm to neighbouring amenity and is also

appropriate in terms of highway safety, landscaping and sustainability. The proposal is also appropriate in respect of its impact on the vitality of local shopping centres.

10 EQUALITIES

10.1 The scheme would allow suitable access for people with disabilities.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 Section 106 agreement to secure:

- A contribution of £16,780 towards the Local Employment Scheme and the provision of an Employment and Training Strategy with the developer committing to using 20% local employment during the construction phase.

and subject to the following Conditions and Informatives:

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
Site Location Plan	PL01		10 th October 2014
Existing Site Plan	PL02		10 th October 2014
Existing Store Plan	PL03		10 th October 2014
Existing Roof Plan	PL04		10 th October 2014
Existing Elevations	PL05	A	10 th October 2014
Proposed Site Plan	PL06		10 th October 2014
Proposed Store Plan	PL07		10 th October 2014
Proposed Elevations	PL09	A	3 rd November 2014
Existing Elevations Petrol Filling Station	PL10		3 rd November 2014
Proposed Elevations Petrol Filling Station	PL11		3 rd November 2014
Proposed Elevations Petrol Filling Station	PL11A		16 th December 2014

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Proposed Roof Plan with PV Panels	PL12		31 st October 2014
Site Survey Plan (Car Park)	24439	A	10 th October 2014
Site Survey Plan (Building)	24439	A	
Tree Survey Plan	1155-01		10 th October 2014
Tree Removal, Retention & Protection Plan	1155-03		10 th October 2014
Outline Landscape Proposals	1155-04		10 th October 2014
Tree Pit Detail	1155-05		31 st October 2014
Detailed Landscape Proposals	1155-06		10 th October 2014

- 3) 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.

- 4) The development hereby permitted shall implemented in accordance with the sustainability measures detailed within the Design and Access statement and Renewable Energy & Energy Efficiency Assessment received on the 31st October 2014, 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.

11.3 Pre-Commencement Conditions:

- 5) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping. The scheme shall include the following:
- a. details of all hard surfacing;
 - b. details of all boundary treatments;
 - c. details of all proposed planting, including numbers and species of plant, and details of size and planting method of any trees.

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

- 6) No development shall commence until a scheme to manage the pollution risks associated with the operations of the proposed petrol filling station have been submitted to and approved, in writing, by the local planning authority. The scheme shall include and address the following components:
- a. Feasibility Assessment is to be submitted that addresses the design and risks related to the storage.
 - b. Details of the tanks design and infrastructure.
 - c. Details of fuel delivery pipework.
 - d. Drainage details for the forecourt and drainage within the tanker off loading area.
 - e. Information relating to the proposed third party leak detection system.
 - f. A site specific staff training manual that explains to site staff specific environmental risks associated with the petrol filling station, and actions to be taken in the event of an incident.

Reason: To protect the underlying groundwater from potential pollution in accordance with policies SU5 and SU11 of the Brighton & Hove Local Plan.

- 7) No development shall commence until an Arboricultural Method Statement for the protection of trees to be retained and adjoining the site has been erected in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. Any 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.

- 8) 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.

- 9) No development shall take place until a scheme setting out details of dropped kerbs and tactile paving at all crossing points within the site where a formal footpath is and details of level thresholds from all disabled bays has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure safe and convenient access if provided for all pedestrians to and through the site and to comply with Local Plan policies TR1, TR7 and TR8.

- 10) The development hereby permitted shall not be commenced until further details of cycle parking facilities for the workers 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) No development shall commence until full details of all directional and access road signage has 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 development hereby permitted and shall thereafter be retained for use at all times.

Reason: To improve access to the site and ensure safe access for all users entering and exiting the site and to comply with policy TR7 or the Brighton & Hove Local Plan.

- 12) The development hereby permitted shall not be commenced until details of electric vehicle charging points 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 occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To encourage travel by more sustainable means and to comply with policy TR1 and SU2 of the Brighton & Hove Local Plan.

- 13) No development shall take place until a scheme setting out improvements to the existing bus stop within the site located to the west of the main car parking area has been submitted to and approved in writing by the Local Planning Authority. These works shall include the provision of accessible bus stop kerbs, Real Time Passenger Information signs, enhanced waiting facilities and improved pedestrian access to the floating island bus stop. No part of the building hereby approved shall be occupied until the approved public transport works have been carried out in accordance with the approved scheme.

Reason: To ensure that suitable public transport provision and access to these services is provided for all and to comply with policies TR1 of the Brighton & Hove Local Plan.

- 14) The development hereby permitted shall not be commenced until details of secure motor 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 motorcycles are provided and to comply with policy TR1 of the Brighton & Hove Local Plan.

- 15) No development shall take place until samples of the following 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:

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- a. samples of brick, render and tiling (including details of the colour of render/paintwork to be used)
 - b. samples of all cladding to be used, including details of their treatment to protect against weathering
 - c. samples of all hard surfacing materials
 - d. samples of the proposed window and door treatments
- 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.

11.4 Pre-Occupation Conditions:

- 16) Within 3 months of completion 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 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 development is of an appropriate scale, bulk and design and is appropriate in the context of the existing building and surrounding area. The development would not cause significant harm to neighbouring amenity and is also appropriate in terms of highway safety, landscaping and sustainability. The proposal is also appropriate in respect of its impact on the vitality and viability of local shopping centres.
3. The applicant is advised that an agreement with Southern Water, prior to commencement of the development, the measures to be undertaken to divert/protect the public water supply main. The application makes reference to Sustainable Urban Drainage Systems. Southern Water have

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commented that it is critical that these systems are maintained in perpetuity. Areas used for vehicle washing should only be connected to the foul sewer after consultation with Southern Water. The applicant is advised to discuss the matter further with Southern Water's Trade Effluent Inspectors.

4. 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.
5. The proposal includes a replacement petrol filling station which includes relocated petrol pumps. The Council's Environmental Health team have commented that any change to the fuel infrastructure would require the notification of the Environmental Health Team and petroleum officer at East Sussex Fire and Rescue. This is in respect of petrol vapour recovery.
6. The applicant is advised that advertisement consent is required for the signs indicated on the plans.
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:
 - (i) Promote and enable increased use 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 for staff:
 - (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 to act as Travel Plan Co-ordinator, and to become the individual contact for the Local Planning Authority relating to the Travel Plan.

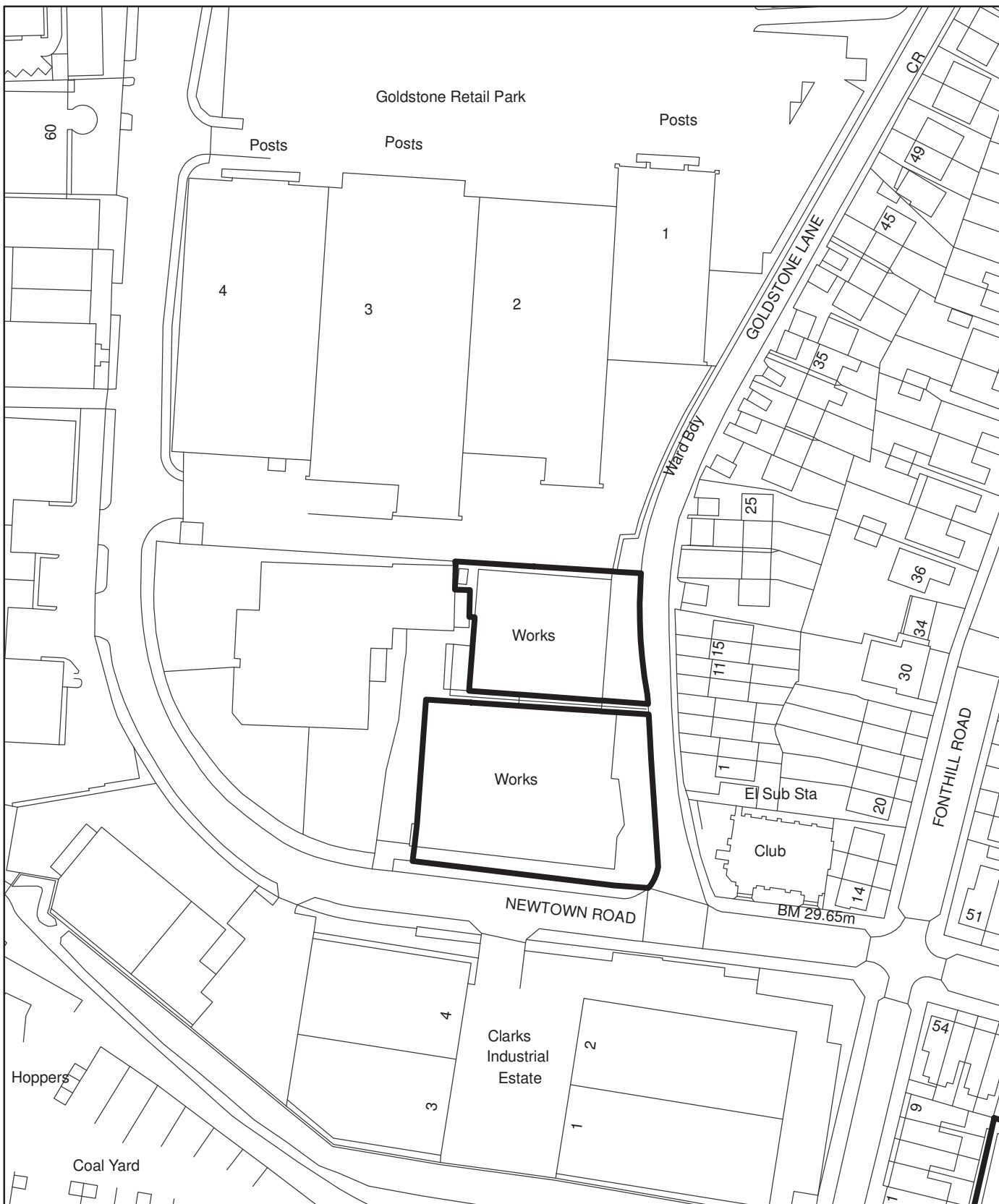
ITEM C

**70 and site of Chrome Productions Limited,
Goldstone Lane, Hove**

**BH2014/03605
Full planning**

28 JANUARY 2015

BH2014/03605 70 and site of Chrome Productions Limited, Goldstone Lane, Hove



<u>No:</u>	BH2014/03605	<u>Ward:</u>	HOVE PARK
<u>App Type:</u>	Full Planning		
<u>Address:</u>	70 and Site of Chrome Productions Limited Goldstone Lane		
<u>Proposal:</u>	Demolition of existing buildings and redevelopment of site including construction of new part 4no, part 5no and part 6no storey building providing office space (B1) at ground floor level and 59no self contained apartments (C3), incorporating creation of basement car park to provide 41no car parking spaces. Erection of 6no three storey terraced dwelling houses (C3) incorporating provision of 2no car parking spaces per dwelling, landscaping and other associated works.		
<u>Officer:</u>	Mick Anson Tel 292354	<u>Valid Date:</u>	04/11/2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	03 February 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis and Co Planning SE Ltd, 2 Port Hall Road Brighton BN1 5PD		
<u>Applicant:</u>	Hyde Newbuild, C/O Lewis & Co Planning 2 Port Hall Road Brighton BN1 5PD		

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

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site comprises two industrial buildings which front Goldstone Lane on its west side. No.70 is sited at the corner of Goldstone Lane and Newtown Road whilst the building occupied by Techniform is adjacent to the north. The two plots are separated by a narrow access path which provides a right of way to the land at the rear and is not included within the red line of the application site. The proposals are considered to constitute one single application.
- 2.2 No 70 comprises a derelict part two and three storey Class B2 industrial brick built building last used for chrome plating until 2008. The three storey brick built part is linked internally to a single storey portal framed gable fronted industrial building on its north side. Both buildings were in use by the same business. The CPL building is a single storey portal framed building which has a small mezzanine floor for storage. The building has a double gable frontage and the premises have permitted use as B1 business premises and are partly occupied

as offices. The area at the back of the building was used for the manufacturing and moulding of plastic products.

- 2.3 The north boundary of the application site adjoins the rear of the Goldstone Retail Park in particular the delivery access, loading and storage areas behind the large format retail units. To the rear of the site (west) is a car showroom and outdoor vehicle sales display area.
- 2.4 On the opposite (east) side of the site on Goldstone Lane are a terrace of 3 storey mid 20th Century terrace houses with front gardens and driveways. At the opposite corner of Goldstone Lane and Newtown Road is St Agnes Church.

On the opposite (south) side of Newtown Road are two single storey industrial buildings with a large open car parking and servicing area in between.

3 RELEVANT HISTORY

BH2010/03937

Corner of Newtown Road and Goldstone Lane
Temporary part change of use for a period of 10 years from General Industrial (B2) to climbing wall centre (D2) Approved 10.03.11

BH2009/00537

Tecni-Form Ltd Goldstone Lane
Temporary change of use from light industry (B1) to indoor sport centre (D2) for a period of 3 years. Approved 30.09.09

BH2004/02582/FP

Corner of Newtown Road and Goldstone Lane Unit 56 Newtown Road Hove
2 No. 4 storey blocks of freehold offices (11 in total) with underground car park. Approved 15.11.04

BH2004/02295/FP

Corner of Newtown Road and Goldstone Lane, Unit 56 Newtown Road Hove
Storey blocks of freehold offices (12 in total). Withdrawn 20.08.04

BH2002/00853/FP

Corner of Newtown Road and Goldstone Lane Hove
Demolition of existing factory. Erection of new building for retail use. Refused 31.05.2002

4 THE APPLICATION

- 4.1 Planning permission is sought for the demolition of two existing industrial buildings and the redevelopment of site to provide two buildings. The largest building (Block A for reference purposes) would be a part four, five and six storey building to provide 59 self contained apartments. Included in the ground

floor would be a B1 office of 119 sq metres floorspace. The building would have 41 basement car parking spaces.

The second building (Block B for reference purposes) would comprise 6no. three storey 3 bedroom terraced dwelling houses. Each dwelling would have double length parking spaces in a landscaped front garden and its own rear garden. 40% of the dwelling units would be affordable units.

Block A

- 4.2 Block A would have a T-shaped footprint with the longest elevation facing south and part of the east elevation set back from the forward most part of this elevation. Access to the underground car parking to Block A would be from Goldstone Lane at the north end of the building. The basement would accommodate 41 parking spaces including 4 disabled bays for residential occupiers of the flats. There would also be 108 secure cycle parking spaces in the basement.
- 4.3 The main entrance to the flats would be set back 14.5 metres from Goldstone Lane in a corner of the building. A new 1.6m wide footway is proposed on this side of Goldstone Lane within the site boundary. Adjacent to the entrance would be the refuse and recycling store. The east elevation of the building would be 6 storeys with a step down at the northern end to 5 and 4 storeys. The south elevation would also have set back of 4.5m from Goldstone Lane at the corner of Newtown Road. Due to the topography, the south elevation would be between 18.3m and 19.7m above the back edge of the footway on Newtown Road. The south, west and east elevations would have balconies to the flats above ground floor level whilst ground floor flats would have private patios. There would be a square shaped communal landscaped garden at the rear in the North West corner measuring 232 sq metres.
- 4.4 The main elevations would be in a smooth facing brick with the top (6th) floor in light grey vertical cladding. Windows and doors would be aluminium. Balconies would be concrete with glass balustrades. The top floor would be set back 1.5m from the main elevations to allow a narrow terrace of 1.2m around the edges whilst two flats on the north side would have larger roof terraces of 3.5m depth. The roof would have photovoltaics across its full extent (138 in total).

Block B

- 4.5 Block B which comprises the terrace of 6 dwellings is separated from Block A by 2.5 metres. Adjacent to Block A is an external emergency exit and adjacent to Block B is a right of way 2.5 metres wide which is not part of the application site escape route would be closed off by gates but the right of way is currently open.
- 4.6 The dwellings would be three storey in height with the top floor set back 1.2 metres to provide a terraced amenity space to each of the top floor flats. The elevations would be a plain vertical profile in brick. The ground and first floors would be faced in a red brick with a blue brick mullion between the windows. The top floor would be in light grey cladding. All of the windows would be aluminium and the balustrades in glass. The front part of the roof would be a flat

roof with 4 no. photovoltaic panels on it. The rear part of the roof would be a sloping mono-pitch down to the rear elevation.

- 4.7 The main living areas would be on the ground floor with 2 bedrooms and a bathroom on the first floor and another bedroom on the top floor with an en-suite bathroom.
- 4.8 The dwellings would be set back between 12.4 and 15.6m from the proposed dwelling boundaries with a garden strip and a double length hardstanding for car parking at the front. To the rear each dwelling would have a garden of at least 14 metres in length with the northern most dwelling having a garden of 19 metres in length. The proposed new footway would continue on this west side of Goldstone Lane within the application site where none currently exists.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: 1** letters of representation have been received from **9 Goldstone Lane**; objecting to the application for the following reasons:
Concern about the size and height of the proposed flats. The church is an inappropriate marker for height in the local area. Concerned that not all of the flats would have a parking space close to an area without controlled parking. Concern that entrance to underground parking for 41 spaces is on Goldstone Lane which is very narrow and would result in traffic congestion. Entrance to parking should be on Newtown Road.
- 5.2 Following re-consultation of amended description of development:
1 letter of representation from **20 Fonthill Road** objecting to loss of sunlight to back garden due to tower block. Support redevelopment of site in principal. Recorded concerns at the pre-application public preview but comments not recorded in submitted documents.
- 5.3 **Hove Civic Society**
Generally support the comments by the Hove Station Neighbourhood Forum. Development has much to commend it but a number of key changes would make the development substantially better.
Building should make better use of the site. Suggest that the building line on Goldstone Lane should be brought forward to form an L-shape surrounding a landscaped area subject to overlooking criteria. B1 offices should be sited in place of terraced houses to comply with policy allocation in DA6. The development of the site should be seen in the context of the whole of the DA6 development area.
Concern about the cumulative impact of traffic generated by this and future developments in the area and consider that the development should be car free.
- 5.4 **Hove Station Neighbourhood Forum**
Proposed development is within the Hove Station Neighbourhood Forum Plan Area designated by the Brighton and Hove City Council Economic Development Committee on 18th September 2014 to prepare the Hove Station

Neighbourhood Plan. The Forum welcome the site being brought forward for development and welcomes the dwelling mix, the commitment to Code for Sustainable Homes Level 4 designed to Lifetime Homes Standards. Significant concerns about the very small proportion of floorspace for employment on this allocated site for employment led development within the City Plan policy DA6 area. The development is clearly in conflict with policy DA6 and if implemented, the remainder of the DA6 area would need to be developed exclusively for employment to provide the balance sought by policy. An office building could be provided on Goldstone Lane frontage.

5.5 Concerns raised about the design of development such inefficient use of Goldstone Lane frontage and need to establish a building line here. Reduce overshadowing to the rear, need to step building heights on Newtown Road to provide more imaginative and visually attractive frontage. Retention of footpath is opposed as anti-social behaviour is already a problem here. This will create indefensible space, the antithesis of designing out crime. Concern that affordable housing would not include affordable rented units. Concern about the uncoordinated redevelopment of the DA6 area. Not opposed to high density development but must provide community infrastructure. Concern about increase in traffic flows. The Neighbourhood Plan would have an aspiration to reduce car use in the area. This proposal would undermine this.

5.6 Process of Community Engagement has been very limited. The Forum objects to the proposals but would be willing to engage with the applicant and the LPA to establish an innovative design collaboration process to deliver a car free mixed use scheme to establish a 'flagship' project for the DA6 area.

5.7 **East Sussex Fire and Rescue Service**

No comments

Following re-consultation: Comment: The deposited plans do not appear to indicate satisfactory access for fire fighting purposes as required by the Building Regulations with regard to proximity to pump appliances for vehicles for the flats. Information on sprinkler systems is available by reference to BS 9251 and BS EN 12845.

5.8 **Environment Agency**

Consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application. Standard conditions requested related to dealing with contamination of the site and verification report of action taken. Discovery condition for unforeseen material to be dealt with. No infiltration of surface water drainage and no piling using penetrative methods without consent of the Planning Authority.

5.9 **Southern Water Comment**

Should this application receive approval request that standard conditions and informatives be applied.

5.10 **Sussex Police Support**

In general term supports the proposed development and would encourage the applicants to adopt the principles of Secure by Design.

5.11 **UK Power Networks No objections**

Following re-consultation of amended description of development: No objections

Internal:

5.12 **Access Officer:**

No means of escape for basement wheelchair users if lift is out of order. Plans for Lifetime Homes do not show the floor levels in relation to the public highway so assessing gradients is not possible. There should be a side transfer space of at least 1400mm width to the side of an entrance level wc. Flat layouts for Lifetime Homes are satisfactory. Wheelchair housing would not have sufficient space to manoeuvre a scooter into the space because of its situation at the end of the corridor in Type A. There does not appear to be sufficient space beside the scooter to transfer to an internal wheelchair if the scooter was stored along the corridor. Entrance door to Unit C needs to be moved so there would be room for a letter cage behind the door.

5.13 **City Parks: Comment** Should any contributions become available for green space, we would welcome the chance to provide further comment regarding possible expenditure.

5.14 **County Archaeologist:** Does not believe that any archaeological remains are likely to be affected by these proposals. For this reason has no further recommendations to make in this instance.

5.15 **Ecology: Comment**

As the buildings are used all year round by feral pigeons, it is recommended that specialist advice is sought regarding humane methods to discourage them from nesting. It is considered unlikely that the site supports any other protected species. If during demolition protected species are encountered then work should stop and advice be sought from suitably qualified and experienced ecologist. The proposal includes no proposals for enhancement of biodiversity. Measures should be sought to provide landscaping of known value to wildlife and to provide bird boxes and/or bricks within the development. The proposed solar panels should be provided in conjunction with bio-diverse roofs to improve the efficiency of the solar panels. If recommended for approval then conditions should be attached requiring an Ecological Design Strategy (EDS) with specific criteria before development commences. Provided that this is implemented the development should not have an impact on biodiversity and could be supported.

5.16 **Education:** If this application were to proceed would seek a contribution towards the cost of providing educational infrastructure for the school age pupils this development would generate. In this case would seek a contribution of £134,620.

5.17 Environmental Health: Object

Environmental Health must recommend refusal for this scheme on noise grounds. Two foreseeable and significant noise sources adjacent to the proposed site have not been properly assessed and could result in Statutory Noise Nuisances. During a site visit a large and noisy plant room associated with the adjacent Peugeot garage was identified at the end of the proposed future gardens. Additionally, from the site visit it was seen that the delivery area for the retail park is immediately adjacent to the future gardens and bedrooms of some of the proposed properties. Noise issues concerning proposed private gardens fronting onto Newtown Road were not addressed at all in the noise report and will be exposed to noise levels significantly above WHO guidelines.

5.18 Housing: Comment

There is a shortage of affordable homes in the City and in particular family homes. Welcome the scheme to provide affordable family housing to achieve the aims of achieving mixed, balanced and sustainable communities. 40% of the units or 26 no. units will be for sale as shared ownership. 3 of the affordable units will be built to wheelchair accessible standard which exceeds the 10% requirement. To ensure the creation of mixed and integrated communities, the affordable housing should not be distinguishable from the market housing in terms of build quality, materials and details. The affordable units should be tenure blind. All new schemes should meet the Home & Community Agency's current Design and Quality Standards (2007).

5.19 Planning Policy: Object

The regeneration and re-use of vacant sites is welcomed, however, both national and local planning policy seek to ensure they are redeveloped in accordance with the NPPF's presumption in favour of sustainable development.

5.20 The loss of the employment use of this site is contrary to the Local Plan policy EM1. Regard to policy EM3 should also be given. However, material to this consideration also is the NPPF and emerging City Plan. Policy CP3.4 in the City Plan introduces some flexibility on this allocated site by seeking employment led mixed use development (employment and residential) subject to no net loss of employment floorspace (unless specified tests can be met). The approach taken is informed by the evidence provided in the Employment Land Study Review 2012 and the employment Objectively Assessed Needs (OAN).

5.21 In addition to this, policy DA6 (Hove Station area) highlights the importance of no net loss of employment space. DA6 is therefore considered to be an area important not just for its potential to provide additional housing but also its existing employment floorspace and its potential to provide additional workspace/jobs with a range of skills to meet the needs of the increasing population.

- 5.22 This proposal must also be assessed against paragraph 14 of the NPPF which requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. The benefits of the proposal arising from meeting housing needs have been assessed against the lack of evidence to justify the level of loss of employment space. No evidence has been submitted to justify the complete loss of the employment floorspace to residential on the northern parcel. Whilst it is recognised the southern section has been vacant for approximately 10 years there is little evidence to justify the significant reduction in employment floorspace required by Local Plan policy EM3 and policies DA6 and CP3 in the submission City Plan.
- 5.23 In weighing up the benefits of the scheme (to regenerate the site and provide housing) against the adverse impacts on sustainable communities and the city's economy (the failure to provide sufficient employment floorspace), in addition to the failure to provide sufficient evidence to justify the net loss of such a significant proportion of the employment floorspace the proposal is considered to have significant and demonstrable adverse impacts that outweigh the benefits. The proposal is therefore considered contrary to paragraph 14 of the NPPF and policies in the Local Plan and the submission City Plan.
- 5.24 **Private Sector Housing**
No comments under the Housing Act
- 5.25 **Sustainability:** Support
- 5.26 Under Submission City Plan (policy CP8) and supplementary planning document SPD08, major new built residential development is expected to achieve Code for Sustainable Homes Level 4. The application proposes to achieve Code Level 4 and includes a Code Pre-assessment report which sets out how Level 4 can be achieved for all dwellings. The office area is proposed to cover 119m² which falls below the threshold for assessment under BREEAM. Therefore key building standards have been met by these proposals.
- 5.27 Positive aspects of the scheme include: targeted building standard of Code level 4 with a pre-assessment undertaken to map out how this will be achieved; use of renewable energy in the form of roof mounted solar photovoltaic panels; energy performance to exceed building regulations standards; ecological enhancement of the site; greening of the site including 850m² of residential gardens and 30 trees; delivery of Lifetime Homes Standards; use of sustainable materials and timber from certified sources; and according to the Code report, a site waste management plan (SWMP) will be undertaken under which 85% of non hazardous construction waste will be diverted from landfill.
- 5.28 Landscaping is incorporated into the scheme; the ecological enhancement and greening of the site is welcomed. Vegetable and herb

beds are included in the plans for the private residential gardens. It is disappointing that the following are not included in the scheme: green walls or roofs; composting provision; rainwater butts; and that there is uncertainty about site waste management.

5.29 Approval is recommended with conditions to secure standards to meet local sustainability policy:

5.30 Sustainable Transport: Comment

The application is acceptable subject to the resolution of issues in respect of cycle parking, disabled parking bays and details of the one way system into and out of the underground car parking. Revised plans would be required showing an additional 5 cycle spaces and 4 disabled parking bays. A standard trip rate estimate would indicate that a contribution of £53,250 towards sustainable transport infrastructure should be sought.

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.

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

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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
SU4	Surface water run-off and flood risk
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design – street frontages
QD7	Crime prevention through environmental design
QD14	Extensions and alterations
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO6	Provision of outdoor recreation space in housing schemes
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
SPGBH9	A guide for Residential Developers on the provision of recreational space
SPGBH15	Tall Buildings

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
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DA6	Hove Station Area
CP1	Housing Delivery
CP3	Employment Land
CP12	Urban Design
CP14	Housing Density
CP20	Affordable Housing

Brighton & Hove City Plan Part One - Schedule of Proposed Modifications

8 CONSIDERATIONS & ASSESSMENT

8.1 The main considerations in the determination of this application relate to employment and housing policy, urban design, amenity, daylight and sunlight, transport, parking and sustainability.

Planning Policy:

8.2 The site is allocated within the Newtown Road Industrial Area (2.4 ha.) in the Brighton and Hove Local Plan under Policy EM1 and is identified primarily for industrial and business use (Use Classes B1 (b) (c) and B2 but not excluding B1 (a)). The objective of this policy is to make the best use of land for employment and to re-use it.

8.3 Policy EM3 of the Brighton and Hove Local Plan states that land in industrial use or allocated for industrial purposes will not be released unless the land has been assessed and found to be unsuitable for modern employment needs. The policy provides reference to the assessment criteria. The Industrial Area is also afforded protection within the Brighton and Hove Submission City Plan Part 1 under policy DA6 (Hove Station Area) and the site more specifically under Policy CP3.

8.4 The strategy for the DA6 area is to secure the long term regeneration opportunities to enable its development as an attractive and sustainable mixed-use area focussed on employment. The policy aims to maintain and strengthen the creative industries business cluster in the area by seeking to ensure a range of appropriate and affordable employment space.

8.5 Policy CP3 seeks the upgrade and refurbishment of the industrial estates and premises so that they meet modern standards required by business. CP3.4 lists some sites including the application site where a more flexible approach has been proposed in the City Plan to allow employment *led* (residential and employment) mixed use development as indicated on the DA6 policy map.

8.6 The applicant's Planning statement has made no reference to nor provided any policy analysis of policies EM1 and EM3 of the adopted Local Plan or DA6 and CP3 of the Submission City Plan Part One within it. The section on the 'Principle of the development' does not refer to policies in a Local or National planning policy document. The required assessment of the suitability of the site and premises for existing or future employment purposes under policy EM3 has

not been carried out. No evidence of marketing of either the site nor any of the buildings on it has been provided and no viability evidence has been submitted to support the amount of employment floorspace or site area to be lost by this proposal.

- 8.7 An inspection of the buildings by officers revealed that the south building (Chrome Productions) has been neglected and has been vacant for seven years and probably contains hazardous substances from previous uses. The north building (Techniform) is still partly occupied as offices and storage but no industrial processes take place at present. There is however no evidence that the premises could not be more intensively occupied or that alternative business redevelopment would be viable and therefore that the site and premises are genuinely redundant.
- 8.8 The Economic Development Officer has commented that the site provides 3,700 sq m. of B2 general industrial employment space which based on the offPAT Employment Densities 2nd Edition would have the potential to provide employment for 102 people based on 1 job per 36 sq m. In order to provide employment of an equivalent number for the alternative employment space proposed i.e. B1 office, some 1,224 sq m. of office space would be required based on 1 job per 12 sq m. Therefore the proposed new employment space provided of 119 sq m. falls some way short. The Economic Development Officer has concluded that he cannot support this application.
- 8.9 The proposals would provide 40% or 26 units of affordable housing on site which is welcome. However, it is stated in the Planning Statement that this would be all shared ownership and not for rent only which does not meet the City Council's requirements where the vast majority of people on the waiting list are waiting for affordable rent properties as confirmed by the Housing Officer. The application has also not made it clear which of the units would be the affordable units and whether they would include any of the terraced dwelling house units. This would also not make it transparent as to whether the mix of dwelling types and sizes would meet the preferred mix of 30% 1 bed; 45% 2 bed and 25% 3 bed units as stated in Policy CP20 of the emerging City Plan. 3 affordable units would be fully wheelchair accessible which exceeds the 10% requirement.
- 8.10 It is recognised that the proposed scheme would contribute to meeting the City's housing requirements. The provision of 40% affordable units on site would also be a benefit but with the caveat that it is proposed to be all shared ownership only. This would meet adopted Local Plan policy HO2 and the mix of market and affordable unit types would also meet policy HO3 of the Local Plan. However the provision of affordable housing on an identified employment site is seen in policy CP20 as part of the enabling development as is made clear in the policy wording.
- 8.11 NPPF paragraph 14 urges Council's to approve development proposals unless any adverse impacts of doing so would outweigh the benefits, when assessed against the policies in the Framework. The provision of affordable housing on an *unallocated* employment site, could be the fall back position if the loss of an employment site had been first justified. However as this site is allocated in the

City Plan under CP3.4 for employment led mixed use development, the replacement with some affordable housing is not part of the policy criteria that would justify the loss of employment land or floorspace. The allocation of this site for employment led development under policy CP3 and the strategic objectives of policy DA6 in the City Plan are intended to meet objectively assessed needs for employment land and buildings. Having weighed the adverse impacts of the scheme in respect of the loss of an allocated employment site under CP3 and the strategic objectives of policy DA6 against the benefits of housing provision when considered against the Framework as a whole and the adopted and emerging development plan policies, it is considered that the harmful impacts of the proposal would outweigh the benefits.

- 8.12 The Planning Policy Team has recommended refusal on the basis that the proposal is contrary to the City Council's employment policies as set out above. It is considered that the site is in a good location for development for employment purposes as it is on an industrial estate close to other businesses which provides mutual benefits. The site is easily accessible by road and currently has on site parking and servicing areas. Newtown Road is wide enough for larger vehicles for servicing and deliveries. The site is also in very close proximity to the A270 with straight forward links to the A27 and A23/M23 thus avoiding the need to travel through the centre of Hove or Brighton for related business activities. Its proximity to Hove Station and bus routes also make it a convenient location for employees to travel to work. These beneficial assets of the site and location indicate that the site is suitable for continued employment and business purposes and no contrary evidence has been submitted by the applicants.

Design:

Design of the Scheme:

- 8.13 Policy QD1 of the Brighton & Hove Local Plan states that proposals for new buildings must demonstrate a high standard of design and make a positive contribution to the visual quality of the environment. In areas of drab or uninteresting character, the planning authority will expect the opportunity to be taken to create new buildings and areas of distinction on suitable sites. Design aspects to be taken into account in all developments are: scale and height; architectural detailing; quality of materials; visual interest particularly at street level and appropriate levels of landscaping.
- 8.14 Policy QD2 states that all new developments shall emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics, including a) the height, scale, bulk and design of existing buildings; b) topography and impact on skyline; c) natural and developed framework; d) natural and built landmarks; e) layout of streets and spaces and in addition take the opportunity to minimise opportunities for crime to take place through the integration of the its design into the neighbourhood.

- 8.15 Policy QD3 states that new development will be required to make efficient and effective use of a site, incorporating an intensity of development appropriate to the locality and/or prevailing townscape; the needs of the community; the nature of the development; and proposed uses.
- 8.16 Policy QD4 seeks to preserve or enhance strategic views, including views of the sea from within the built up area.
- 8.17 Policy QD5 encourages development that presents an attractive frontage for pedestrians and QD7 requires applicants to demonstrate how crime prevention measures have been incorporated into the layout and design.

Building A

- 8.18 Building A comprising the flats and B1 office space, due to its height and profile, would appear as a very large and bulky building in the Newtown Road and Goldstone Lane streetscenes. The proposed density of this south part of the site would be 300 dwellings per hectare (dph). It is considered that the block of flats would be out of scale with its general context with little visual relief in its siting, profile, design or materials that could mitigate its mass and height. Its height, bulky functional appearance and uniform elevational treatment would be out of keeping and would detract from the more slender profile of the former St Agnes church. Block A would not complement the former St Agnes building or enhance its positive qualities and thus it is considered the development would be contrary to policies QD1 and QD2 of the Local Plan.
- 8.19 The proposed south elevation would have a flat two dimensional façade with little in the way of architectural or design features to provide articulation and distinctiveness contrary to policy QD2. Only the proposed balconies provide any break in the unrelenting façade but their plain design and regimented appearance would not mitigate the elevational treatment of the building.
- 8.20 The top floor featuring grey vertical cladding would appear as a discordant element which does not integrate satisfactorily in appearance or profile with the façade below. The top floor would be higher than each floor below which would give the building a top heavy appearance despite the very modest set back and would appear as a clumsy addition. Whilst there is some symmetry along the top floor glazing, the relationship with the column of windows below would be unsatisfactory.
- 8.21 In respect of the east elevation of the flats, similar design features of a two dimensional façade are repeated. The block itself is broken up into 3 elements by the set backs from the south east corner of the block and the 14.5 metre set back of the rear element from the Goldstone Lane frontage. This would result in two very unsatisfactory consequences: Firstly, the most prominent section onto the prominent corner of Goldstone Lane and Newtown Road would not provide a focal point to the development but instead would have the appearance of a minor or rear elevation. Secondly, its mass only punctuated by a side window

and a very small bathroom window to each floor would not emphasise or enhance this prominent corner in conjunction with the former church but ‘turns away’ from it contrary to policy QD2.

- 8.22 The deep set back of the rear (north) wing from the road frontage, confusingly presents itself as a minor elevation yet is where the main entrance of the block of flats would be and highlights concerns about the legibility of the building in its context and for its intended users and occupiers. The entrance itself is not well articulated or given any architectural signposting or direction.
- 8.23 The north elevation of the main part of block A has an identical design approach to the south elevation but does at least provide balconies to the central projecting block to provide some visual breaks but otherwise it shares the functional appearance of the south elevation. Due to the building’s proposed height in relation to its urban context and the proposed dwellings, it would be quite visibly prominent in the Goldstone Lane streetscene as a very large and dominating element.
- 8.24 The rationale for the significant set back from Goldstone Lane is stated for the purpose of providing a good quantity of attractive amenity space and creating a new building line in the streetscene and to avoid impact on dwellings opposite. It is considered that these positive benefits could still be achieved with less of a set back. The disbenefits of such a set back are that the streetscene and urban form would remain poorly defined as it is now. The visual amenity of the dwellings and the streetscene would be impaired by the open driveways for parking. The amenity space may not be as beneficial for the occupiers as it would not be private and as this report sets out later would not receive any significant sunlight for 6 months of the year. The benefits of a good quality landscaping and providing a public footway are welcomed but this could still be part of better defined streetscene.
- 8.25 A further disadvantage of the set back of Block A and the main entrance to the flats is that it would not wholly contribute to minimising opportunities for crime and designing out fear of crime. Entrances are best sited close to the public realm and the distance from the site boundary to front doors should be minimised. The imposing character of the southern block together with the potential for heavy landscaping could make this area feel quite enclosed and dark heightening the fear of crime and providing opportunities for intruders. The right of way between the two plots as referred to by neighbours would also create opportunities for crime. Whilst the applicants may not have control over the right of way, there are measures which could be installed to make it more secure. Boundary treatment either side of the right of way could add to the fear of crime for existing and future residents thus contrary to policy QD7 of the Local Plan. The application should set out how the issue of crime and design has been addressed in the scheme as required by policy QD7 but this has not been explained.

Block B

- 8.26 Block B comprising the terrace of dwellings has a similar elevational appearance to Block A with mostly plain two dimensional elevational treatment with balconies at second floor level with plain glazed balustrades. The brickwork colour would be red facing with blue brick mullions above the ground floor windows. The top floor would have grey cladding. As with Block A, the top floor would appear top heavy and its relationship with the lower floors would be unsatisfactory. The rear elevations would have long mono-pitched roofs which would join with the first floor rear elevations. This is not characteristic of any dwellings or neighbourhoods in the vicinity but as they would not be prominent in the streetscene there are no strong objections.
- 8.27 The proposed terrace of 6 dwellings (Block B) would have a footprint of 290 sq m. and would be sited on narrow individual plots of 5 metres width. Taken as a group they would be built at a lower density of 53 dwellings per hectare. Policy QD3 requires efficient and effective use of the site to be made. Higher density development is appropriate where the development has good public transport accessibility which this location does have. Given the acknowledged difficulty that the City Council has not been able to allocate the required sites and housing allocations for the Submission City Plan, it is important that sites are developed at a medium to higher density where housing development is acceptable in principle particularly on brownfield sites and where appropriate to the site's immediate context. It is considered that in respect of the 6 proposed dwellings, the proposal would be contrary to policy QD3 and emerging policy CP14 of the City Plan which seeks a minimum of 100 dwellings per hectare on this DA6 site without impacting detrimentally on other amenity and design aspects.

Design in Context:

- 8.28 The height of the proposed block of flats at its highest point would be significantly higher than the existing building and would be 2 metres higher than the ridge of the former St Agnes Church on the opposite side of Goldstone Lane. Whilst not Listed or Locally Listed, the former St Agnes Church is the outstanding building in the streetscene and the locality in architectural terms and occupies a prominent location close to the top of end of Newtown Road. It is considered that the height of the proposed building in the streetscene would be excessive and would fail to take account of the topography of Newtown Road thus running counter to the gradient by being taller than St Agnes. The development would be contrary to policy QD2 (d) by not respecting the built landmark of the former church and diminishing its architectural importance in the locality.
- 8.29 The proposed plot layout of both Block A and B would not relate well to its urban context and would lack legibility and coherence both within the sites and in its relationship with the streetscene and to existing and future patterns of movement.
- 8.30 The proposals would not take the opportunity to provide a strong sense of place and a well defined streetscape in order to enhance the streetscene and the area in general. Both blocks, by adopting significant set backs on Goldstone Lane more so than the current buildings, would not address the streetscene or

enhance this identified urban development area. It would also be an inefficient use of a valuable site whether for employment or residential use. The proposed parking at the front which would enable at least 2 cars to be parked at the fronts would result in a poorly defined street frontage that would be out of character and inappropriate in a modern urban context. The absence of a strongly defined edge to the development in the streetscene would not contribute to the desire to create defensible space to prevent crime and the fear of crime. Whilst the proposal does mimic the dwellings opposite in this respect, they are not considered to be a good example of good urban design and belong to a bygone era in placemaking. The City Plan policy criteria seeks innovative architecture and mixed use schemes which add distinctiveness to local neighbourhoods which this proposed development would not achieve as it would fail to take the opportunity to create a distinctive and innovative high quality development and to regenerate this neighbourhood to improve its character and quality.

- 8.31 Opportunities to provide a focal point or points for the development would be missed particularly given its incoherent relationship with its context. This development could be the initial phase of the regeneration of the Newtown Road Industrial Area over the City Plan period and occupies a prominent site in the DA6 area. Policy DA6 sets out a clear vision for the future regeneration of this area including seeking a high quality of design for buildings and an improved appearance of the public realm in order to attract further investment.
- 8.32 The proposals would have an impact on the wider urban context and viewpoints from Hove Park have been provided with the application. Not all of the viewpoints have been correctly identified on the key diagram but nevertheless they show that the development would be seen on the horizon. The effect would be to enclose a gap between two of the evenly spaced tower blocks fronting Ellen Street in the background thus enclosing glimpses of the sea afforded by the current gaps. The tower blocks are taller and slimmer in appearance in contrast to the more squat and bulky appearance of the proposed development. It is considered that the impact of this viewpoint would be minor but would be harmful and the proposal would thus be contrary to policy QD4. The impact of the assessment does not appear to have subsequently influenced the design approach in respect of height or the design of Block A by reducing the height or bulk.
- 8.33 Whilst the regeneration of this site is supported by the emerging City Plan in policies DA6 and CP3, it is considered that the overall design and layout would have a harmful effect on the streetscene, and its local context and would miss the opportunity to provide a high quality example of urban design to enhance the character and appearance of this context.

Landscaping:

- 8.34 The amount of space on the site allocated for landscaping provides the opportunity for significantly greening the area. There are references to a landscape proposal in the application documentation however this was not submitted with the application. There are issues about the quality of the landscaping given the sunlight and shading study submitted and there is concern that some of the communal space would be limited in appeal for use by

the occupiers as it would be open to public view from the street. It is considered that there could be potential for good landscape provision which would comply with policy QD15.

Impact on Amenity:

Noise

- 8.35 Policy SU10 may require applicants to minimise the impact of noise on the occupiers of proposed buildings and may be required to submit an impact study or to assess the effect of an existing noise source upon the proposed development, prior to the determination of a planning application. The policy states that planning permission for noise sensitive development such as housing will not be granted if its users would be adversely affected by noise from existing uses that generate significant levels of noise.
- 8.36 The proposed development would be sited to the east of a car showroom with external vehicle storage whilst on the north boundary of the site is the service delivery and unloading area for the Goldstone Retail Park which fronts the Old Shoreham Road.
- 8.37 A noise assessment report has been submitted with the application however, there are concerns that two likely existing noise sources would have an impact on the occupation of the proposed units, in particular the dwelling houses, and would be likely to impact on the amenity areas and gardens of all of the dwelling units. These sources of noise have not been assessed in the report.
- 8.38 The report identifies that in order to meet the latest British Standard (2014) for internal noise values but then goes on to quote the superseded noise standards. Nevertheless, the Environmental Health Officer considers that double glazed windows could enable the standards to be met whilst closed but reliance on other ventilation would be required subject to conditions.
- 8.39 The first source of noise not assessed is a large plant room which on inspection by the Environmental Health Officer was found to be noisy. The noise report did not discuss this so there is no evidence that the plant room has been assessed. A further concern would follow that noise complaints generated by future occupiers could impact on existing businesses.
- 8.40 The second source of noise not assessed would be from the service and delivery yard. On site inspection, the Environmental Health Officer observed cage rolling noise from unloading a vehicle which would be clearly audible in his opinion from first floor bedrooms and the rear gardens of the dwelling houses. Again this could be a potential source of noise complaints by future occupiers. The 2014 British Standard now requires delivery noise to be assessed which is recommended by the Environmental Health Officer.
- 8.41 The front gardens of some of the ground floor flats facing Newtown Road would be exposed to noise levels significantly above the World Health Organisation (WHO) guidelines. The gardens are designed to be useable for sitting out and

thus noise mitigation to reduce noise levels should have been proposed. At present there is insufficient information upon which to make a judgement. The Environmental Health Officer considers that given the omission of an assessment of likely significant noise sources, the application should be refused as the sources do not appear to have been considered and no assessment has been carried out.

- 8.42 Given the concerns of the Environmental Health Officer and the insufficient information submitted to demonstrate that full assessments of existing noise sources have been carried out, then it is considered that the application would be contrary to policy SU10 by failing to do so and should be refused on this ground.

Contaminated Land

- 8.43 The site has been used in the past for some heavy industrial processes and a walk over study has been prepared. Potential sources of contamination have been identified but further investigative work would be required which could normally be covered by a condition.

Daylight and Sunlight

- 8.44 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.
- 8.45 The applicants have submitted a Daylight Assessment following the BRE guidelines which has considered the existing and proposed daylight levels to dwelling Nos 1 – 25 Goldstone Lane opposite the site. Due to the elevated positions of the houses which feature habitable rooms on the top two floors above integral garages, they enjoy very high levels of daylight with Vertical Sky Component levels measuring 30 – 35% VSC where 40% is the maximum achievable with no obstructions. A handful of windows would have a small loss of daylight but of no more than 20% of their current value and in the majority of cases would still enjoy VSC levels above 30%. One window would have a loss of 20% but its resultant value of 26.87% would be a fraction below the acceptable level of 27%. It is considered therefore that there would be no loss of daylight levels of significance to existing dwellings opposite which would be acceptable and accord with policy QD27.
- 8.46 An assessment has also been carried out of the proposed houses and flats. The proposed dwellings would have unobstructed outlooks for all of their windows to the front and rear amenity/parking areas so there would be no concerns about rooms with inadequate daylight levels. Most of the proposed flats would achieve acceptable levels of daylight as measured by Average Daylight Factor (ADF) to all habitable rooms. Most of the rooms comprise either bedrooms or combined living/dining/kitchens.

There are a few rooms in the development which would not meet the recommended daylight levels. The units affected are those in the north facing corners created by the T- shaped building where one bedroom and the living areas would be below standard. All but one of these units has a second or third bedroom which would meet the recommended ADF levels for a bedroom. However the living areas and one bedroom in these corners affecting 2 flats per floor from 1st to 4th floor level would only achieve just under half of the recommended levels.

- 8.47 In these circumstances where a small number of rooms out of 59 flats would not achieve the recommended daylight standards, it is considered that on balance the daylight levels for proposed units would be satisfactory.

Sunlight

- 8.48 The applicants have submitted sun path diagrams to illustrate the impacts of the development on the external amenity areas and neighbouring properties on March 21st. The diagrams illustrate that the proposed development would not have any impact in terms of loss of sunlight on adjoining properties either in respect of windows or amenity space. This includes properties in Fonthill Road. The late afternoon shadows would extend across the front driveways of 2 houses on Goldstone Lane an hour earlier at about 3pm but this would be a negligible change. The 6 storey element of the development itself would result in the communal amenity areas receiving almost no sunlight throughout the day and certainly not for the minimum guideline of 2 hours per day between sunrise and sunset. Only a thin sliver of the gardens would benefit in early morning on the front (east) and the late afternoon at the rear (west). This raises concerns about the quality of the amenity space proposed and how beneficial it would be. It also adds weight to the consideration that the proposed block would be too high and too bulky resulting in very low levels of sunlight to the proposed communal amenity spaces for the intended residents. The implication is that the design concept has not taken sufficient account of the impact on the amenity space or its quality for users and it would be contrary to policy QD27 in this respect.
- 8.49 In respect of the proposed dwelling houses, there would be no issues about the amenity space in terms of sunlight levels. The nearest dwelling(s) would receive sufficient daylight either at the front or rear gardens during the day. The proposed gardens would receive good levels of sunlight as well.

Sustainable Transport:

- 8.50 The proposals would provide an acceptable level of off street parking in respect of the numbers of housing units in accordance with SPG4 as confirmed by the Transport Policy Officer. The maximum number of parking spaces permitted by SPG4 for this residential development would be 89 and for the B1 office space 4 spaces and a service bay which would not be exceeded by the proposals. No

spaces are proposed for the offices nor is there any on or off site servicing or loading area proposed. The underground residential car park proposes 44 spaces although each terraced dwelling could exceed the standard of one space per unit and an overall 3 visitor spaces allowed. The site is however located close to public transport facilities including Hove Station. The Transport Officer has confirmed that the appropriate commuted sum towards sustainable transport via a S106 agreement would be £53,250 if the development was approved.

- 8.51 Given that this site west of Fonthill Road is outside a Controlled Parking Zone, there could be some concern about overspill parking albeit there are limited on street opportunities for parking in the vicinity of the site. Given the ratio of parking spaces proposed is almost 1:1 this would not be a major concern. The shortfall of disabled bays is modest and therefore it would be practical to provide more disabled standard bays in place of the standard sized bays to meet SPG4 requirements without a significant loss of standard bays.
- 8.52 The B1 office space would be permitted a maximum of 4 parking spaces but it is not considered that this absence would cause any significant traffic impacts. The absence of an off street loading/delivery bay is regrettable but probably impractical given the addition of a very minimal B1 office space latterly included in the scheme following the pre-application submission. Appropriate servicing and loading areas would need to be strategically planned in any policy compliant provision of employment floorspace.
- 8.53 The cycle parking spaces have been miscalculated in the Transport Statement by the applicants compared to the submitted plans resulting in a shortfall of 5 stands. This could be addressed under a revised layout but it is considered that the additional spaces should be provided securely within Block A proposed and not be allowed to spill over outside.
- 8.54 It is considered that the proposed transport arrangements could be addressed by revisions to the plans and by agreeing to a contribution towards sustainable transport measures however, at present the proposals would not mitigate the more significant concerns about the proposed development.

Sustainability:

- 8.55 Policy SU2 states that planning permission will be granted for proposals which demonstrate a high standard of efficiency in use of energy, water and materials. City Plan Policy seeks development incorporates sustainable design features to avoid expansion of the City's ecological footprint. SPD 08 also seeks Code for Sustainable Homes (CSH) Level 4 for new residential development which would be achieved. The proposals include greening of the site and ecological enhancement subject to details would provide 850 sq metres of gardens and 30 trees are proposed. This is welcomed in principle with the caveats about the site and layout of the whole development and the low density of the dwellings being acceptable. Full details of the landscaping would be required to ensure that the amenity space represents a genuine greening of the site with soft landscaping that can be planted up to provide ecological enhancement.

- 8.56 The proposed array of roof mounted photovoltaics are welcomed and the energy performance which would exceed the Building Regulations standards. The diversion of 85% of non hazardous waste from landfill is welcome. Other measures which could be incorporated have not been such as green walls or roofs, communal heating or food growing and composting.
- 8.57 There are other contradictions between the Sustainability checklist and the pre-assessment report where reference is made in the checklist to rain water butts and air source heat pumps which are not to be provided. The Design and Access Statement refers to food growing proposed but not according to the checklist and a Site Waste Management Plan (SWMP) is referred to in the pre-assessment but is deleted from the checklist.
- 8.58 The 119 sq m of office floorspace proposed falls below the threshold in SPD 08 for a BREEAM assessment (236 sq m) so would not be required but it would benefit from being in the same building as the flats from the thermal performance of the whole building.
- 8.59 Notwithstanding the apparent contradictions, the proposed development in respect of sustainability and energy saving measures would meet the minimum standards required by Local Plan policies and SPD 08 and would be acceptable subject to implementation of further measures such as a SWMP and further measures such as water butts and composting facilities.

Ecology/Nature Conservation:

- 8.60 As it is unlikely that the site supports any protected species, the emphasis of the proposals should be to provide new opportunities for enhancement of the biodiversity on the site and in the vicinity. There are no specific measures proposed to enhance the ecology in terms of birds boxes for example and the County Ecologist has proposed providing a green roof underneath the solar panels.
- 8.61 As discussed under the Sustainability section of the report, the provision of private amenity space and tree planting could have the potential to support biodiversity but this would depend on the design, layout and quality of the amenity spaces and the type and location of new planting. Whilst it is possible for such measures to be conditioned if agreed in principle, there are no specific proposals accompanying the development proposal that would represent a firm commitment to enhancing the biodiversity of the site and to ensure a positive impact on the ecology in accordance with NPPF.

9 CONCLUSION

- 9.1 The proposals would be contrary to the City Council's employment policies EM1 and EM3 as set out in the adopted Local Plan as the site is allocated within the Newtown Road Industrial Area for employment uses. The applicant has submitted very limited information to justify the loss of employment floorspace and land in respect of the site characteristics, location or marketing evidence as set out in policy EM3. Policies DA6 (Hove Station area) and CP3.4 of the emerging City Plan allocates the application site as one in which consideration

could be given to an employment led mixed scheme with residential units as enabling development.

- 9.2 CP3 paragraphs 4.36 and 4.39 set out the criteria (similar to policy EM3) for allowing a loss of employment space. An amendment to policy CP3 published in the Schedule of Proposed Modifications to the City Plan (October 2014) has added 'viability' to part of that evidence. It is now established practice to seek to justify a loss of employment land or floorspace by demonstrating that to retain or redevelop more employment floorspace than proposed would make the development unviable. No such evidence has been submitted. The applicant has proposed a small quantity of B1 employment floorspace and states that this could accommodate the numbers of jobs currently retained on site. This argument is flawed and is not consistent with the policies above. The applicant also considers that because the Council does not have an agreed housing land supply in the City Plan that residential schemes should override other policy considerations. This justification is not accepted by the Council where there is an identified need to retain employment sites and indeed in the policy DA6 area to increase that amount over the plan period. The proposal is therefore considered to be contrary to the policies referred to above.
- 9.3 The proposal includes a 40% provision of affordable housing although no details of their location within the scheme are provided. The provision of 40% affordable housing would be welcome and if this was an unallocated employment site, could be the fall back position if the loss of an employment site had been first justified. However as his site is allocated in the City Plan under CP3.4 for employment led mixed use development, the replacement with some affordable housing is not part of the policy criteria.
- 9.4 In relation to Block A, the flats, the development is considered to be contrary to policies QD1 and QD2 related to the scale and appearance of the development and its impact in the streetscene and the neighbourhood due to its height, bulk and elevational appearance. It is also considered that the proposed layout of Block A and Block B would not provide strong definition for the streetscene and character of the regenerated neighbourhood. The quality of some of the amenity space is of concern as it would be quite open to public view and its use may have limited appeal. It would also not achieve recommended sunlight levels. Further the open design of the layout and the siting of entrances could give rise to concerns about crime prevention and the fear of crime contrary to policy QD7.
- 9.5 The siting of the dwelling houses with very generous amenity space to the front and back would result in a very low density which would be contrary to policy QD3 which requires the efficient and effective use of land for housing. The City Plan policy CP14 states that densities in the DA development areas are expected to be high potentially at least 100 dwellings per hectare subject to other applicable planning criteria for good development.
- 9.6 The assessment of other environmental criteria has raised the biggest concern over likely noise impacts from adjoining existing businesses. The Noise Assessments have not considered two potential sources being a plant room

adjoining the proposed gardens to dwellings and rear habitable rooms as well as noise and disturbance from the service yard at the rear of the Goldstone Retail Park. These noise sources were witnessed by the Environmental Health Officer. Due to insufficient information, the proposal would not meet the requirements of policy SU10 of the adopted Local Plan.

- 9.7 Whilst the principle of the regeneration of this site would have a beneficial impact, it is considered that the benefits of this proposal would be outweighed by the key policy objection to the unjustified resultant loss of land and floorspace for employment purposes on this allocated site where an employment led mixed development may be acceptable subject to meeting policy criteria. The height, bulk and design of the proposal on Block A and the low density development of the proposed dwellings coupled with other concerns set out in the report.
- 9.8 There are some benefits for the public realm such as the introduction of a footway and the provision of amenity space and opportunities for good landscaping in public view. The scheme proposes 40% affordable housing but taken together with other benefits they are not considered to outweigh the harmful impacts of the development proposal identified and it has not been demonstrated by any viability assessment that some of these benefits could not be provided in a scheme that was closer to policy compliance and was of a higher quality of design and appearance.
- 9.9 It was necessary to re-advertise the description of development and neighbours were re-consulted and the application was re-advertised by site notice and in the local newspaper. The statutory expiry date for comments will be 2nd February which would be one day before the statutory expiry date for determination of the application (13 weeks). Members are therefore asked to agree the recommendation subject to no further representations being received after the Committee meeting which raise new material planning issues.

10 EQUALITIES

- 10.1 The proposals would meet the policy requirements for provision of residential units designed to meet mobility standards and for ramped access to the B1 office.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed development would result in the unacceptable loss of employment floorspace and land contrary to policies EM1 and EM3 of the Brighton and Hove Local Plan and its allocation under policies DA6 and CP3 of the Submission City Plan Part 1, would fail to safeguard the site for employment use and would undermine the strategy for the Development Area. The application has also failed to demonstrate that the site is genuinely redundant and does not have the potential for employment-led mixed use re-

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development by reference to any policy criteria and submitted viability evidence.

2. The height, bulk, design, footprint, layout and appearance of the development would not demonstrate a high standard of design and would have a harmful impact on the former St Agnes Church, the streetscene and the locality and in selected longer views from Hove Park contrary to policies QD1; QD2; QD4 and QD7 of the Brighton and Hove Local Plan.
3. The proposed dwelling houses would be developed at a low density and would not make full and effective use of the site and the needs of the community and would be contrary to policy QD3 of the Brighton and Hove Local Plan and policy CP14 of the Brighton and Hove Submission City Plan Part 1.
4. The applicant has failed to submit sufficient evidence to assess the potential noise impacts on future occupiers of the proposed development from the existing adjoining businesses arising from plant noise and service and delivery areas contrary to policies SU10 and QD27 of the Brighton and Hove Local Plan.

11.2 Informatives:

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

Plan Type	Reference	Date Received
Topographical Survey	019-02/14 001 (Grnd)	27.10.14
Topographical Survey	019-02/14 002 (Grnd)	27.10.14
Topographical Survey	019-02/14 002 (Elev)	27.10.14
Location and site block plans	YO81-100	27.10.14
Site Plan	YO81-110	27.10.14
Proposed Basement Plan	YO81-111	27.10.14
Proposed Ground Floor Plan	YO81-112	27.10.14
Proposed 1st Floor Plan	YO81-113	27.10.14
Proposed 2 nd Floor Plan	YO81-114	27.10.14
Proposed 3 rd Floor Plan	YO81-115	27.10.14
Proposed 4 th Floor Plan	YO81-116	27.10.14
Proposed 5th Floor Plan	YO81-117	27.10.14
Proposed Roof Plan	YO81-118	27.10.14
Proposed House Plans	YO81-119	27.10.14
Proposed South Elevation	YO81-130	27.10.14
Proposed East Elevation	YO81-131	27.10.14

PLANNING COMMITTEE LIST – 28 JANUARY 2015

Proposed West Elevation	YO81-132	27.10.14
Proposed North Elevation	YO81-133	27.10.14

ITEM D

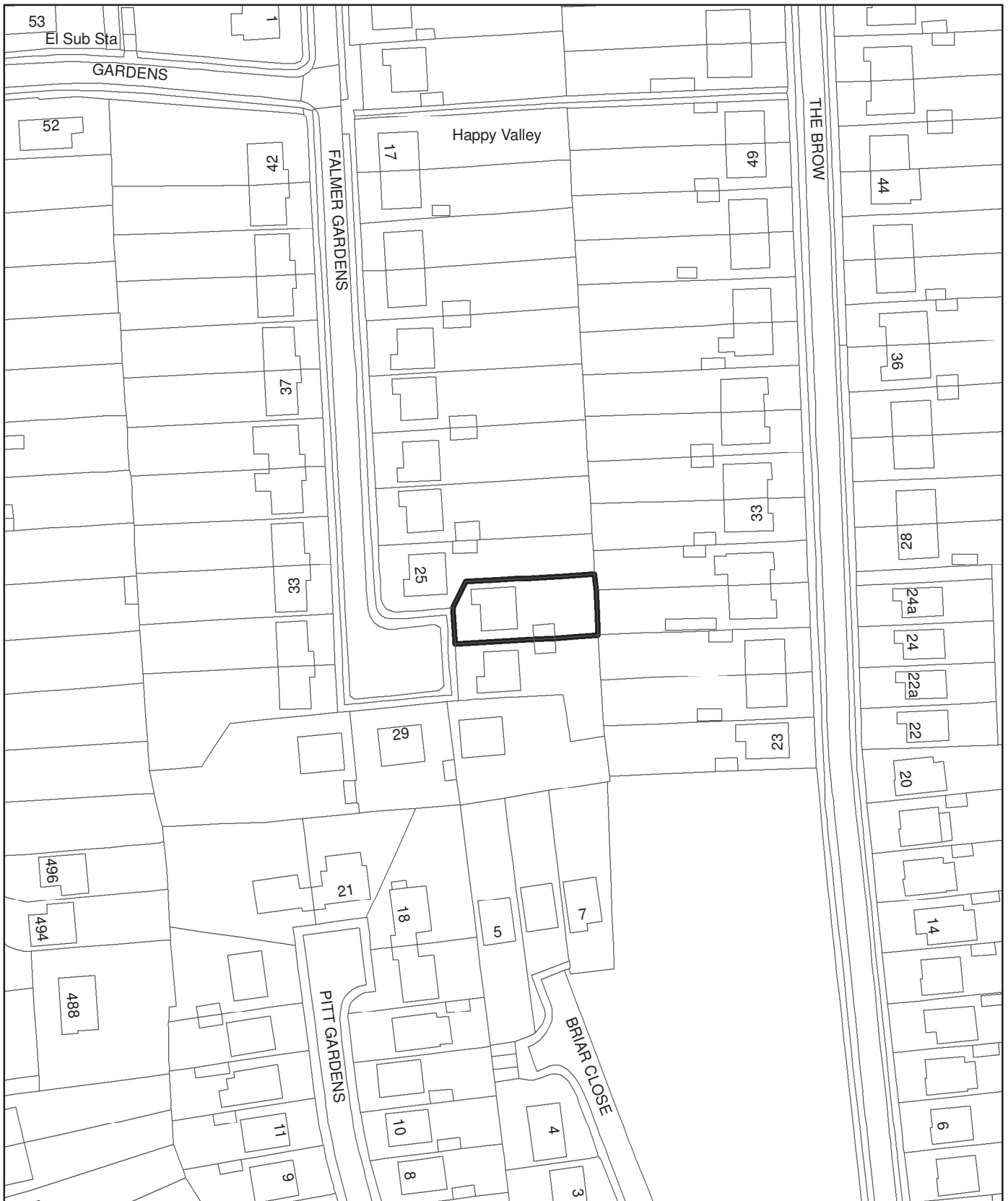
26 Falmer Gardens, Brighton

BH2014/03405

Householder planning consent

28 JANUARY 2015

BH2014/03405 26 Falmer Gardens, Brighton



**Brighton & Hove
City Council**



Scale : 1:1,250

<u>No:</u>	BH2014/03405	<u>Ward:</u>	WOODINGDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	26 Falmer Gardens Brighton		
<u>Proposal:</u>	Roof alterations including hip to barn end roof extensions, dormers and rooflights to front and rear elevations.		
<u>Officer:</u>	Tom Mannings Tel 292322	<u>Valid Date:</u>	09 October 2014
<u>Con Area:</u>	n/a	<u>Expiry Date:</u>	04 December 2014
<u>Listed Building Grade:</u>	n/a		
<u>Agent:</u>	SDR Designs, 14 Batemans Road, Woodingdean, Brighton BN2 6RD		
<u>Applicant:</u>	Mr & Mrs Morgan, 26 Falmer Gardens, Brighton BN2 6NE		

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(s) set out in section 11. The application was deferred for a site visit at Planning Committee on the 10th December 2014. The report has been updated to reflect a recently received appeal decision.

2 SITE LOCATION & DESCRIPTION

- 2.1 This application relates to a detached bungalow on the eastern side of Falmer Gardens, a cul-de-sac off Falmer Road. It is one of a pair of two similar bungalows, with no. 27 Falmer Gardens to the south. It has a single storey rear ground floor extension with a hipped roof, and a rear conservatory. It is in a residential area of bungalows, which vary in style but are constructed of similar materials.

3 RELEVANT HISTORY

16 Mill Rise

BH2014/02688 – Planning permission was refused for roof extension and dormer and discussed at appeal in December 2014. The scale and design is similar to the current scheme.

26 Falmer Gardens

BH2007/03094 – Full Planning – Loft conversion including hip to gable side roof/extensions and rear dormer. Finally disposed of 18/08/10.

BH2007/01852 – Full Planning – Loft conversion with raised extended roof, new rear dormer and three rear rooflights (Revision of BH2006/01731). Refused 06/07/07. The reasons for refusal were as follows:

- The rear dormer, by virtue of its size, bulk, design and position, would not be well sited and detailed in relation to the existing building and would form an inappropriate addition to the existing building, contrary to policies QD2 and

QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance Note 1 (Roof Alterations and Extensions).

- The proposed extended roof, by virtue of its size, bulk and design, would form an excessive and visually inappropriate addition to the existing building and create an imbalance with the neighbouring bungalow at 27 Falmer Gardens contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance Note 1 (Roof Alterations and Extensions).

BH2006/03118 – Full Planning - Loft conversion with raised extended roof, new rear dormer and two rear rooflights (Resubmission of refused application BH2006/01101). Approved 10/11/06.

BH2006/01731 – Full Planning – Loft conversion with raised extended roof, new dormer and three rear rooflights. Refused 31/07/2006. The reasons for refusal were as follows:

- The proposed extended roof, by virtue of its size, bulk and design, would form an excessive and visually inappropriate addition to the existing building and create an imbalance with the neighbouring bungalow at 27 Falmer Gardens contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance Note 1 (Roof Alterations and Extensions).
- The rear dormer, by virtue of its size, bulk, design and position, would not be well sited and detailed in relation to the existing building and would form an inappropriate addition to the existing building, contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and the Supplementary Planning Guidance Note 1 (Roof Alterations and Extensions).

BH2003/03222/FP – Full Planning – Erection of single storey ground floor extension and conservatory to rear. Approved 04/12/2003.

4 THE APPLICATION

- 4.1 Planning permission is sought for roof alterations including hip to barn end roof extensions, dormers and rooflights to the front and rear roofslopes.

5 PUBLICITY & CONSULTATIONS

External

5.1 **Neighbours:**

None received.

- 5.2 **Councillor Simson:** Has supported. A copy of the email is attached to the report

6 MATERIAL CONSIDERATIONS

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

- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
 - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
 - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
 - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) is a material consideration.
- 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
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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 on the character and appearance of the existing property, the wider street scene and the amenities of neighbouring occupiers.

Planning Policy:

- 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 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.
- Design:**
- 8.5 The application seeks consent for a number of alterations to the existing roof, including a hip to barn end extension, two rear dormers, one front dormer. The proposed dormers would have pitched roofs. Three velux rooflights are also proposed, two to the rear roofslope and one to the front roofslope.
- 8.6 There have been two previous refusals which proposed similar roof alterations to the property. The reasons for refusal raised concerns in respect of the alterations and extensions to the roof and the poorly sited and sized dormer extensions.
- 8.7 Guidance contained in Supplementary Planning Document 12 Design Guide for Extensions and Alterations (SPD12) states that 'roof extensions that alter the basic shape of the roof will be unacceptable.' The proposed roof extensions would create additional bulk at roof level, creating a barn end extension which is uncharacteristic of the style and appearance of properties in the surrounding area. The site has an adjacent bungalow to the south, 27 Falmer Gardens, which is a mirror image at the front elevation of the application site. To increase the bulk at roof level, together with the creation of a barn end roof form would imbalance this matching pair of bungalows and would have an overly dominant appearance within the street scene.
- 8.8 SPD12 states with regard to detached properties that '*Additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the streetscene, including its topography.*' The proposed roof alterations however, are considered bulky and ultimately harmful to the property.

- 8.9 The proposal includes the construction of a front dormer and two rear dormer extensions. Guidance contained within SPD12 states that “dormer windows should be kept as small as possible and clearly be a 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, the guidance states that the “dormer windows should normally align with the windows below.” Additional advice is provided in respect of rooflights, which states that “rooflights should be kept as few and as small as possible and should relate well to the scale and proportions of the elevation below. Including aligning with windows where possible or centring on the spaces between them where appropriate.”
- 8.10 The dormer to the front roofslope would be positioned above the existing window and whilst the pitch of the roof would add to the bulk of the dormer, this is not considered sufficient to form a reason for refusal. The dormer extensions to the rear, in contrast, do not align with existing fenestration below and it is considered that the arrangement of dormer windows, the number of rooflights proposed together with the existing roof form of the single storey extensions at the rear would create a cluttered appearance which is considered contrary to the guidance contained in SPD12.
- 8.11 The accumulative impact of all the proposed alterations would result in an overdevelopment of this modest detached property in a largely undeveloped area and would significantly alter the basic shape of the roof to an unacceptable level contrary to the guidance contained in SPD12 and policy QD14 of the Brighton & Hove Local Plan.

Impact on Amenity:

- 8.12 With regards to the impact upon amenity, the roof extensions would not significantly harm the neighbouring properties in terms of a loss of light, outlook or an overbearing impact. The rear dormer windows could provide additional views that are not already available due to their elevated position, however the properties opposite are a sufficient distance apart from the application site and therefore would not compromise neighbouring occupier’s privacy.
- 8.13 The proposed rooflights to the front of the property are not considered to have a significant impact on the neighbouring properties or street scene in terms of overlooking.

9 CONCLUSION

- 9.1 The proposed roof alterations would be unduly bulky and dominate the front and rear roofslope and giving it a top heavy appearance, causing significant harm to the character and appearance of the property and the wider street scene. Furthermore, the proposed alterations relate poorly to the host building.

10 EQUALITIES

10.1 None identified.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

1. The proposed extension to the roof, by virtue of its size, bulk and design, would form an excessive and visually inappropriate addition to the existing building, would be out of keeping with the street scene and would create an imbalance with the neighbouring bungalow, 27 Falmer Gardens. The proposed development is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.
2. The proposed dormer extensions and rooflights on the rear roof slope by reason of positioning, size and excessive number would create a cluttered appearance to the roofslope, detrimental to the appearance of the property and surrounding area. The alterations would be contrary to policy QD14 and the guidance contained in SPD12 Design Guide for Extensions and Alterations.

11.2 Informatives:

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

Plan Type	Reference	Version	Date Received
Existing Floor Plan and Elevations Location Plan	1282014/01		09/10/14
Proposed Floor Plans, Elevations And sections A-A & B-B. Block Plan	1282014/02		09/10/14

Re: BH2014/03405
26 Falmer Gardens, Woodingdean

Dear Mr Mannings

I have been contacted by Mr & Mrs Morgan of 26 Falmer Gardens regarding their planning application for roof alterations.

I am very familiar with this area and cul-de-sac which I have visited recently. This is a road of mixed property designs, some houses, some bungalows, some of which have already extended their buildings. Neighbours are supportive of this application and it would not appear to be against planning policy to approve this application to create a family size home which is much needed.

The design, whilst different to its neighbouring property, is sympathetic and balanced.

If you are therefore minded to refuse this application, I would request that it is passed to the Planning Sub Committee for a final decision.

Regards

*Dee Simson
01273 291178
Conservative Councillor Woodingdean Ward
Deputy Leader of Conservative Group
Opposition Spokesperson for Licensing, Communities & Community Safety.*

ITEM E

13 Channel View Road, Brighton

BH2014/03351

Householder planning consent

28 JANUARY 2015

<u>No:</u>	BH2014/03351	<u>Ward:</u>	WOODINGDEAN
<u>App Type:</u>	Householder Planning Consent		
<u>Address:</u>	13 Channel View Road Brighton		
<u>Proposal:</u>	Alterations to roof including raising of ridge height, barn end roof extension, front dormer incorporating balcony, insertion of rear window and 4no. side facing rooflights.		
<u>Officer:</u>	Andrew Huntley Tel 292321	<u>Valid Date:</u>	16/10/2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	11 December 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Attic Solutions Ltd, 1 New Broadway Tarring Road Worthing BN11 4HP		
<u>Applicant:</u>	Mr Mike Webb, 13 Channel View Road Brighton BN2 6DR		

1 RECOMMENDATION

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

2 SITE LOCATION & DESCRIPTION

2.1 The site is located on the northern side of Channel View Road, at its western end. The area is residential in character with a mix of property types and styles. The property on the application is a modest detached bungalow, with existing front bay windows, single storey rear addition and a large detached garage/outbuilding at the back of the garden.

3 RELEVANT HISTORY

BH2014/01516 - Alterations to roof including raising of ridge height, barn end roof extension, front dormer incorporating balcony, insertion of rear window and 4no side facing rooflights. Refused 07/07/2014. The reason for refusal were as follows:

'The proposed development, by virtue of its design, size, form and massing would result in visually intrusive and bulky additions to the property unsympathetic to the design of the existing modest bungalow. The resulting building would be of detriment to the visual amenities of the parent property and the wider area and is therefore contrary to policies contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations'.

4 THE APPLICATION

- 4.1 Planning permission is sought for the alterations to roof including raising of ridge height, barn end roof extension, front dormer incorporating balcony, insertion of rear window and 4no. side facing rooflights.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 Councillor Simson has supported the scheme. Copy attached.

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.
- 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.
- 8.2 This application follows the refusal of BH2014/01516, which was for the alterations to roof including raising of ridge height, barn end roof extension, front dormer incorporating balcony, insertion of rear window and 4no side facing rooflights. This application was refused for the following reason.
- 8.3 *'The proposed development, by virtue of its design, size, form and massing would result in visually intrusive and bulky additions to the property unsympathetic to the design of the existing modest bungalow. The resulting building would be of detriment to the visual amenities of the parent property and the wider area and is therefore contrary to policies contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations'.*
- 8.4 The proposal within this application is almost identical with the only change being the removal of the existing hipped roofs above the two bay windows at the front of the property.
- 8.5 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.

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.

- 8.6 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 SPD12 states 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. The presence of inappropriate roof alterations in the street will not be accepted as evidence of an established precedent. However, where the overwhelming majority of roofs to a terrace, semi-detached pair or group of buildings have been altered, the Council may permit additions that seek to recreate some sense of unity and coherence. This may in isolated instances entail a more flexible approach to the guidance.

Design and Character

- 8.8 The existing bungalow is modest in size and has a traditional front bay window and a large rear extension. The bungalow has a low profile within the street scene due to the modest size and roof design. 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.
- 8.9 The raising of the ridge height and creation of a first floor over the existing single storey addition, which is set back 300mm from the eaves, and has a half hipped roof at the rear would appear as a visually poor, contrived and overly large addition. This would result in additions that are overly large and bulky, which bear little relation to the existing bungalow. The resultant design, size, and bulk of the roof addition will be particularly visible when viewed from the east or west (sides).
- 8.10 SPD12 states that balconies held within dormers are visually inappropriate and will generally not be permitted. In addition, dormer windows should be kept as small as possible and clearly be a subordinate addition to the roof, set appropriately in the roof space and well off the sides, ridge and eaves of the roof. In this instance, the proposed dormer window and balcony to the front would appear as a visually poor and dominant addition on what is a relatively modest roof slope to the detriment of the visual appearance and character of the host building and the wider area. Nor does the proposed dormer recreate a sense of unity and coherence on the building or within the street scene, which may have allowed a more flexible approach than the prescribed guidance.

8.11 Overall, the dwelling would be swamped by overly large, bulky and poorly designed roof additions to the detriment of the character and appearance of the host dwelling and the wider area. As such, the proposal is contrary to local plan policy QD14 and SPD12.

Residential Amenity

8.12 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.

8.13 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.

8.14 The two rooflights on the western elevation serve the proposed master bedroom. It is not considered that they would result in a detrimental impact on privacy, as while they would overlook the neighbouring property's extensions, they are set at a high level and would not directly overlook private amenity space. The two rooflights are shown on the plans as obscurely glazed. They serve the stairwell and bathroom. As such, it is considered that these openings would not result in a loss of privacy. The first floor window on the rear elevation also serves the master bedroom. Whilst this would introduce a window at first floor level where none presently exist, this would overlook the property's own garden to the existing outbuilding/garage. As such, this window would not result in overlooking and loss of privacy to neighbouring properties.

8.15 Therefore, the proposal is acceptable in regard to neighbouring amenity and in accordance with Policy QD27 of the Brighton & Hove Local Plan (2005).

9 CONCLUSION

9.1 The proposed development fails to accord with policies of the Brighton & Hove Local Plan 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

11.1 Reasons 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 unsympathetic to the design of the existing modest bungalow. The resulting building would be of detriment to the visual amenities of the parent property and the wider area and is therefore contrary to policies contrary to policy QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

11.2 Informatives:

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

2. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Site Location Plan			16.10.2014
Existing Plans & Elevations & Proposed Roof Plan	AS/14/221/		30.09.2014
Proposed Plans & Elevations	As/14/22		30.09.2014

Re: BH2014/03351
13 Channel View Road

Dear Andrew

Please can the following be considered when deciding on the above application. I apologise for the lateness of this but it was my belief that it had already been sent some weeks ago. I can only assume it was at a time when we were having problems with Citrix.

I am writing to support the above application for alterations to the roof and extension of the property.

Channel View Road is a road of very mixed and varied residences, some very large. Many have been extended over the years and have had front balconies added allowing them spectacular views that don't impact on neighbours opposite thanks to the land gradients.

The property sits on a large plot set well back from the road with a lot of amenity space in front of it. This will minimise any impact on the street scene.

If you are minded to refuse this application, I would ask that the final decision is made by the Planning Application Sub Committee following a site visit. This will allow them to see for themselves the diversity of the buildings in the vicinity.

Regards

Dee Simson

01273 291178

Conservative Councillor Woodingdean Ward

Deputy Leader of Conservative Group

Opposition Spokesperson for Licensing, Communities & Community Safety.

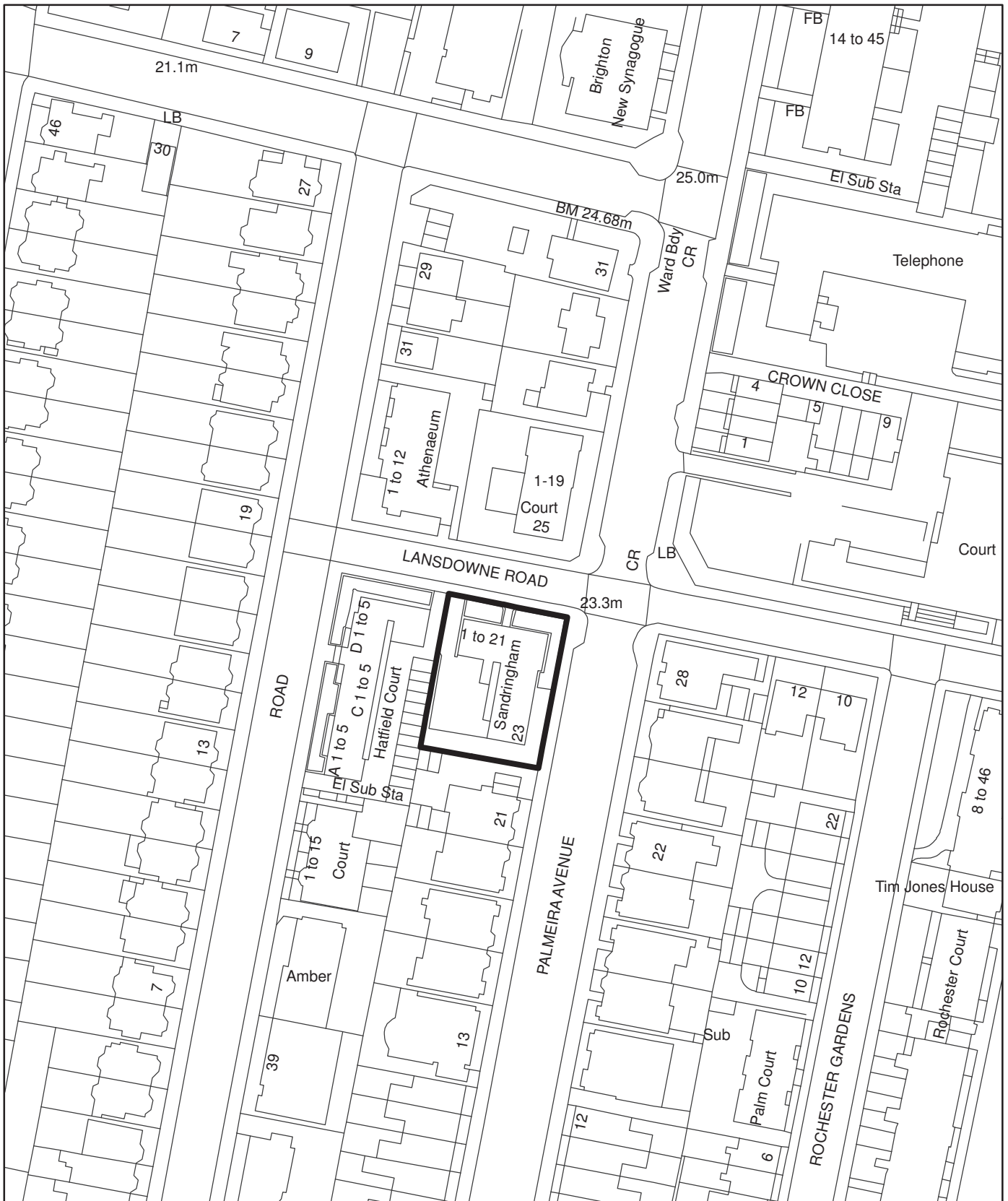
ITEM F

**Sandringham Lodge, 23 Palmeira Avenue,
Hove**

**BH2014/03130
Full planning**

28 JANUARY 2015

BH2014/03130 Sandringham Lodge, 23 Palmeira Avenue, Hove



<u>No:</u>	BH2014/03130	<u>Ward:</u>	BRUNSWICK AND ADELAIDE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Sandringham Lodge 23 Palmeira Avenue Hove		
<u>Proposal:</u>	Formation of additional level comprising 2no three bedroom flats incorporating bicycle store.		
<u>Officer:</u>	Liz Arnold Tel 291709	<u>Valid Date:</u>	29/09/2014
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	24 November 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Strutt and Parker, 31 North Street Chichester West Sussex PO19 1LY		
<u>Applicant:</u>	Anstone Properties Ltd, c/o Strutt & Parker 31 North Street Chichester PO19 1LY		

1 RECOMMENDATION

If an appeal for non-determination had not been submitted the recommendation would have been for the Committee to take 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(s) set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 Sandringham Lodge is an 'L' shaped flat roofed building, comprising 21 apartments arranged over five floors. The building occupies a prominent position facing onto Palmeira Avenue and Lansdowne Road in Hove and forms part of a group of residential blocks between Palmeira Avenue and Salisbury Road
- 2.2 There is currently a relatively consistent height between Sandringham Lodge and the neighbouring blocks and the other nearby properties. However, Sandringham Lodge is already taller than many residential blocks in the immediate area.
- 2.3 The site is outside, but close to, the edge of two Conservation Areas. These Conservation Areas contain properties of similar massing, design and materials to each other and which produce a high quality townscape. The site is visible from parts of both the Willett Estate and Brunswick Town Conservation Areas.

3 RELEVANT HISTORY

BH2013/00683 - Formation of additional level comprising of 2no three bedroom penthouse flats incorporating roof gardens and delegated car parking. Refused 06/06/2013. Dismissed at Appeal

The reason for refusal of this application was as follows;

The additional storey by reason of its height, massing and form would fail to take appropriate account of the positive qualities of the neighbourhood and existing buildings, having a negative impact upon the appearance of the street scene, on adjacent buildings and the wider Willett Estate Conservation Area. The proposed development is thereby contrary to policies QD1, QD2, and HE6 of the Brighton & Hove Local Plan.

BH2001/02613/OA - Construction of additional storey to provide four two bedroom flats. – Refused 28/02/2002

BH2001/01887/OA - Construction of an additional storey to form 4 flats. – Refused by DoE – Appeal dismissed 13/02/2002

BH1999/02817/FP - Removal of undercroft parking bays and creation of two flats. – Refused 20/01/2000 – Appeal Allowed 28/04/2000

BH1999/01237/FP - Replacement of existing railings to rear access walkways. – Approved 08/07/1999

4 THE APPLICATION

- 4.1 Planning permission is sought for the provision of an additional storey to the property, created by a roof extension, to provide 2 no. three bedroom flats with associated bike storage.
- 4.2 The proposed roof extension would be positioned upon a rendered parapet and would comprise a pitched slate roof and would include white painted chequered dormers and a C-shaped extension. The existing lift motor room would also be extended as part of the proposal.

5 PUBLICITY & CONSULTATIONS

External

- 5.1 **Neighbours: Fifteen (15)** letters of representation have been received from **14 and 18 Sandringham Lodge 23 Palmeira Avenue, Flats 3, 4 (x2) and 5 28 Palmeira Avenue, 1 Crown Close, Flats E1 and E4 Hatfield Court, Flats 11, 15/25, 16, 17 and 19 Lansdowne Court 25 Lansdowne Road and 12 Wish Road (leaseholder of Flat 19 Sandringham Lodge) objecting** to the application for the following reasons:

- Loss of sunlight/daylight, will reduce the right to light on neighbouring properties,
- Over-shadowing,
- Extra flats would mean more people and in turn more vehicles that require parking resulting in increased parking demands,
- Another floor would not be in keeping with the adjoining property or the lower-rise properties opposite. Would raise the building above the height of every building in the vicinity and the character if the area could change from

relatively low-rise to high-rise, a retrograde step. Bearing in mind that this area is in close proximity to the Willett Estate, it would be more in keeping to keep this building a low profile as possible so as not to interfere with the character of the street view,

- Would set a precedent,
- Construction disturbance,
- Would be detrimental to the value of the surrounding properties,
- Would overload services such as parking, waste, doctor surgeries which are already not coping with demand,
- Waste minimisation document states proposal is for 2 bedroom apartments not three, this inaccuracy is worrying, what else is inaccurate?
- Concerned regarding asbestos,
- Overlooking and loss of privacy,
- Would suggest overall appearance is improved rather than add an additional flat,
- Is too high and too close to Hatfield Court,
- Concerned about the resultant structural integrity of adding a storey to a building and foundation not designed for such a modification,
- The disruption of the construction, including noise and the lift being out of use would affect residents wellbeing, especially those with medical conditions/disabilities,
- Application was originally introduced in 2002, appears the applicant is still determined to ignore the impact this proposal would have on the character and appearance of the surrounding area. The existing flat roof integrates well with the surrounding buildings in height. The new proposed roof will dominate the sky line and make the building six floors high making this the tallest building in Lansdowne Road. The protruding lift motor room will also add further height,
- Proposal will not add any benefit or beauty to an already built up area. In fact considering the age of the block built in the 70s the pitched roof and dormer windows will look strangely out of keeping with the existing flat roofs. The design is described as being of traditional style, but in fact, it is not in keeping with Lansdowne Road where all the roofs are flat and blend in as one,
- Stated to enhance and add interest to the existing building. This is an over exaggerated statement, it will only enhance its ugliness and plainness, and
- Occupants of third floor level will be severely inconvenienced,

5.2 **Six (6) letters of representation have been received from Flats 3, 4, 10, 11 and 21 Sandringham Lodge 23 Palmeira Avenue and 9 Springate Road supporting to the application for the following reasons:**

- The proposed development would expand the current residential use of the site in line with the National Planning Policy Framework,
- The addition of the proposed roof extension would greatly improve the aesthetic appearance of the block, screening the unsightly lift motor room,
- Would enhance the appearances of the building giving more pleasing skyline than at present,
- Would provide additional residential accommodation in an area where this is very much required,

- In keeping with surrounding buildings,
- As noted by the Planning Committee previously, this is a ‘tired looking’ block, the proposed plans are sensible and desirable in an area with several other ‘tired looking’ blocks, and
- The building needs a new roof which otherwise would have to be paid for by residents.

Internal:

- 5.3 **Access Officer:** Comments that handrails should extend 30mm beyond top and bottom riser in each flight of common stairs, there should be at least 300mm clear space at the leading edge of the entrance door of Flat 23 and there should be at least 1100mm clear space in front of the WC and space for a 1.5m diameter turning circle in one of the bathrooms Flat 22.
- 5.4 **Sustainable Transport:** The Highway Authority comments from a similar recent application (BH2013/00683) still stand however the revised cycle parking now deemed acceptable. The Highway Authority has no objections to the application subject to the inclusion of conditions regarding the retention of parking area, car parking management and cycle parking.

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.
- 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
SU13	Minimisation and re-use of construction industry waste
SU15	Infrastructure
QD3	Design – efficient and effective use of sites
QD14	Extensions and alterations
QD27	Protection of Amenity
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO13	Accessible housing and lifetime homes
HE6	Development within or affecting the setting of conservation areas

Supplementary Planning Guidance:

SPGBH4	Parking Standards
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Supplementary Planning Documents:

SPD03	Construction & Demolition Waste
SPD08	Sustainable Building Design
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 Matters relating to the loss of value to neighbouring properties, disturbance during construction works and the removal of asbestos are not material planning considerations. The main considerations in the determination of the application relate to the principle of the scheme, whether the proposal is appropriate in terms of design with regards to the visual amenities of the existing property, the related street scenes and the setting of the nearby Conservation Areas. The standard of

accommodation, the resulting impact upon neighbouring properties, sustainability and transport issues will also be assessed.

Planning History

- 8.2 Planning permission has previously been refused on three separate occasions for an additional floor of residential accommodation (BH2001/01887/OA, BH2001/02613/OA and BH2013/00683).
- 8.3 Refused application BH201/01887/OA and BH2013/00683 were the subject of appeals which were subsequently dismissed (the 2001 was appealed against non-determination) on grounds of the proposed additional storey being of harm to the visual amenity of the property, and the wider area including the nearby Willett Estate Conservation Area.

Principle of development:

- 8.4 At present, there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 units) as the basis for the five year supply position.
- 8.5 The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The merits of the proposal are considered below.

Visual Amenities

- 8.6 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.
- 8.7 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.

- 8.8 The building is outside of, but close to two Conservation Areas. Policy HE6 states that proposals within or affecting the setting of a Conservation Area should preserve or enhance the character or appearance of the area and should show:
- a) a consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, building lines and building forms;
 - b) the use of building materials and finishes which are sympathetic to the area;
 - c) no harmful impact on the townscape and roofscape of the conservation area;
 - d) the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area;
 - e) where appropriate, the removal of unsightly and inappropriate features or details; and
 - f) the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shopfronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area.

Proposals that are likely to have an adverse impact on the character or appearance of a Conservation Area will not be permitted.

- 8.9 The NPPF states that good design is a key aspect of sustainable development and that development should function well and add to the overall quality of the area, respond to local character and reflect the identity of the local surroundings.
- 8.10 The proposed development refused under application BH2001/01887/OA comprised the creation of an additional floor that mirrored the design and form of the existing building, whilst the most recently refused application sought permission for the construction of an additional storey of residential accommodation which would have incorporated extensive full height glazing and roof gardens enclosed by balustrades.
- 8.11 The 2013 application was dismissed at appeal as the Inspector concluded that “The proposed glazed upper floor would change the present recessive background building into a more assertive feature, the height would be more than its neighbours and the use of glass, whilst

being lightweight and dissimilar to the brickwork below, would be readily seen as reflections of bright sky, and would not blend into its surroundings. It would draw attention to the building and away from both attractive buildings to the south on Palmeira Avenue and from the glimpses of the attractive terrace in Salisbury Road, with Willett Estate”.

- 8.12 It is stated within the information submitted that, following refusal of the 2013 application, the “roof extension has been designed to take into account the sensitivities of the area, in particular the conservation areas to the west and south”.
- 8.13 Within the most recent appeal decision Sandringham Lodge was described as being “mainly of brick with some rendered panels below or between certain windows, but the predominant character is of a solid building due to the repetitive detailing, both on each level, and between the levels”. It was also noted that “the architectural arrangement is less successful than that of the more recent Lansdowne Court to the north corner, but similar to the blocks to the west on the corners with Salisbury Road”. It was also stated that “the present arrangement of the block is, through its design, massing and detailing, not assertive in its surroundings, tending to be a background building”.
- 8.14 The current proposal seeks consent for the creation of two new residential units at upper floor level by providing an additional storey level within a hipped roof form.
- 8.15 The flat roof form is currently located approximately 13.5m above external ground level (measured from the northern elevation) with the flat roof of the associated motor room located approximately 16.4m above related ground level. The proposal would result in the roof height of the building increasing by approximately 3.5m (to approximately 17m) with the proposed extension to the motor room exceeding the proposed roof extension by a further 0.5m (increasing to an overall height of approximately 17.5m).
- 8.15 The proposed roof extension would also comprise the following;
- Four flat roofed dormer windows (the central 2 connected by a continuous flat roof) within the north facing roofslope,
 - Two flat roofed dormers within the south facing roofslopes,
 - Four flat roofed dormers windows within the eastern roofslope, and
 - Two flat roofed dormers within the proposed western roofslopes.
- 8.16 A further roof extension would wrap around the western and southern facing roofslopes, creating a C-shape form. Such an extension would provide a bathroom to proposed flat 23 and a public staircase, with an external access balcony in between.
- 8.17 Due to the mixture of roof materials within the immediate vicinity of the site no objections are raised to the use of a slate roof covering.

The building in its current form has little impact on the Brunswick Town Conservation Area as the nearby Law Courts dominates the nearest point to the east and the building is not readily seen from further south on Palmeira Avenue. In respect of the Willett Estate Conservation Area there is closer proximity at Salisbury Road but it is considered that the continuous terrace within the designated area is dominant and the existing building has little effect, with trees in between. Within the recent appeal decision the existing building was stated to “form a gateway to the Conservation Area and frames glimpses of the terrace beyond”.

- 8.18 The adjacent property in Palmeira Avenue, located to the south of the site, is a large semi detached Edwardian style house. It has a prominent front projecting gable, front dormer and hipped roof sloping down towards the application site. The design and specifically the sloping roof provide visual relief and welcome contrast between the more modern blocks and the traditional styling of the buildings to the south.
- 8.19 The surrounding blocks of flats are of an approximate height to Sandringham Lodge, of particular note is the most recently constructed block opposite, known as Lansdowne Court, the height of which has been designed to match and not exceed that of those around it.
- 8.20 The result of these relationships, roofspace and heights is a consistency which is mutually respectful and which provides visual harmony and provides a positive key visual characteristic.
- 8.21 Upon visiting a top-floor flat within the northern neighbouring property (Lansdowne Court) the Inspector stated that “it is communality of height amongst different buildings that is one of the features locally, tying together the otherwise disparate styles and architectural treatments. The pitched roofed, red brick properties to the south and the modern buildings to the north, east and west are of similar overall height”.
- 8.22 It is considered that the proposed dormer windows would have a detrimental impact upon the visual amenities of the parent property, the related street scenes and the surrounding Conservation Area due to the following reasons;
- The excessive number proposed,
 - The size of the proposed dormers, which includes double width dormers, and
 - The failure of some of the proposed dormers not aligning with existing windows on the associated elevation below
- 8.23 As such the proposed dormers would appear as incongruous additions, creating a cluttered overdominant appearance and would not accord with the requirements of SPD12.
- 8.24 The proposed C-shape rear roof extension would extend from the proposed southern facing roofslope to the proposed western facing

roofslope. This proposed extension as a result of its wrap round design and excessive size would result in the provision of a bulky, contrived and incongruous extension to the rear roofslopes of the property and as such it is considered that the proposed extension would be of detriment to the visual amenities of the parent property and the wider area, including the surrounding Conservation Area.

- 8.25 Overall it is considered that the proposed roof extension, which includes dormers windows of a poor design and excessive size, would result in a development with a height, design and massing that results in a complicated and bulky roof configuration to the property and a development which would fail to take appropriate account of the positive qualities of the neighbourhood and existing buildings, having a negative impact upon the appearance of the street scene, on adjacent buildings and the wider Willett Estate Conservation Area.

Impact on Amenity:

- 8.26 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.

Future occupiers

- 8.27 It is considered that the proposal would provide two flats capable of providing an acceptable standard of living for occupants, of suitable size for family occupation that would meet a strategic housing need in the city. The quality of the accommodation would be acceptable in respect of the standards of living space and access.
- 8.28 Policy HO5 requires suitable external amenity space to be provided for new residential development. No external amenity is proposed for the 2 new additional flats however it is not considered that refusal on this basis could be sustained given that it would appear that the existing residential units within the properties do not have external amenity space and given that the site is located close to public amenity areas, such as the seafront.
- 8.29 Brighton & Hove Local Plan policy HO13 requires new development to comply with Lifetime Homes standards. Some Lifetime Homes Standards measures have been outlined in the submitted Design and Access Statement including the provision of illuminated external entrances, provision of stairwells and passenger lift with easy and safe access, adequate space for wheelchair turning and the provision of a reasonable route for a potential hoist from at least one bedroom to a bathroom. It is noted that the Council's Access Officer has stated that the proposal does not conform to all Lifetime Homes Standards, with regards to handrails within the common stairs, clear space at the leading edge of the entrance door of proposed flat 23 and clear space within the WCs and bathrooms. However compliance with policy HO13

can be secured by the imposition of a condition, in the event that planning permission was granted.

Neighbouring Amenities

- 8.30 Sandringham Lodge is a block of flats set within a communal grounds with minimal landscaping and hard surfacing for car parking. The proposed roof extension would be located entirely within the current footprint of an existing block of flats and as such the new extension would maintain an acceptable relationship with its surroundings. It is considered that the block is sufficiently spaced from others adjacent as to avoid a harmful loss of privacy, loss of outlook, loss of light or cause material overshadowing or overlooking as a result of the proposed development.
- 8.31 The proposal is also considered appropriate in respect of its impacts on the amenity of the existing residents of Sandringham Lodge.
- 8.32 The concerns raised by neighbouring occupiers concerning potential additional noise, disturbance and inconvenience during the occupation and construction period have been noted however these matters do not fall within the remit of planning control. Local residents may have recourse under Environmental Health legislation in relation to noise and disturbance outside normal working hours.

Sustainable Transport:

- 8.33 Policy TR1 requires new development to address the demand for travel which the proposal will create and requires the design of the development to promote the use of sustainable modes of transport on and off site, so that public transport, walking and cycling are as attractive as use of a private car. Policy TR7 requires that new development does not increase the danger to users of adjacent pavements, cycle routes and roads. Policy TR14 requires the provision of cycle parking within new developments, in accordance with the Council's minimum standards as set out in SPGBH4. Policy TR19 requires development to accord with the Council's maximum car parking standards, as set out in SPGBH4.
- 8.34 As part of the proposal the applicant intends to provide a new secure cycle store within the south-western corner of the existing car park, comprising two Sheffield stands. This proposed level of cycle storage facilities is considered acceptable, in accordance with policies of the Brighton & Hove Local Plan and SPG4, as is the proposed access route.
- 8.35 The size of the development is below the threshold at which financial contributions are currently being sought due to the temporary recession measures approved by the Council. The Highway Authority acknowledges this and therefore in this instance does not seek financial contributions for any uplift in trips generated by this development.
- 8.36 Six off-street car parking spaces are currently provided to the rear of the building. Despite the proposal resulting in the provision of two additional

flats no additional off-street parking facilities are proposed and therefore any additional parking may occur on the highway. The site is located within one of the City's Controlled Parking Zones. The Council's Transport Officer has confirmed that there appears to be no significant circumstances in the surrounding area that would be exacerbated by the proposal and therefore refusal based on the lack of additional off-street parking provision would not be warranted.

- 8.37 As previously stated the proposal is increasing the number of flats on site by 2. The number of existing flats is 21. The number of car parking spaces is to remain at the existing number, namely 6 spaces. The proposed 2 flats may generate a greater demand for car parking on the site than is being provided. This could result in misuse of the car park. If overall the proposal as considered acceptable it would be recommended that a car park management plan is secured by planning condition.

Sustainability:

- 8.38 Any new residential development upon the site would need to conform to the requirements of SPD08 in respect of medium scale developments as conversions. In addition, and to conform to the requirements of policy SU2, any development must demonstrate that issues such as the use of materials and methods to minimise overall energy use have been incorporated into siting, layout and design.
- 8.39 The application has been accompanied by a sustainability checklist which details the sustainability features of the scheme. These include the use of locally source materials, timber certified from sustainable sources and re-used/re-cycled materials. It is also stated that the proposed units would be constructed to Code for Sustainable Homes level 3.
- 8.40 The plans submitted fail to show an area for the storage of refuse and recycling frailties within the proposed flats however it is considered that there would be adequate room. In addition communal refuse bins and recycling bins are located in close proximity to the entrance of the flats, both on Palmeira Avenue and Salisbury Road.
- 8.41 As part of the application a Waste Minimisation Statement has been submitted. It is acknowledged that the submitted statement lacks details such as the quantities of waste generated and the details of the proposed waste contractor, however other measures are included such as the segregation of timber packaging, the provision of dedicated recycling skips on site and the use of timber from sustainable sources. If overall the proposal was considered acceptable a condition could be attached to ensure that the stated measures are implemented.

9 CONCLUSION

- 9.1 Whilst it is recognised that the Local Planning Authority does not currently have an agreed 5 year housing land supply, the benefits of the additional housing proposed is outweighed by the harm resulting from the proposal, failing to take appropriate account of the positive qualities of the neighbourhood and existing buildings which results in a negative impact upon the appearance of the street scene, on adjacent buildings and the wider Willett Estate Conservation Area. As such it is considered to be contrary to Local Plan Policies and refusal is recommended.

10 EQUALITIES

The new flats would be required to fully comply with Part M of the Building Regulations and meet Lifetime Home Standards in accordance with policy HO13.

11 REASON FOR REFUSAL / INFORMATIVES

11.1 Reasons for Refusal:

- The proposed roof extension, which includes dormers windows of a poor design and excessive size, would result in a development with a height, design and massing that results in a complicated and bulky roof configuration to the property and a development which would fail to take appropriate account of the positive qualities of the neighbourhood and existing buildings, having a negative impact upon the appearance of the street scene, on adjacent buildings and the wider Willett Estate Conservation Area. The proposed development is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan.

11.2 Informatives:

- 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.

- This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Location Plan	A1614/01	-	29th September 2014
Site Plan	A1614/02	-	19th September 2014
Proposed Floor Plan	A1614/03	-	19 th September 2014
Proposed North Elevation	A1614/04	-	19 th September 2014
Proposed East Elevation	A1614/05	-	19 th September 2014
Proposed South Elevation	A1614/06	-	19 th September 2014
Proposed West Elevation	A1614/07	-	19 th September 2014
Proposed Roof Plan	A1614/08	-	19 th September 2014
Proposed Floor Plan	A1614/09	-	19 th September 2014
Existing Floor Plan	A1614/10	-	19 th September 2014

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Existing Site Plan	A1614/11	-	19 th September 2014
Existing Roof Plan	A1614/12	-	19 th September 2014
Existing North Elevation	A1614/13	-	19 th September 2014
Existing East Elevation	A1614/14	-	19 th September 2014
Existing South Elevation	A1614/15	-	19 th September 2014
Existing West Elevation	A1614/16	-	19 th September 2014
Plan and Elevations of Secure Cycle Store	A1614/17	-	29 th September 2014

ITEM G

43-45 Bonchurch Road, Brighton

BH2013/04292
Full planning

28 JANUARY 2015

BH2013/04292 43-45 Bonchurch Road, Brighton



<u>No:</u>	BH2013/04292	<u>Ward:</u>	HANOVER & ELM GROVE
<u>App Type:</u>	Full Planning		
<u>Address:</u>	43-45 Bonchurch Road Brighton		
<u>Proposal:</u>	Demolition of existing building and erection of 6no flats (5 x 1 bedroomed and 1x 3 bedroomed) with refuse storage.		
<u>Officer:</u>	Paul Earp, tel: 292454	<u>Valid Date:</u>	20/12/2013
<u>Con Area:</u>	N/A	<u>Expiry Date:</u>	14 February 2014
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Murphy Associates, 18 Braemore Court Kingsway Hove BN3 4FG		
<u>Applicant:</u>	Mr Peter Shooter, 43-45 Bonchurch Road Brighton BN2 3PJ		

I 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 a S106 agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.2 The application relates to a site on the west side of Bonchurch Road, opposite the junction with Bernard Place. The site has a road frontage of 10.5m widening to 11.5m at the rear, and has a depth of 23.5m. The site has an area of approximately 253m³. The buildings on the site were originally a washhouse, and are two storey with basement. The accommodation consists of 421m² gross internal floorspace which forms shop with ancillary storage/warehouse, workshop, garage and office space. The footprint of the building occupies the entire site at basement level, with the first floor occupying the full width of the site but set back from the rear boundary. The building has a dual pitched roof with gables to the street and is constructed of painted brickwork with tiled roof, and is corrugated in part at the rear. The site is set within a two storey residential terrace, some with basements. William Clarke Park is located to the rear. The site is not within a conservation area.

3 RELEVANT HISTORY

- BH2013/02317** – Demolition of existing building and erection of 9 x 1 and 2 bedroomed flats. Withdrawn 20/09/2013.

4 **THE APPLICATION**

The application as originally submitted was for the demolition of the existing building and erection of 8 x two bedroomed flats. The proposal was subsequently amended to reduce the number of units to 7 flats, consisting of 5 x 2 bed and 2 x 1 bed. The application has been amended further in order to reduce the bulk of the building, and the outrigger in particular, together with the number of units. The development is now for the demolition of the existing building and construction of a building forming 6 units, consisting of 5 x 1 bedroomed flats and 1 x 3 bedroomed flat. The development consists of:

Massing:

- Building has a T-shaped plan, two storey plus basement and rooms in the roof.
- Building to be 10.5m wide (full width of site) x 12.0m in height (10.0m above pavement level),
- Outrigger set 2.0m from rear (west) boundary at basement level and 6.0m at ground first and roof level, 2.0m from south (side) and 1.3m from north (side) boundaries. The outrigger would have a pitched roof.

Layout:

- Basement - 1 x 3 bed flat with private amenity space of 8m² to front, and 31m² to rear.
- Ground and first floors - each to form 2 x 1 bed flats.
- Attic – 1 x 1 bed flat.

Design:

Front elevation:

- Excavate front area to form lightwell to front basement.
- Walkway over lightwell to front entrance.
- Central entrance with cant bay from basement to first floor levels either side of entrance.
- 1 rooflight to align above both bay windows, each to measure 0.6m by 1.1m.
- Canopy over front entrance.
- Boundary: 1.2m high boundary wall with piers to pavement.
- Materials: walls: white painted brick; roof: concrete tiles; windows: double glazed sliding sash, white painted timber.

Rear elevation:

- Outrigger: pitched roof, incorporating total of 2 rooflights, each to measure 0.6m by 1.1m.
- Dormer window within main roof either side of outrigger, to incorporate sash window and pitched roof. Dormers 1.5m wide x 2.0m high.
- Boundary: brick wall 2.5m high to side and rear to remain.

Cycle storage:

- On-street provision proposed.

Refuse/ recycling storage:

To be sited within basement.

5 **PUBLICITY & CONSULTATIONS**

Comments on the original scheme for 8 flats:

External:
5.1 **Neighbours:**

Thirty two (32) letters of representation have been received from occupiers of: **24, 34, 41, 44, 46, 47, 49, 51, 54, 56, 69, 75, 85, 88, 90, 95, 99, 107, 116, 118 Bonchurch Road; 54 Brading Road; 112, Ewart Street (BN2 9UP); 142 Elm Grove; 73 Hanover Street; 78 Hartington Road; 110 Islingword Road; 13 Pankhurst Avenue; 318 Queens Park Road; 3 Seville Street; 83 Southover Street; 8 Whippingham Road; BN2 3PG** objecting to the application for the following reasons:

- Overdevelopment of the site and not in keeping with the area.
- This application is a revision to previously withdrawn application and only reduces the number of units by 1, from 9 to 8, in an area already with too many HMO's.
- The building is too high and goes too far back at a high level. It will block light and be unsightly, particularly from the rear. Footprint of building too large.
- Loss of light to neighbouring properties, due to height and width of building.
- Loss of privacy – overlooking of neighbouring properties and gardens.
- Lack of amenity space.
- Whilst appreciate need for housing, this development is totally unsuitable in terms of size and density in an already crowded area, mostly of terraced housing. Site more suited to two dwellings.
- The City needs affordable housing, which this development is not providing.
- The Article 4 planning control to limit HMO's in the Ward does not seem to have any effect on restricting development with properties continually being converted into flats.
- Another large scale development in the area which is oversubscribed with anti social student issues, parking problems, refuse/litter problems, will only increase landlords profit and offer nothing back into the community.
- Adverse impact on the amenity of neighbouring residents by way of loss of light and space and will decrease value.
- Lack of parking. Existing parking problems will be exacerbated by demand created from the development. There should be parking provision, or a covenant in each o the lease prohibiting the occupiers from having a car.
- Currently the property is used as a piano warehouse, and has a van parked in front of the warehouse. This is a very different situation to the proposal with potentially 22 people living in the building, and potentially 22 cars. A similar development at 62-82 Bonchurch Road has underground parking, and if this scheme goes ahead this should be considered.
- The size of the basement cycle storage seems unlikely to accommodate more than 3 cycles.
- Noise pollution.

- Existing building is a landmark and should be restored as it is part of the history of the area. It would make a lovely house; object to it being knocked down.
- Have concerns about the newts and grass snakes that live around the nature area/pond in the Patch to the rear.
- Schools in the area are already stretched to capacity.
- Proposed refuse storage is inadequate.
- Excavation for the basement could cause subsidence to adjacent properties.
- Concerned about the intended disposal of the asbestos roof and seek assurances about consultation with neighbours to ensure necessary safety and protection, given this is a high density area.
- Proposed powder coated aluminium finish to doors and windows will be out of keeping with surrounding buildings.

Comments on the scheme as amended for 7 flats:

External:

5.2 **Neighbours:**

Twenty eight (28) letters of representation have been received from occupiers of: **32, 41, 44, 46, 47, 49, 51, 54, 56, 59, 69, 75, 85, 88, 90, 94, 95, 99, 102, 104, 105, 107, 111, 113 Bonchurch Road; 112 Elm Grove; 110 Islingword Road; 83 Southover Street; BN2 3PG** objecting to the application for the following reasons:

- This amended scheme reduces the number of units by one, from 8 to 7. Seven units on the site is still an overdevelopment, not in keeping with the area.
- The reduction does not represent any significant change and previous concerns still remain, such as loss of light and privacy, and a significant increase in noise, refuse, parking and traffic problems, and impact on rare slow worms and newts in the wildlife area to the rear of the site.
- The building still covers too high a proportion of the plot.
- Site more appropriate for 2 houses or 3 or 4 flats. The building is far too big and could accommodate up to 20 residents. Development has no regard to impact on local environment and neighbouring properties.
- The area already has too many HMO's.
- Seven more households will put huge pressure on the area.
- Loss of the garden is an issue in an area with so little green space.
- Proposed block is higher than the present building to the street and continues at the same height for its full width. The existing building drops considerably lower, by a storey, to the rear. The increase in height will dominate adjacent properties, cause overshadowing and reduce light.
- Lack of parking.
- Insufficient provision of cycle storage. Location at basement level means taking cycles down internal stairs.
- Existing building is a historic local landmark and should be retained.

Comments on the current scheme for 6 flats:

External:

5.3 **Neighbours:**

Five (5) letters of representation have been received from occupiers of: **44, 46, 47, 49, 54 Bonchurch Road** objecting to the application for the following reasons:

- Whilst these amended plans incorporate favourable improvements, still concerned that the back of 49 Bonchurch Road and garden will suffer loss of light particularly when the sun is lower in the sky in the winter months.
- The height of the building will take some of the natural light from the front of 44 Bonchurch Road, and lead to loss of privacy with people overlooking the property.
- Still concerned that the size of the development will add considerably to the comings and goings, noise and parking problems of an already busy road which has a large number of HMO's and several blocks of flats.
- Use of the roofline, which stands higher than other houses in the road, is not in keeping with the rest of the houses in the road.
- The frontage and mass of the proposed development is significantly greater than that of surrounding properties and would have greater impact. Therefore important that the roofline does not exceed the majority of its neighbours.
- No parking. Six additional flats will exacerbate the already over stretched parking, which often results in cars parked dangerously on the junction with Bernard Place.
- Insufficient cycle parking.
- A factor in buying a property in the street was that we were advised that no more HMO's would be allowed in the road. It would seem unreasonable to reverse this decision by building flats.
- There is already a lot of refuse and recycling bins on the street, which are a health and safety hazard as well as being unsightly and a nuisance. A ban on bins and recycling in the street and the installation of a local recycling centre which can be reached by foot would be a far better use of the site and would be one of the biggest improvements that could occur in the street.
- The Piano Warehouse is a valuable part of the history of the street and city and should be listed.
- The site should be used to build two houses rather than more multi occupancy accommodation in an already overcrowded area. The single bedroomed flats could fit a double bed and accommodate 2 people, making a total of 14 residents in the development.

5.4 **Internal**

Environmental Health: No objection subject to a contaminated land condition. Due to its commercial use the site has been identified as potentially contaminated land and is also adjacent to the Picton Street landfill site, once a railway line.

Access Officer: The proposal satisfies Lifetime Homes Standards.

- 5.5 **Sustainable Transport:** No objection subject to a S106 Agreement of £5,050 towards sustainable transport improvements, provision of cycle parking facilities, and two years membership to City Car Club for each first occupier of each residential unit.
- 5.6 **Planning Policy:** No objection.
- 5.7 **Heritage:** The building would be unlikely to meet English Heritage criteria for statutory listing. The building dates from the 1880s/1890s, when Bonchurch Road was developed, and was apparently built as a commercial wash house in conjunction with the residential property at No. 47, with which it shares a simple, decorative pattern to the elevation of roughcast render panels within the facing brickwork. To be listable late 19th century buildings must survive largely unaltered and must represent an architecturally or historically important example of their building type. This property is architecturally simple and has been much altered; the brickwork has been painted, original windows lost and a projecting extension built in front of what is assumed to have been a carriage entrance. It has some local historic interest but is not an early example of a wash house in a national context.

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
- TR18 Parking for people with a mobility related disability
- 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
- 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
- QD5 Design – street frontages
- QD27 Protection of amenity
- QD28 Planning obligations
- HO3 Dwelling type and size
- HO4 Dwelling densities
- HO5 Provision of private amenity space in residential development
- HO7 Car free development
- HO13 Accessible housing and lifetime homes
- SR8 Individual shops

Supplementary Planning Documents:

- SPD03 Construction and Demolition waste
- SPD08 Sustainable Building Design
- SPD12 Design Guide for Extensions and Alterations

Supplementary Planning Guidance:

- SPGBH4 Parking Standards

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 loss of the existing building, in terms of use and the contribution the existing building makes to the street scene, the scale and design of the proposed building and its impacts on the wider street scene, the standard of accommodation to be provided and its impacts on the amenities of adjacent occupiers, and sustainability and transport issues.
- 8.2 This application follows the withdrawal of application BH2013/02317 in September 2013 for the demolition of existing building and erection of 9 x 1 and 2 bedroomed flats. This current application has been subject to considerable negotiations mainly to reduce the bulk and number of units and has been reduced from 8 flats to 6.
- 8.3 **Demolition of the existing building:**
The premises are known as The Brighton Piano Warehouse which occupies 3 buildings which originally formed a wash house, and is situated on the west side of the street. The building appears as a tall single storey property from the street with a double pitched roof, garage doors and elevated front entrance accessed by steps. To the rear the building is single and two storey extension with part corrugated roof and wall. Internally the showroom is situated at ground floor level, with workshop and storage within the basement, and office accommodation at first floor level. The building is situated within a terrace of two storey residential building and by virtue of its double gable frontage, scale, and commercial appearance architecturally contrasts with the general appearance of buildings within the immediate vicinity. The site is not within a conservation area, and the building is neither listed or a building of local interest. Whilst public comments state that the building is part of the heritage of the city and should be retained and listed, the Conservation Officer states that as the façade of the building has been substantially altered from original, it fails to meet the criteria for listing. The building does not benefit from any statutory protection against demolition, and for these reasons no objections are raised to the principle of redevelopment of the site.
- 8.4 Additionally, the building is in a poor state of repair which is a factor which impedes its improvement or reuse. Much of the rear is constructed with corrugated material, and the applicant states that the roof leaks and the basement floods during heavy rain which make the premises inappropriate for the display of expensive pianos. Additionally the former use, within a series of small rooms, also restricts displays. The applicant states that the building's internal layout, method of construction and condition, make it unviable to convert it to other uses, and would result in an inefficient use of the site contrary to national and local policies.
- 8.5 Environmental Health comment that due to the site's commercial use it has been identified as potentially contaminated land and is also adjacent to the Picton Street landfill site, once a railway line. For this

reason it is recommended that redevelopment should be subject to contaminated land conditions to ensure a site investigation, and detailed scheme for any required remedial works to be undertaken, to avoid risk from contamination. With such provision no objections are raised to the demolition of the building.

8.6 **Change of use:**

Loss of retail use:

Policy SR8 of the Local Plan relates to individual shops and states that the change of use of individual shops will be permitted where the shop is within easy walking distance of local centres, has been adequately demonstrated that the A1 retail use is no longer viable, and that the development would not be significantly detrimental to the amenities of occupiers of nearby residential properties of the general character of the area.

8.7 The piano showroom, which is primarily for the sale and hire of new and used pianos also offers a removal and storage service, and sells ancillary items such as music stands etc. Approximately half of the floorspace is for retail purposes with the remainder for storage, repairs and office. The premises are open to visiting members of the public but as a very specialist shop it does not attract much passing trade. Most trade is from clients who know of, and make a special trip to the premises. This is a family business which has traded from the site for 30 years who are seeking to relocate in more appropriate premises in the city. Whilst the specialist nature of the existing unit is acknowledged, the policy applies to A1 uses generally. Furthermore, it is the case that other A1 uses could use the premises. No marketing information has been submitted to address the requirements of policy SR8.

8.8 The applicants are also of the view that the existing use represents a bespoke specialist shop that would not normally be located in a High Street or main shopping frontage, and the need to accommodate loading and unloading burdens the premises given the constraints of the street as well as disruption to neighbours and that due to the nature of the use, its loss would not result in the loss of a convenience store used by local residents for everyday needs. The site is located within easy distance of other similar facilities offered on Elm Grove and Lewes Road being approximately 360m from the Lewes Road district shopping centre and within 100m of shops in Elm Grove. Two convenience shops are located on Elm Grove, almost opposite the junction with Bonchurch Road,

8.9 Whilst the property has not been marketed to test redundancy, a building survey has been submitted (Bowden Property Consulting Ltd, report dated 6 January 2015) which highlights the poor condition of the building. The report notes that extensive works would be required to bring it up to standard, which for a property of this type and age would probably be considered to be financially unviable. Due to the condition

and incline of the staircase including widths, the basement area currently used for displaying pianos does not meet current Disability Discrimination Act standards (DDA). The staircase leading from the basement to the first floor of the metal clad building is no longer in use as it is deemed by the applicant to be dangerous. The staircase leading to the first floor office space is dangerous and fails to meet modern DDA requirements and to fully protect the structure and occupants against fire would also be problematic. In addition, the external ramp does not meet DDA so the entire ground floor would need to be dropped which would affect the head height to the basement area rendering it unusable. A large proportion, over half, of the basement floods from surface water run off as well as rising waters from the manhole. Together with water penetration where one building meets another and the valleys between, plus the quality of the build, the conditions in the basement are not suitable even for storage with much of the building suffering from damp. The building has no central heating, the electrical system requires replacement and the drainage is defective and the cost of such repairs would make the value of the end product far below the combined cost of the property and the works. With the extent of work required, the shell of the three components of the building are not considered to be worth saving from a financial point of view as the extent of work required to address the defects would entail 80% rebuild. Should the premises be rented or leased, the rents/lease costs required to cover the expenditure would need to be high to provide a reasonable standard and as such it would be difficult in the present market conditions to attract another A1 users in a location which is already well served by existing A1 uses as there are a number of better quality units available at more reasonable rents/leases with a higher foot fall. With the differing levels from front to rear, the cost of building will be high as would the expectation for a new A1 unit if it is to attract a new occupant. As a financial investment it is unlikely to attract an A1 user to a residential street with no other retail users adjacent, where access for deliveries is an issue and where there are other more suitable locations and premises available. For instance within the immediate area units are available at 112-113 Lewes Road, a new build scheme with a retail unit of 134.2m² has been marketed for over a year and remains vacant. In addition 91 Lewes Road, an existing retail unit of 67.82m² with rear storage at ground floor level has been advertised to let for over 6 months with Graves Jenkins and remains vacant. The Kiosk, Elm Gove, a small A3/A5 units has been advertised by Flude Commercial. Over the past few years and prior to being an A3 or A5 use it was in use as an A1 flower shop and is up for lease again. The unit at 112-113 Lewes Road would be more attractive to any A1 user when compared with the premises in Bonchurch Road. The applicants argue that with either option, the return would exceed 10 years with the advised period for payback being no more than 7 years for financial outlay to be financially sound.

- 8.10 Despite the lack of marketing, given the poor state of the building and the location of the premises within easy walking distance of both individual convenience stores, and the Lewes Road district shopping centre, the loss of the retail use is considered to be acceptable in these circumstances and an exception to policy SR8 is permitted.
- 8.11 Provision of residential accommodation:
With regard to the principle of residential use on the site, the application proposes 6 residential units. At present there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (24,000 units) as the basis for the five year supply position. The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.
- 8.12 The site is situated in a residential street with residential properties adjoining and opposite. As such the principle of residential development is acceptable in this location.
- 8.13 Policy HO4 aims to make full and effective use of land for housing. This proposal has been reduced from 8 to 6 units in order to provide a unit suitable for family occupation, improve the standard of accommodation in the roofspace, and reduce the bulk and improve the design of the outrigger. The development now consists of a three bed unit at basement level and 5 x 1 bed units at ground, first floor and within the roofspace. The street is residential in nature with residential adjoining. The principle of residential in this location is welcomed, and the units would make a welcome contribution to the housing stock.
- 8.14 Standard of proposed accommodation:
Policy HO3 relates to dwelling type and size and seeks to ensure that proposals for new residential development incorporate a mix of dwelling types and sizes, including accommodation suitable for family occupation. The proposed layout incorporates a three bedroomed unit within the basement with a floor area of approximately 150m² which has separate kitchen and living room and private amenity space. The one bedroomed units at ground and first floor level have a floor area of approximately 50m² with combined kitchen/living rooms. The one bed unit within the roofspace has a floor area of approximately 55m² with separated kitchen. A dormer window provide an outlook to the living room and bedroom. The bathroom and kitchen and living room each have a rooflight.

- 8.15 Policy HO13 relates to Lifetime homes. The units are of adequate size and layout to meet current standards and the Access Officer considers the proposal to be satisfactory.
- 8.16 Policy HO5 states that the provision of private useable amenity space should be provided in new development where appropriate. The footprint of the building has been reduced by removing the existing ground floor store and the area will form a rear garden area of approximately 31m² to form part of the basement flat.
- 8.17 The reduction in the footprint of the building and provision of private amenity space for the basement unit is to be welcomed and appropriate to the development.
- 8.18 The premises are located in a dip in the street and due to the fall in land levels from east to west, the existing building entrance is raised above ground level. The proposal is to excavate the front area to form a light well to the proposed basement flat. Without the formation of the lightwells much of the basement floorspace would be unusable and the development could not make efficient use of the floorspace on this sloping site. However this has resulted in the lack of space to place refuse and cycle storage to the front of the building, a problem evident elsewhere in the street, where due to lightwells, bins are placed on the pavement. The applicant has explored the possibility of siting bins both to the front and rear of the proposed front boundary wall but both would impact on the outlook of the adjacent flats and the visual amenity of the streetscene. A refuse storage area is now proposed within the basement.
- 8.19 Cycle storage was originally proposed within the basement but this would not be ideal with cycles having to be carried up a staircase. A convenient location for on-site cycle storage has been difficult to provide and the Traffic Engineer considers the provision on-street would be acceptable due to the site restrictions.
- 8.20 For the reasons stated the standard of accommodation is now considered to be satisfactory.
- 8.21 **Design:**
Policies QD1 and QD2 require new buildings to demonstrate a high standard of design and to make a positive contribution to the visual qualities of the environment. All new development should be designed to emphasise and enhance the positive qualities of the local neighbourhood, by taking into account the local characteristics including height, scale, bulk and design.
- 8.22 Properties in the immediate vicinity are generally two storey terraced buildings, with properties to the south of the site having basements. The adjoining building to the north also has a basement. The terraces

step down in height with the general fall of the street. Two short stretches of post-war development within the existing terraces are located on both sides of the street in a similar manner as this proposal.

- 8.23 The existing building which is single storey from the street is much lower than the adjoining buildings, and interrupts the general rhythm of the terrace. The ridge of the proposed building to be the height of the adjoining property to the north No.47, and the eaves level match that of the adjoining property to the south No.41. The proposed building has a T shaped form with a tiered three storey outrigger to the rear. The front elevation consists of two bays either side of the main entrance above basement level. The vertical sash windows reflect the style of windows in the vicinity. A rooflight is centralised above each of the front bays.
- 8.24 The proposed rear elevation is dominated by the outrigger which has a pitched roof and vertical windows. Outriggers are a general feature of properties within the terrace, with some to eaves level. In the context of development within the terrace together with the scale of the existing building, the proposed outrigger is considered to be acceptable in terms of scale and appearance. The roof of the outrigger incorporates two dormers with pitched roofs, and two rooflights. The dormers are well contained within the roofspace and reflect the detailing of the windows below. The rooflights are modest in size and well proportioned. The dormers and rooflights are required to make efficient use of the roofspace and accords with the guidance contained within SPD12 which states that such features should be kept as few and as small as possible and should relate well to the scale and proportions of the elevation below.
- 8.25 The site was originally 3 Victorian buildings of which the adjacent property, No. 47 formed part. It has come to light at a late date that part of a small utility/store room within the basement of No.47, to the front of the property, extends under the application site. For this reason the application has been amended to exclude this area from the development site and as a consequence the front bay at basement level adjacent to No. 47, has been reduced in width. Whilst the two basement bays would be of different widths, given the location at basement level which is not unduly prominent, it is not considered that the changes would be detrimental to the appearance of the building or streetscene.
- 8.26 For the reasons outlined the proposed scale, form, design and detail of the proposed development is considered acceptable, and would make a positive contribution to the local neighbourhood.
- 8.27 **Impact on Amenity:**
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.

- 8.28 The existing premises fronting the street have a double pitched roof and is approximately 4m lower than the adjoining properties. Whilst the proposed building is marginally taller than the adjoining properties this will have no impact on residential amenity.
- 8.29 The rear of the existing building is one and two storey and extends approximately 3m beyond the rear of No. 47 to the north, and 4.8m beyond No.41 to the south. The proposed building at the rear has a 3 storey outrigger, plus rooms in the roof. The proposed building has a smaller footprint than the existing to provide a rear garden area for the basement flat. The outrigger is the full width of the plot at ground floor level when viewed from the rear and then steps from the side boundary by a minimum of 1.2m and is 2m from the rear boundary to form the amenity space. The outrigger then steps further from the boundaries with the two upper floors 1.3m from No.47 and 2m from No.41.
- 8.30 In relation to the building to the south, No. 41, the outrigger is set back 2m from the boundary above ground floor level, which is similar gap to that of No.41 to the boundary. Existing windows within the outrigger of No.41 face the existing building at ground floor level and a window at first floor level is obscure glazed at first floor level. Two small obscure glazed windows are proposed in the side elevation of the outrigger which would face No.41. These are to be obscure glazed and if openable to provide ventilation to bathrooms would be acceptable in terms of impact. It is not considered that the proposal would sufficiently alter the existing relationship between the buildings.
- 8.31 In relation to the building to the north, No.47, the existing building currently has a window at first floor level directly on the boundary which overlooks the property. The proposed set back of the outrigger from the boundary provides a gap between the properties and results in a general reduction in the mass of the building, which together with the removal of the window on the boundary, will result in an improvement in the amenities to No. 47.
- 8.32 A park is located to the rear of the site and the proposal would have no adverse impact on properties beyond at the rear.
- 8.33 **Sustainable Transport:**
Policy TR1 of the Local Plan requires development proposals to provide for the demand for travel which they create and maximise the use of public transport, walking and cycling. Policy TR7 will permit developments that would not increase the danger to users of adjacent pavements, cycle routes and roads. Policies TR14, TR18, and TR19 requires the provision of adequate cycle parking, parking for people with mobility related disability, and car parking, respectively. Policy QD28 seeks planning obligations where necessary to secure the provision of contributions towards the provision of public transport and pedestrian and cycle route infrastructure where necessary.

8.34 Car parking:

The proposal involves the loss of the existing garage and the proposal does not include any parking provision. Public objection are raised to the lack of off-street parking and state that the proposal will exacerbate existing traffic problems.

8.35 The Traffic Engineer has no objection to the lack of off-street parking in principle subject to total contribution of £5,050 of which £4,050 would be to help finance footway improvements in the local area, such as dropped kerbs and tactile paving, and £1,000 for on-street cycle parking. The sustainable transport contribution are requested to comply with policies TR1 and QD28 and the Council Interim Guidance on Developer Contributions requests and secured by Section 106 Agreement. The Agreement would also include the provision of 2 years membership for each unit to City Car Club. There are existing Car Club bays on Barnard Place and the Lewes Road corridor, in close proximity to the site.

8.36 Despite public concerns it is considered that subject to the provisions of the Section 106 Agreement, together with the removal of traffic and deliveries currently generated from the existing commercial use, that the proposal is acceptable in terms of traffic impact. The reinstatement of the existing crossover is to be secured by condition.

8.37 Cycle parking:

Cycle Parking Standards SPG04 state that applicants should provide 1 space per dwelling and 1 space per 3 dwellings for visitors or part thereof. Therefore a parking provision of 8 spaces (6 for residents and 2 for visitors) is required for this scheme.

8.38 The applicant has explored ways of providing secure cycle parking facilities on site. As a consequence of the front basement lightwell there is a lack of space to the front of the building for such provision, and a proposal to place stands adjacent to the front entrance on a cantilevered platform was considered unsuitable in terms of impact on the appearance of the building and on the amenities of the occupiers of the adjacent flats. A proposal to provide cycle parking within the building at basement level was discounted as it would be difficult to carry cycles upstairs and the space is now to be used for refuse storage. Given these constraints the Traffic Engineer considers it acceptable to provide cycle parking on-street, and £1,000 is sought as part of the Section 106 Agreement for this purpose.

8.39 **Sustainability:**

Policy SU2 and SPGBH8 requires efficiency of development in the use of energy, water and materials and recommends that developments of this size meet the criteria to achieve zero net annual CO2 from energy use, achieve Level 3 of the Code for Sustainable Homes, and meet Lifetime Homes Standards.

8.40 The application is accompanied with a Sustainability Checklist which states that the proposal will incorporate rainwater butts and an efficient gas boiler. Refuse and recycling facilities are to be provided within the basement. The new building fabric is designed to exceed the U-values and air tightness required by Building Regulations. All timber windows and aluminium doors will be double glazed. All flats will be fitted with controlled dual flush w.c's, aerated taps and showerheads. Two internal bathrooms do not benefit from natural light or ventilation and will be mechanically ventilated. A heat recovery system which takes heat and moisture out of the air in the bathrooms and kitchens and uses this to heat the fresh air supply or hot water is proposed. Such a system should reduce energy consumption by around 30%.

8.41 The applicant has advised that the scheme will achieve Level 4 of the Code for Sustainable Homes, the provision of which is conditioned.

8.42 Ecology/Nature Conservation:

The application is supported by a Biodiversity Indicators Checklist. The site consists of a building without any open space and the checklist indicates that no habitat or wildlife will be adversely affected by the development.

8.43 Waste Management:

Policy SU13 states that development proposals should have regard to the minimisation and reuse of construction waste. This is reinforced by SPD03 Construction and Demolition Waste which sets out best practice.

8.44 A Waste Statement accompanies the application which states that waste from the demolition will be used as hardcore, and that where materials are salvageable or can be used as hardcore for other sites, the applicant will advertise such materials through Brighton Freecycle to minimise skip content and landfill. Materials will be separated and collected by specialist during demolition, timber will be sourced from certified renewable forests and other materials locally sourced where possible. The applicant will endeavour to use local builders, sub-contractors, builder's merchants and suppliers.

9 CONCLUSION

9.1 As the existing building is in a poor state of repair and not of listable quality, its demolition is not resisted. The loss of the retail floorspace is considered acceptable given the poor state of the building and its location within easy walking distance of both the Lewes Road district shopping centre and individual convenience stores. The site is within a residential terrace and the proposal for a residential development, which includes a mix of units, including a 3 bedroomed unit suitable for family occupation, is to be welcomed. The accommodation meets Lifetime Homes standards and achieves a high level of sustainability.

The design of the proposed building with front bay windows and sash windows reflects the Edwardian detailing of buildings in the vicinity. The scheme has been subject to several revisions and the bulk of the outrigger in particular has been substantially reduced in length and height and set further from side boundaries. It is now considered that the structure would not adversely affect the residential amenities of neighbouring residents and represents an improvement on the existing situation where the existing building extends to the boundaries of adjoining properties. The scheme makes efficient use of the site and achieves a level of accommodation to make the redevelopment viable. The applicant has explored options to provide cycle and refuse storage on site but changes in ground level make this difficult to achieve. Whilst refuse storage is proposed within the basement the applicant has agreed to make a financial contribution for on-street cycle storage which is to form part of a Section 106 Agreement, together with a contribution to finance footway improvements and 2 years membership to City Car Club.

10 EQUALITIES

10.1 The properties meet lifetime homes standards.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- A contribution of £5,050 towards cycle parking and footway improvements in the local area,
- 2 years membership for each residential unit to City Car Club,

and to the following conditions and 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
Existing site and block plan	001		10 February 2014
Proposed location plan	002	C	6 November 2014
Existing basement plan	100		20 December 2013
Existing ground floor	101		17 December

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			2013
Existing first floor plan	102		17 December 2013
Existing front elevation	103		20 December 2013
Existing rear elevation	104		17 December 2013
Existing side elevation	105		17 December 2013
Proposed basement plan	200	H	6 November 2014
Proposed ground floor plan	201	F	20 October 2014
Proposed first floor plan	202	E	20 October 2014
Proposed second floor	203	G	18 October 2014
Proposed roof plan	204		9 June 2014
Proposed front elevation	205	H	6 November 2014
Proposed rear elevation	206		9 June 2014
Proposed side elevation - north	207	G	20 October 2014
Proposed side elevation - south	208	G	20 October 2014
Proposed north side elevation with existing overlay	209		18 October 2014
Building survey report	Bowden Property Ltd		11 January 2015

3. No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway. **Reason:** To safeguard the appearance of the building and the visual amenities of the locality and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.
4. The development hereby permitted shall be undertaken in accordance with the Waste Minimisation Statement received 17 December 2013. **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 WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

5. 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.

Pre-Commencement Conditions:

6. 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.
7. 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.
8. No development shall take place until a Constructional Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
 - a) a scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with, reviewed and recorded (including details of any considerate contractor or similar scheme.)
 - b) a scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management, vibration, site traffic, and deliveries to and from the site.
 - c) details of hours of construction including all associated vehicular movements.
 - d) details of the construction compound.
 - e) a plan showing construction traffic routes.The construction shall be carried out in accordance with the approved CEMP.

Reason: In the interests of highway safety and to comply with policies QD27, SU10, SR18, SU9 and TR7 of the Brighton and Hove Local Plan.

9. No works pursuant to this permission shall commence 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;
(Please note that 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 be confirmed in writing);

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.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton and Hove Local Plan.

10. No development shall commence until full details of the existing and proposed land levels of the proposed development 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 and Hove Local Plan.

Pre-Occupation Conditions:

11. The development hereby permitted shall not be occupied or brought 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) 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 and Hove Local Plan.

12. 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.

13. 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.

14. 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.

15. Prior to the first occupation of the development hereby permitted the redundant vehicle crossover to Bonchurch Road shall be reinstated back to a footway by raising the 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 and 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) The applicant is advised that details of Lifetime Homes standards can be found in Planning Advice Note PAN 03 Accessible Housing & Lifetime Homes, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
- 3) The applicant is advised that details of the Code for Sustainable Homes can be found on the Planning Portal (www.planningportal.gov.uk), on the Department for Communities and Local Government website (www.communities.gov.uk) and in Supplementary Planning Document SPD08 Sustainable Building Design, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk). Accreditation bodies at March 2010 include BRE and STROMA; other bodies may become licensed in future.
- 4) The applicant is advised that details of the Council's requirements for Waste Minimisation Statements can be found in Supplementary Planning Document SPD03 Construction and Demolition Waste, which can be accessed on the Brighton & Hove City Council website (www.brighton-hove.gov.uk).
- 5) The applicant is advised that new legislation on Site Waste Management Plans (SWMP) was introduced on 6 April 2008 in the form of Site Waste Management Plans Regulations 2008. As a result, it is now a legal requirement for all construction projects in England over £300,000 (3+ housing units (new build), 11+ housing units (conversion) or over 200sq m non-residential floorspace (new build)) to have a SWMP, with a more detailed plan required for projects over £500,000. Further details can be found on the following websites: www.netregs.gov.uk/netregs/businesses/construction/62359.aspx and www.wrap.org.uk/construction/tools_and_guidance/site_waste_2.html

- 6) 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).

- 7) The phased risk assessment should be carried out also in accordance with the procedural guidance and UK policy formed under the Environmental Protection Act 1990. 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. The local planning authority has determined the application on the basis of the information made available to it. It is strongly recommended that in submitting details in accordance with the above/below conditions that the applicant has reference to CLR 11, Model Procedures for the management of land contamination. This is available online as a pdf document on both the DEFRA website (www.defra.gov.uk) and the Environment Agency (www.environment-agency.gov.uk) website.

- 8) 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 proposed residential units will make a positive contribution to the city's housing stock, including the provision of a family unit, would respect the character and appearance of the existing streetscene and achieve the appropriate standard of accommodation in terms of Lifetime Homes Standards and sustainability. The scale of the development would not have a detrimental impact on the neighbouring amenity. On-street cycle parking, footway improvements in the local area, and a two year membership to the City Car Club for each first occupier of each residential unit would be secured by Section 106 Agreement.

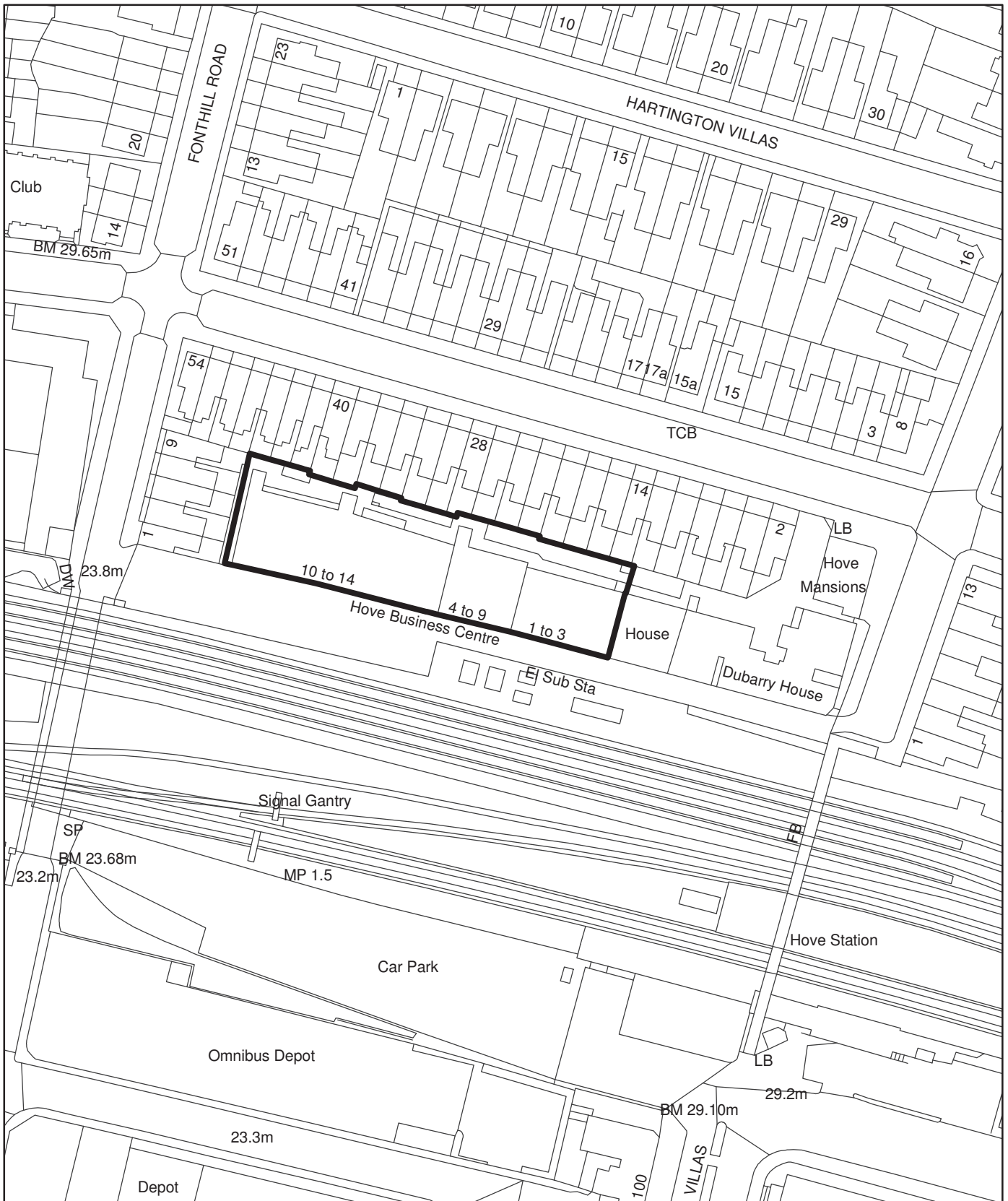
ITEM H

Hove Business Centre, Fonthill Road, Hove

BH2014/03742
Full planning

28 JANUARY 2015

BH2014/03742 Hove Business Centre, Fonthill Road, Hove



<u>No:</u>	BH2014/03742	<u>Ward:</u>	GOLDSMID
<u>App Type:</u>	Full Planning		
<u>Address:</u>	Hove Business Centre Fonthill Road Hove		
<u>Proposal:</u>	Creation of 4no one bedroom flats, 4no two bedroom flats and 1no three bedroom flat on existing flat roof incorporating revised access and associated works.		
<u>Officer:</u>	Adrian Smith Tel 290478	<u>Valid Date:</u>	06/11/2014
<u>Con Area:</u>	adjacent Hove Station	<u>Expiry Date:</u>	01 January 2015
<u>Listed Building Grade:</u>	N/A		
<u>Agent:</u>	Lewis McMillan Architects, 7 Queen Square Brighton BN1 3FD		
<u>Applicant:</u>	Pearl & Coutts, c/o Lewis McMillan Architects 7 Queen Square Brighton BN1 3FD		

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 a S106 agreement and the Conditions and Informatives set out in section 11.

2 SITE LOCATION & DESCRIPTION

- 2.1 The application site relates to the Hove Business Centre, a part three part four storey building comprising a mix of seventeen B1, B8, D1 and D2 units. The Business Centre forms part of the former Dubarry Perfumery complex and is attached to Microscape House to the east. Access and parking is via Fonthill Road to the west.
- 2.2 Residential properties abut the site to the north and west, with further business units within Microscape House to the west. The mainline railway fronts the site to the south with Hove Station and the Hove Station Conservation Area to the southeast. The former Dubarry Perfumery building, which also comprises Microscape House and Dubarry House to the east, has been nominated as a building of local interest and been placed on the draft list accordingly.

3 RELEVANT HISTORY

- BH2014/01981-** Creation of 4no one bedroom flats, 4no two bedroom flats and 1no three bedroom flat on existing flat roof incorporating revised access and associated works. Withdrawn

BH2012/00021- Change of use of Unit 2 from offices (B1) to performing arts college (D1). Refused 05/09/2012

BH2003/02016/FP- Change of use of Unit 9 (top floor) from B1 (business use) to yoga studio (D2). Approved 23/07/2003

BH2000/02021/FP- Change of use of Unit 1 from B8 (Storage/warehousing) to B1 (Information Centre/Offices) and form new disabled access door to front elevation. Block up window at rear and install new fire doors. Approved 12/09/2000

BH1998/02008/FP- Change of use of Unit 8 from B1/B8 to D2 (Health & Fitness Club). Retrospective application for change of use of units 7 and 7A from B1/B8 to D2. Approved 01/12/1998

4 THE APPLICATION

- 4.1 Planning permission is sought for the addition of nine residential flats at roof level, accessed via an internal walkway along the rear of the roof. The additional floor would be metal/zinc clad with balconies to the south side. No onsite parking is to be provided.

5 PUBLICITY & CONSULTATIONS

External

5.1 Neighbours:

Twenty One (21) letters of representation have been received from **6, 12, 16, 18, Ground floor flat 22 (x2) Upper Maisonette 22, 24, 32, 34 (x2), 36, 38b, 40, 44, 46 & 48 Newtown Road; savehove; and Unit 6 Hove Business Centre; Unknown (x2), objecting** to the application for the following reasons:

- The Dubarry Perfume factory is an iconic building and should be protected. It is loved and admired by residents
- The building will lose its unique identity
- The development would not be in keeping with the distinctive historic building and its setting
- Flats and associated paraphernalia on the roof would spoil the iconic image of the building and its skyline
- The design of the flats is not in keeping with the Victorian houses and Dubarry building
- The existing extension above Microscape House is an eyesore, the development would be worse
- An application to list the building is under consideration
- Impact on setting of Hove Station Conservation Area and the Grade II Listed Hove Station
- Cramming in a high density area
- Potential loss of businesses in the building to residential in the future
- Increased security risks to businesses and adjacent residents from use of the rear alleyway for cycle parking
- Businesses will look to leave the building
- Loss of skylight will reduce quality of office accommodation in unit 6

- Sharing of access lifts between businesses and residents will be detrimental to business operations
- Loss of daylight and sunlight, particularly in winter, spring and autumn. The height of the existing building results in no sunlight for the majority of the year
- Overshadowing and overbearing impact. Gardens to Newtown Road are already overshadowed so any reduction in sunlight would have a significant impact. 20% loss of sunlight to 19 houses on Newtown Road and 4 on Fonthill Road is significant
- Most windows to Newtown Road do not currently meet the BRE daylight criteria. 35 houses would be affected.
- Gardens would become unusable and dangerous in winter months
- Overlooking
- Increased noise and disturbance to neighbouring residents
- Noise disturbance from rain falling on the metal roof
- Noise complaints will be received from residents against the dance studio within the building. Existing noise levels from the studio are very high and cause disturbance to residents. To suggest future residents will not be disturbed is absurd
- Loss of views and sky views
- Light and noise pollution from use of the access walkway.
- Decreased quality of life
- 40-50 family homes on Newtown Road will suffer for the benefit of 9 flats
- The building is not currently used at weekends. Residential use will change its relationship with the properties adjacent
- The flats are ideal to be used for parties
- Insufficient detail of how the barriers to the front would appear and impact on the decorative parapets
- Loss of house value
- There is insufficient parking in the area to cater for new residents, especially in the evenings after 7pm
- A car-free development cannot be enforced
- Inaccurate plans
- Conflict between residential and business use of the lifts
- Construction noise and disturbance
- The lighting survey is not credible, with incorrect numbering, and incorrect plans including incorrect window positions
- The building may not be safe to add an additional storey to
- The only beneficiaries will be the developer
- Loss of light will have a detrimental impact on the quality of life of a deaf resident of Newtown Road
- The development is for money only

5.2 **One (1) letter** has been received on behalf of the occupiers of **10, 12, 18, 24, 34, 36, 38b, 40 and 42 Newtown Road, and Unit 6 of Hove Business Centre** objecting to the proposed development on the following grounds:

- The development would harm the character of the building, introducing a modern and incongruous form of development rising above the parapet line and highly visible from Hove Station.
- The rear fenestration pattern is unsympathetic to the symmetry of the fenestration to the building, and the metal cladding gives the proposal a modern and incongruous appearance
- The introduction of residential paraphernalia to the amenity areas would detract from the visual quality of the building
- The proposal would unbalance the building in views from the site entrance off Fonthill Road
- The proposal would fail to sustain or enhance the setting of the Hove Station Conservation Area
- Similar applications for development to the roof of the Dubarry building have been refused by the Council and then by the Inspectorate on two occasions, the most recent on the grounds that the penthouse would seriously and unacceptably harm the appearance of the building and its setting
- Loss of daylight, particularly on evenings and in winter months, to Newtown Road and Fonthill Road properties
- The daylight/sunlight report is confusing and inaccurate. It shows properties fail the BRE tests contrary to policy QD27
- The loss of the skylight and disturbance from building works and
- Use of the terraces would impact on working conditions within the businesses below
- The alterations to the ground floor would preclude delivery of large items to the businesses
- The development constitutes town cramming
- Insufficient parking

5.3 **Councillor Jarrett** has objected. A copy of the letter is attached.

5.4 **Internal:**

Environmental Health: No objection

This application seeks to introduce residential into what is effectively a commercial environment within a building that is immediately adjacent to an active railway station with sidings used to stable Gatwick Express trains.

5.5 Having assessed the Acoustic Report by 7th Wave Acoustics (ref: R001.1039.001.NGA.2.0), dated the 16th June 2014 Environmental Health officers are confident that the noise levels from trains / transport, and the dance studio will meet the standards set out by WHO guidance and British Standard 8233.

5.6 However, while the noise levels from the dance studio may meet the standards set out by WHO guidance and British Standard 8233, this does not mean it will not cause complaints and potentially be considered a statutory nuisance under the Environmental Protection Act 1990. Concern is raised over the level of noise that is likely to intrude into the proposed properties from the existing dance studio

and the potential problems this could create for the dance studio should the application go ahead. Currently the hours for the studio are 9am – 8pm, Monday to Friday and 9am – 5pm on Saturdays, but with no restrictions on their times this could easily be extended.

- 5.7 The proposed residents are likely to be protected from the noise of the dance studio via their high standard of flooring, glazing, and ventilation, however there is nothing to prevent them from opening their windows and removing the level of protection provided to them. While ventilation has been considered as part of the application in order to prevent residents from having to open their windows, there is still the element of personal choice. During the summer months, both residents and the studio are likely to want their windows open.
- 5.8 The Environmental Protection Act 1990 allows for complainants to have their windows open, and would still require officers to investigate complaints relating to noise from the dance studio with the windows open, should complaints be received. There is no way to prevent future residents from opening their windows and potentially putting complaints in about noise from the dance studio.
- 5.9 If complaints were received by Environmental Health then there is every possibility that the noise from the dance studio could be considered a statutory noise; either with the windows open or closed. This would then place requirements on the dance studio to make alterations that may not have otherwise been necessary.
- 5.10 7th Wave Acoustics have subsequently assessed the readings that were taken from the roof of the building, over a week long period, and have submitted further information. 7th Wave Acoustics have listened to the recordings made by the two monitoring units, and has stated that each of the units has only identified three occasions where the noise from the dance studio was audible on the roof.
- 5.11 The readings are representative of the summer months when windows are most likely to be open, and noise escape from the dance studio at its highest. The information provided therefore strongly suggests that the level of impact from the current operation at the dance studio is only likely to have a minimal impact on proposed residents. It should also be noted that when the properties are built, the residents will have a much higher level of acoustic protection, and that even an open window will offer some level of noise reduction.
- 5.12 While the noise from the dance studio may be audible on occasions, the information provided suggests it unlikely to be at a level that would cause a nuisance in the proposed resident's homes.
- 5.13 Based on the current information available, the current application should be approved with conditions.
- 5.14 **Heritage: No objection**
This scheme will be visible from Hove Station but will not be seen from other vantage points in the setting of the station or of the conservation area, therefore

these comments are provided having regard to the impact on the building itself which has been nominated for inclusion on the list of buildings of local interest.

- 5.15 The southern elevation of the proposed additional floor has been divided to reflect the window rhythm on the lower floors. The materials for these solid panels will need to be fully considered; it may be better that they reflect the brickwork below, however this will depend on the final choice of material for the panels, and the alternative dark cladding may be recessive enough behind the individual parapets.
- 5.16 The rear of this building is far more utilitarian than the front and has also been more affected by alterations and fire escapes. The additional height resulting from the proposed walkway roof lights gives top-heavy proportions in elevation, however the set-back will diminish this effect in reality. The largely unbroken frontage line and uniform material does not reflect the individual sections of this building and as a result could appear an over dominant, linear element of the building.
- 5.17 **Sustainable Transport:** No objection
No objection subject to a contribution of £6,750 towards sustainable transport infrastructure and details of a scheme to provide a segregated footway within the car park for pedestrians to reach the residential access. Based on census data the development would likely generate additional parking demand for 5 vehicles. This should be mitigated by the inclusion of a Residential Travel Pack for occupiers that includes 2 years membership of the Car Club.
- 5.18 **Housing:** No objection
- 5.19 **Access:** 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) is a material consideration.

- 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
SU13	Minimisation and re-use of construction industry waste
QD2	Design- key principles for neighbourhoods
QD3	Design- efficient and effective use of sites
QD4	Design-strategic impact
QD14	Extensions and alterations
QD27	Protection of Amenity
QD28	Planning obligations
HO3	Dwelling type and size
HO4	Dwelling densities
HO5	Provision of private amenity space in residential development
HO7	Car free development
HO13	Accessible housing and lifetime homes
HE3	Development affecting the setting of a listed building
HE6	Development within of affecting the setting of conservation areas
HE10	Buildings of local interest

Supplementary Planning Guidance:

SPGBH4 Parking Standards

Supplementary Planning Documents:

SPD03 Construction & Demolition Waste

SPD08 Sustainable Building Design

Brighton & Hove City Plan Part One (submission document)

SS1 Presumption in Favour of Sustainable Development

DA6 Hove Station Area

CP15 Heritage

8 CONSIDERATIONS & ASSESSMENT

- 8.1 The main considerations in the determination of this application relate to the principle of adding an additional floor comprising residential flats to the building, its impact on the appearance of the building and the setting of the adjacent Hove Station Conservation Area, its impact on neighbouring amenity, the standard of accommodation to be provided, and sustainability and transport issues. Also relevant is the potential impact of the residential accommodation on the existing business units within the building.
- 8.2 At present, there is no agreed up-to-date housing provision target for the city against which to assess the five year housing land supply position. Until the City Plan Part 1 is adopted, with an agreed housing provision target, appeal Inspectors are likely to use the city's full objectively assessed need (OAN) for housing to 2030 (estimated to fall within the range 18,000 – 24,000 units) as the basis for the five year supply position. The Local Planning Authority is unable to demonstrate a five year supply against such a high requirement. As such, applications for new housing development need to be considered against paragraphs 14 and 49 of the NPPF. These paragraphs set out a general presumption in favour of sustainable development unless any adverse impacts of development would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. The merits of the proposal are considered below.
- 8.3 **Principle of Development:**
The site is located outside the northern boundary of the Hove Station Area Development Area identified within policy DA6 of the emerging Submission City Plan Part One. Policy DA6 generally seeks to maintain and strengthen employment provision within the area as well as providing for residential uses. It is not considered that the proposal runs contrary to these aims.
- 8.4 Hove Business Centre is located within the former Dubarry Perfumery building and comprises a mix of B1, B8, D1 & D2 uses. The Perfumery was built in the 1920's and is formed of six linked buildings, with the Business Centre located in the four westernmost buildings. The remaining part of the Perfumery is formed of office units within Microscape House adjacent and by residential flats within Dubarry House beyond at the far east of the site. The building is notable for its ornate parapet roofline and original mosaic signage retained on the southern elevation. The building falls within the setting of the Hove Station Conservation Area to the southeast, and to the Grade II Listed Hove Station buildings and footbridge which lie approximately 60m to the southeast across the railway line. Residents have identified that the building is under consideration to be listed however no application has been made to English Heritage. The building has been nominated as a 'building of local interest', however this nomination has not been fully assessed and the draft list of buildings of local interest has not reached consultation stage. Consequently its nomination carries little weight.

- 8.5 The building is however considered a 'non-designated heritage asset' under paragraph 135 of the NPPF by virtue of its ornate southern elevation and history within the Hove Station Area. Paragraph 135 of the NPPF requires Planning Authorities to take into account the effect of an application on the significance of a non-designated heritage asset, and reach a balanced judgement as to the scale of any harm or loss and the significance of the asset.
- 8.6 In this instance the significance of the building is most borne out by its southern elevation and parapet roofline. This is most visible from the station platforms opposite and from the footbridge overpass to the east of the site. The parapet roofline, which is different on each section of the building, is silhouetted against the sky when viewed from the station platforms, but is set more amongst rooftop clutter when viewed from the public footbridge to the east. The original roof form of the building has been eroded by the addition of an additional storey on Microscape House to the east which, although set back from the parapet, appears as a detracting piecemeal addition, and by stairwell, railing and rooflight upstands along the main roof.
- 8.7 The application proposes to continue the general scale and footprint of the Microscape House addition west across the entire roof to the building. This would serve to remove much of the rooftop clutter and provide a cleaner, more unifying form behind the parapet. On balance, and having regard the status of the local list, its consideration as a 'non-designated heritage asset', the extent of its public visibility, and the absence of a five year housing land supply, it is considered that a roof top addition in the manner proposed would not in principle be so harmful to the significance of the building as to justify withholding permission. Nor would it have a significantly harmful impact on the setting of the Hove Station Conservation Area, or the setting of the Grade II Listed Hove Station buildings and footbridge given its subordinate scale and separation from these heritage assets. This view is subject to the acceptability of all other material planning considerations as set out below.
- 8.8 Objectors have identified that previous applications for additional storeys on Dubarry House have been refused on account of harm to the appearance of the building. Dubarry House is a largely residential building on the eastern side of the linked complex. It is four storeys in height with an ornate frontage to Hove Park Villas. The applications for an additional storey were refused as the proposals added to the tallest part of the site and failed to visually link to the elevations below. The current proposal is on the lower three storey section of the complex where an additional storey would relate more appropriately to the building below and be generally less disruptive to the overly scale of the complex. As such the refusals for development on top of the tallest building within the Dubarry complex do not automatically preclude appropriate additions elsewhere on the lower sections.
- 8.9 Design and Appearance:
The additional storey would be inset between 2m and 2.7m from the front parapet roofline and be completed in a dark grey metal/zinc finish with windows of matching appearance. This would give the additional storey a recessive appearance and assist in retaining the primacy of the existing elevations and

parapets. The design of the additional storey links appropriately with the vertical division across the building, with suitable visual breaks between each building type and windows aligning with those below. The final details of materials and windows are secured by condition and, if appropriately treated, would serve to ensure that the additional storey forms a suitably unifying and subordinate crown to the building.

8.10 To the rear, the building is of lesser visual significance. The additional storey would be set variously between 2m and 3.1m from the rear elevation, and be completed in solid dark grey metal/zinc walls as per the front elevation. No windows would be in this rear elevation, with the massing regularly punctuated by insets aligning with the windows in the elevation below. Angled rooflights would project 0.5m above the rear part of the roof to provide natural light into the rear walkway access. The general position, scale and elevational treatment of the rear elevation is considered acceptable in design terms, providing a suitably articulated elevation inset appropriately from the main rear elevation such that it would appear a subordinate addition when viewed from the properties along Newtown Road to the rear. Subject to final details of materials, the proposed rooftop extension is considered an appropriately scaled and design addition that would unify the roof of the building without significantly harming its heritage significance, in accordance with policies QD14 & HE6 of the Brighton & Hove Local Plan.

8.11 To the front, a new curved entrance canopy to the residential lift and stairwell is proposed. This is a lightweight addition that would not detract from the appearance of the building.

8.12 Standard of Accommodation:

The nine units would comprise four one-bedroom flats, four two-bedroom flats, and one two/three-bedroom flat. The general size and layout of each flat is acceptable, with each room having good access to natural light and ventilation. Each unit would have a private south facing balcony to comply with policy HO5, whilst a condition is recommended to ensure the development meets lifetime homes standards in accordance with policy HO13.

8.13 A noise survey has been submitted which calculates that noise disturbance from the railway line can be suitably mitigated through the use of measures such as standard double glazing and alternative ventilation means for all front facing rooms. Such measures can be secured by condition.

8.14 Impact on Amenity:

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.

8.15 The main concern is the impact of the development on the amenities of adjacent occupiers, particularly those to the rear along Newtown Road. Also of concern is the potential impact of noise from the business uses within the building on the

amenities of future occupiers, and the risk such noise may result in noise complaints from future residents.

8.16 Residential amenity

As existing, Hove Business Centre is set between 11m and 13.5m from the properties on Newtown Road, and approximately 6m from their rear gardens. The building is three storeys in height with a basement level to the west side, and has large windows facing towards the Newtown Road properties. The scale and proximity of the building dominates the outlook to these properties, whilst the facing windows result in night-time light pollution and a strong sense of overlooking. This impact is somewhat alleviated by the business use of the building, with little or no weekend activity.

8.17 Residents of Newtown Road have raised significant concerns over the impact of the additional storey and its residential occupancy. The bulk and massing of the additional storey would be set between 2m and 3.1m from the rear elevation of the building and would undoubtedly have some impact on light and outlook to these properties, with section drawings through the building indicating that the main body of the extension would be visible above the existing roofline from the rear ground floor doors to the properties along Newtown Road. The additional storey would indeed be visible from the ground floor windows and gardens to properties on both Newtown Road and Fonthill Road.

8.18 However, given the 2m-3.1m inset of the additional storey, and its separation of between 14m and 16.4m from the properties along Newtown Road, its degree of visibility from ground level would be somewhat limited. As such it is not considered that it would have a significantly oppressive impact or result in a significant loss of light or outlook. Whilst its visibility would be considerably greater from upper floor windows and terraces, this would be set against broader sky views such that it would not be significantly oppressive or harmful to light or outlook.

8.19 A daylight/sunlight assessment has been submitted, however, it contains many inaccuracies in its assessment of the numbering, form and fenestration of the properties along Newtown Road. Notwithstanding these inaccuracies the assessment identifies that all adjacent properties would experience some loss of daylight, however, no window would fail the BRE guidance tests. The degree of lost light would be variously between 1% and 9.5%, below the 20% drop that the BRE guidance suggests would be appreciable and potentially harmful. This modest loss of light adds weight to the conclusion that loss of daylight would not be so significant as to warrant the withholding of permission.

8.20 In terms of sunlight, the report identifies that three ground floor windows at 22, 24 & 30 Newtown Road would fail 2 of the 3 criteria for assessing sunlight within the BRE guidance. The other 112 windows identified in the report would be largely unaffected. It is clear from the site visit that an additional storey would increase the massing of the building and result in some loss of winter sunlight reaching ground floor windows and garden areas. Notwithstanding the calculations of the daylight/sunlight assessment, the rear ground floor windows within the adjacent properties would retain direct sunlight for more than six months of the year, with

the angle of the development rising from 29 degrees to 35 degrees (N.b. the angle of the midday sun at the March/September equinox is 39.4 degrees). Given that the rear elevations of Newtown Road are south facing, these properties would retain existing levels of sunlight throughout much of the year. Consequently the degree of harm would not be so significant as to warrant the withholding of permission

- 8.21 To the west, the extension would be inset 3m from the west elevation. This setback is sufficient to ensure minimal amenity impact on the rear gardens and windows to nos.1-9 Fonthill Road, with the extension part disguised behind an existing stair tower.
- 8.22 There are no windows proposed in the rear elevation therefore the proposal would not result in overlooking of properties along Newtown Road or Fonthill Road. The rooflights are orientated to the south with blank rear upstands. This is sufficient to ensure no significant light spillage to the rear. The complete enclosure of the walkway access is sufficient to ensure minimal potential noise disturbance from residents accessing their properties.
- 8.23 On balance, the inset position of the additional storey is such that it would not have an excessively oppressive or enclosing impact when viewed from the gardens and ground floor windows along Newtown Road, would not result in loss of privacy, and would not result in a significant loss of daylight or sunlight.
- 8.24 Impact on existing businesses:
Concern has been raised that the addition of residential units above existing businesses may give rise to noise complaints that ultimately prejudice the abilities of the businesses in the building to function as normal. Concern has also been raised that the loss of a rooftop skylight would have a harmful impact on the quality of office accommodation below. A Planning Noise Assessment has been submitted with the application to help address some of these matters.
- 8.25 The building is occupied by a mix of B1 office units, B8 storage units, and D2 leisure uses. The B8 uses are mainly at ground floor level and as such would not result in significant noise disturbance, whilst the nature of B1 office uses is such that disturbance is highly unlikely, and more so particularly outside of working hours. There are however yoga and dance studios in the building that by their nature are likely to generate significant potential for noise disturbance. The dance studio in particular is located at third floor level, immediately below the proposed flats.
- 8.26 The noise assessment calculates that noise levels from the railway line and uses within the building would meet the standards set out by WHO guidance and British Standard 8233 when windows are shut. When windows are open, night-time noise levels to the front of the flats would be exceeded (averaging 37db compared to the 35db guide, with maximum levels of 57db compared to the 45db guide). The report recommends that all bedrooms have alternative means of ventilation to enable windows to be closed at night as a means to overcome this issue.

- 8.27 The Environmental Health officer has identified potential noise disturbance from the operation of the dance studio, particularly when windows are open. The noise assessment specifically addresses potential noise disturbance from this unit, assessing recordings from the studio that include its worst case noise output. The assessment calculates that the combination of the existing concrete roof and the proposed elevated floor to the new dwellings is sufficient to reduce worst case noise levels from the 75-85db range to a maximum 18-32db, within the WHO guideline. The calculations show that this threshold would be marginally exceeded only in the worst case scenario when music within the dance studio is at maximum level. Otherwise noise levels would be beneath the standard where disturbance would be caused.
- 8.28 The Environmental Health officer is satisfied that noise transference through the roof of the building and closed windows would not likely result in harmful noise disturbance for future residents above. Concern has though been raised at potential disturbance when windows to the dance studio and residential flats are open.
- 8.29 The applicants have submitted further information to address this concern. Specifically, the acoustic consultants have confirmed that sound recordings from the roof of the building clearly peak when the windows to the dance studio were open. These peaks occurred during three separate 15 minute periods at the front and rear of the building over the course of the continuous 7 day survey.
- 8.30 The Environmental Health officer notes that the readings are representative of the summer months (the readings were taken over a week at the end of May 2014) when windows are most likely to be open and noise escape from the dance studio at its highest. The Environmental Health officer concludes that while noise from the dance studio may be audible on occasions, the information provided suggests it unlikely to be at a level that would cause a nuisance in the proposed resident's homes. Noise from the dance studio is only therefore likely to have a minimal impact on proposed residents, with the Environmental Health officer noting that even an open window will offer some level of noise reduction for residents. A recommendation to approve is made subject to a condition to secure the attenuation and ventilation recommendations set out in the noise assessment.
- 8.31 Subject to this condition the application is considered to accord with policies SU10 and QD27 of the Brighton & Hove Local Plan.
- 8.32 With regard disturbance from construction works, this would undoubtedly create noise and inconvenience for existing businesses in the building, however such impact would be for a temporary period only whilst works are carried out. To ensure impact on the amenities of adjacent occupiers is protected as far as is reasonably possible, a condition is attached requiring the submission of a Construction Environment Management Plan. The mitigation of any harm caused by development works that falls beyond the scope of the Plan would be a private matter for the building's owners to agree with current occupiers, either through the terms of their leases or otherwise.

- 8.33 With regard the loss of the skylight, this would undoubtedly impact on the existing quality of accommodation within the business below, however, its loss would not prevent future business use of the unit. The unit and the building as a whole would retain large windows regularly positioned on the north and south elevations providing good natural light and outlook to all floors.
- 8.34 The proposed canopy to the front would include a single door access in place of large open shutters. This reduced access arrangement would likely impact on the ability of the business units to readily accept or distribute large and bulky goods in the manner to which they are accustomed. A condition is attached seeking revised details of the new access door arrangement to ensure appropriate accessibility is maintained for all users of the building.
- 8.35 For these reasons the proposed development would not result in a significant or harmful loss of amenity to existing residents, businesses, or future occupiers in accordance with policy QD27 of the Brighton & Hove Local Plan.
- 8.36 **Sustainable Transport:**
Policies TR1 and TR7 aim to ensure that proposals cater for the demand in traffic they create, and do not increase the danger to users of adjacent pavements, cycle routes and roads.
- 8.37 The site is within Controlled Parking Zone T, in a sustainable location adjacent to Hove Station and public transport routes. The proposal will provide no onsite parking for the residential units, with the existing provision to be retained for the existing business occupiers. SPGBH4 identifies that this scale of development would require a maximum provision of 14 parking spaces, whilst 2011 census data suggests that 9 flats would likely generate demand for five parking spaces. As the application proposes no parking provision the sustainable transport officer has requested a Residential Travel Information Pack be secured by way of a s106 agreement. The pack would include measures to promote sustainable transport usage and 2 years membership to the Car Club. A s106 agreement would also be needed to secure a contribution of £6,750 towards sustainable transport infrastructure in the Fonthill Road, Conway Street, Clarendon Road area. Although in a CPZ it is not considered appropriate in this instance to require that occupiers be made ineligible for parking permits as the edge of the CPZ is a short distance to the northwest. If made car-free, residents would likely park on the streets outside the CPZ increasing parking pressure in these areas. Consequently making the development car-free would be counter-productive to reducing parking pressure.
- 8.38 Bicycle storage for 24 bicycles is proposed in an existing rear storage building. This is above that required by SPGBH4 and is secured by condition. The Sustainable Transport officer has also requested a pedestrian footway be delineated within the site and this could be secured by condition to minimise risk of pedestrian and vehicle collision.
- 8.39 If the application were approved conditions and s106 measures would ensure the proposal accords with policies TR1, TR7, TR14 & TR19 of the Brighton & Hove Local Plan.

8.40 Sustainability:

Policy SU2 and SPD08 requires efficiency of development in the use of energy, water and materials and recommends that residential developments of this number should achieve Level 3 of the Code for Sustainable Homes (CSH). This is an appropriate mechanism given that the proposed dwellings would be stand alone additions atop the existing building.

8.41 The application is supported with a Sustainability Checklist which details that all 9 properties will meet level 3 of the Code for Sustainable Homes. This is secured by condition. Acceptable refuse and recycling facilities are detailed in an enclosure within the front car park, and are also secured by condition.

9 CONCLUSION

9.1 The impact of the proposed additional storey on the appearance of this non-designated heritage asset is considered acceptable having regards the nature of the significance of the building and the public benefits of providing additional housing units given the absence of a five year housing supply. Whilst the additional storey would impact on the amenities of residents to the rear along Newtown Road, the degree of loss of daylight and sunlight would not be sufficiently significant as to warrant the refusal of permission. Subject to conditions the amenities of future occupiers would be sufficiently protected from existing activities in the building. Accordingly the development complies with development plan policies.

10 EQUALITIES

10.1 The development is required to meet Lifetime Homes standards.

11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES

11.1 S106 Heads of Terms

- A contribution of £6,750 towards sustainable transport infrastructure
- A Residential Travel Information Pack to promote sustainable transport usage and include 2 years membership to the Car Club

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
Site plan	13-113-01	A	06/11/2014
Existing block plan	13-113-02	A	06/11/2014

Proposed block plan	13-113-03	B	06/11/2014
Existing ground and roof plans	13-113-04	A	06/11/2014
Existing south, north and west elevations and section A-A	13-113-05	A	06/11/2014
Proposed ground and roof plans	13-113-06	D	06/11/2014
Proposed south, north and west elevations and section A-A	13-113-07	C	06/11/2014
Proposed roof plan/flat layouts	13-113-08	C	06/11/2014
Part front elevation	13-113-09	B	06/11/2014
Part rear elevation	13-113-10	B	06/11/2014
Proposed section A-A	13-113-11	C	06/11/2014
Existing and proposed front elevation	13-113-12	B	06/11/2014

- 3) Other than amenity spaces to the front of the building as detailed on drawing nos 13-113-06 rev.D and 13-113-08 rev.C received on 06 November 2014, access to the flat roof to the building 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) The window in the west side elevation of the development hereby permitted shall be obscure glazed and non-opening, 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) 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.

11.3 Pre-Commencement Conditions:

- 6) No development shall take place until samples of the following 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:
- a) samples of the cladding and roofing materials
 - b) samples of the proposed window and door treatments
- 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 QD14 of the Brighton & Hove Local Plan.

- 7) No development shall take place until full details of the design, materials and finishes for the balcony screens and railings, and their relationship with the parapet roofline, 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 QD14 of the Brighton & Hove Local Plan.
- 8) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
a) a scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
b) a scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site
c) details of hours of construction including all associated vehicular movements
d) details of the construction compound
e) a plan showing construction traffic routes
The construction shall be carried out in accordance with the approved CEMP.
Reason: In the interests of amenity and highway safety, to comply with policies QD27, SU10, SR18, SU9 and TR7 of the Brighton & Hove Local Plan.
- 9) Notwithstanding the submitted details, the ground floor entrance doors shall not be installed until a revised opening arrangement that allows for access for larger goods and deliveries has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.
Reason: as the existing door does not provide suitable access for the existing business units within the building and to comply with policies QD14 & QD27 of the Brighton & Hove Local Plan.
- 10) 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.

11) No development shall commence until a scheme for the soundproofing of the residential flats hereby permitted, to accord with the recommendations set out in the submitted noise[acoustic] report received on the 06 November 2014 as a minimum, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the first occupation of the development and shall thereafter be retained as such.
Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

12) No development shall commence until details of a scheme of works to provide a segregated footway within the Hove Business Centre car park from Fonthill Road to the new residential access has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed prior to the first occupation of the development hereby permitted and shall thereafter be retained.
Reason: In the interest of highway safety and to comply with policies TR1, TR7 and TR8 of the Brighton & Hove Local Plan.

11.4 Pre-Occupation Conditions:

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

15) 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.

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 impact of the proposed additional storey on the appearance of this non-designated heritage asset is considered acceptable having regards the nature of the significance of the building and the public benefits of providing addition housing units given the absence of a five year housing supply. Whilst the additional storey would impact on the amenities of residents to the rear along Newtown Road, the degree of loss of daylight and sunlight would not be sufficiently significant as to warrant the refusal of permission. Subject to conditions the amenities of future occupiers would be sufficiently protected from existing activities in the building. Accordingly the development complies with development plan policies.
3. The applicant is advised that the details required by Condition 11 are to be delegated for agreement to the Head of Development Control in consultation with the Chair, Deputy Chair and the Opposition Spokesperson.

Planning Application - BH2014/03742

I object to the Planning Application

Sender's details

Cllr Rob Jarrett
C/o kings house, grand avenue, hove
Bn3 2ls

PLANNING COMMITTEE	Agenda Item 129 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

Date	Address	Ward	Proposal
18 th November 2014	15 North Street & Pugets Cottage, Brighton	Regency	Demolition of 15 North Street to be replaced with a new feature entrance building.
7 th October 2014	Brighton College, Eastern Road, Brighton	Queens Park	Demolition of existing swimming pool and old music school buildings and erection of a 5no storey new academic building with connections to the Great Hall and Skidelsky building, including removal of existing elm tree and other associated works.
1 st April 2014	Land at Meadow Vale, Ovingdean	Rottingdean Coastal	Construction of 112 new dwellings with vehicular access provided from a new junction on Ovingdean Road, on-site open space and a landscaping buffer along the Falmer Road boundary.
11 th March 14	Hove Park Depot, The Droveaway, Hove	Hove Park	Demolition of existing buildings and construction of a new two storey primary school building with brise soleil solar shading, solar panels and windcatchers with associated external hard and soft landscaping
18 th February 14	City College, Wilson Avenue, Brighton	East Brighton	Additional accommodation
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

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.

PLANS LIST 28th January 2015**BRIGHTON AND HOVE CITY COUNCIL LIST OF APPLICATIONS
DETERMINED BY THE HEAD OF PLANNING & PUBLIC PROTECTION FOR
EXECUTIVE DIRECTOR ENVIRONMENT, DEVELOPMENT & HOUSING
UNDER DELEGATED POWERS OR IN IMPLEMENTATION OF A PREVIOUS
COMMITTEE DECISION****PATCHAM****BH2014/02861****8 Carden Close Brighton**

Enlargement and conversion of existing garage into habitable living space with an extension above. Erection of single storey front extension.

Applicant: Mr & Mrs Taylor

Officer: Andrew Huntley 292321

Refused on 08/12/14 DELEGATED

1) UNI

The proposed extensions, by reason of their siting, form and scale, would represent poorly designed and contrived additions, which would not have a subordinate appearance or retain the integrity of the original building. The extensions would appear visually dominant, bulky and discordant features of the property and would detract from the character of the area. Therefore the proposal is contrary to Policy QD14 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12 Design Guide for Extensions and Alterations.

BH2014/03009**1 Tangmere Road Brighton**

Erection of two storey side extension with associated roof alterations.

Applicant: Mr & Mrs Orphin

Officer: Robert Hermitage 290480

Refused on 02/12/14 DELEGATED

1) UNI

The development, by reason of its height, bulk and location, would extend in front of the established building line along Portfield Avenue and would be unduly dominant on this prominent corner site. This impact would be extenuated by the proposed roof form, which incorporates a central flat roof, which would create a poor contrast with the terrace row; and the proposed fenestration to the front and side elevations. The proposal would fail to emphasise and enhance the positive qualities of the local neighbourhood and would be detrimental to the visual amenities of the area, contrary to policies QD2 and QD14 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03168**24 Park Court Old London Road Brighton**

Replacement of timber windows and door with UPVC windows and door.

Applicant: Mr Rob Jamison

Officer: Robert Hermitage 290480

Approved on 26/11/14 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	-	-	14th October 2014
Proposed Lounge Windows	-	-	14th October 2014
Proposed Bathroom Window	-	-	14th October 2014
Proposed Bedroom Window	-	-	14th October 2014
Proposed Window Details	-	-	14th October 2014

BH2014/03284

12 Solway Avenue Brighton

Alterations to existing conservatory including revised fenestration and increase in height to facilitate new flat roof.

Applicant: Mr & Mrs Lynes

Officer: Tom Mannings 292322

Approved on 04/12/14 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) 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 & Proposed Plans, Sections & Elevations	1205/01		09/10/14

BH2014/03294

419 Ditchling Road Brighton

Erection of single storey rear extension with associated roof alterations and installation of rooflights.

Applicant: Mr & Mrs Griffiths

Officer: Joanne Doyle 292198

Approved on 08/12/14 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan	05-0814k		01 Oct 2014
Existing Block Plan	05-0814l		01 Oct 2014
Proposed Block Plan	05-0814m		01 Oct 2014
Existing Ground Floor Plan	05-0814		01 Oct 2014
Existing First Floor Plan	05-0814a		01 Oct 2014
Existing Second Floor Plan	05-0814b		01 Oct 2014
Proposed Ground Floor Plan	05-0814c		01 Oct 2014
Proposed First Floor Plan	05-0814d		01 Oct 2014
Proposed Second Floor Plan	05-0814e		01 Oct 2014
Existing Roof Plan	05-0814f		01 Oct 2014
Proposed Roof Plan	05-0814g		01 Oct 2014
Section Plan	05-0814h		01 Oct 2014
Existing Elevations	05-0814i		01 Oct 2014
Proposed Elevations	05-0814j		01 Oct 2014

BH2014/03347

38 Brangwyn Avenue Brighton

Erection of front boundary wall with metal railings between brick piers. (Part retrospective)

Applicant: Mr Jon Ailion

Officer: Benazir Kachchhi 294495

Refused on 10/12/14 DELEGATED

1) UNI

The proposed boundary treatment, by reason of its height, scale and design would appear out of scale and incongruous within the street scene and would be harmful to the character and appearance of the street scene and wider area. As such the proposal is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: 'Design guide for extensions and alterations'.

BH2014/03462

16 Court Close Brighton

Certificate of lawfulness for proposed single storey building to rear garden to accommodate a gym.

Applicant: Mr Gary Ablewhite

Officer: Joanne Doyle 292198

Approved on 17/12/14 DELEGATED

BH2014/03573

28 Larkfield Way Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.9m, for which the maximum height would be 3.1m, and for which the height of the eaves would be 2.8m.

Applicant: Mr & Mrs Mason

Officer: Chris Swain 292178

Prior approval not required on 03/12/14 DELEGATED

BH2014/03624

78A Overhill Drive Brighton

Application for Approval of Details Reserved by Conditions 13 and 15 of application BH2011/02385.

Applicant: Ms Papanicolaou

Officer: Paul Earp 292454

Approved on 26/11/14 DELEGATED

BH2014/03769

86 Mackie Avenue Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable end roof extension, front rooflight and rear dormer.

Applicant: Mr Ronald Doe

Officer: Robert Hermitage 290480

Approved on 05/01/15 DELEGATED

BH2014/03774

7 Eastwick Close Brighton

Certificate of lawfulness for proposed erection of single storey side extension and porch to replace existing porch.

Applicant: Mr Mehdi Ghavami Shahidi

Officer: Chris Swain 292178

Refused on 07/01/15 DELEGATED

BH2014/03778

97 Vale 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 4m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.7m.

Applicant: Mr & Mrs Smith

Officer: Joanne Doyle 292198

Prior Approval is required and is approved on 22/12/14 DELEGATED

BH2014/03783

7 Eastwick Close Brighton

Demolition of existing timber and glass lean to and erection of two storey side extension to south west facing elevation, erection of single storey side extension

to north east facing elevation, installation of 5no rooflights to roofslopes and associated alterations.

Applicant: Mr Mehdi Ghavami Shahidi

Officer: Chris Swain 292178

Refused on 07/01/15 DELEGATED

1) UNI

The proposed two storey side extension, by reason of scale, siting, height and design, would result in an overly dominant, bulky and visually inappropriate addition which would detract 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 (SPD12).

BH2014/03785

71 Westfield Crescent Brighton

Creation of rear dormer and installation of 2no front rooflights.

Applicant: Mr Mark Rayfield

Officer: Robert Hermitage 290480

Approved on 07/01/15 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	-	-	11th November 2014
Existing Elevations	2014/0008-01	A	11th November 2014
Proposed Elevations (except superseded front elevation and loft plan)	2014/0008-02	C	11th November 2014
Proposed Elevations (except superseded rear elevation)	2014/0008-02	D	16th December 2014
Existing and Proposed Roof Plan	2014/0008-03	B	10th November 2014

BH2014/03974

50 Mackie 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 3.65m, for which the maximum height would be 3.60m, and for which the height of the eaves would be 2.80m.

Applicant: Roger Hunt

Officer: Robert Hermitage 290480

Prior approval not required on 06/01/15 DELEGATED

PRESTON PARK

BH2014/01084

28-28A Preston Road Brighton

Conversion of first and second floor maisonette into 2 no two bedroom flats, including second storey extension with balcony and loft conversion with front rooflight and rear dormer. Provision of rear access stairs and walkway from garden to first floor flat.

Applicant: Mr Kevin Fitzpatrick

Officer: Wayne Nee 292132

Approved on 21/11/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

Notwithstanding the submitted details, the development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

3) UNI

Notwithstanding the submitted plans, prior to the commencement of use of the second floor terrace for Flat 3, an obscure glazed screen with a height of 1.8m above the finished floor level of the terrace shall be positioned on both side elevations of the terrace. Before development commences samples of the screen to the second floor roof terrace shall be submitted to and approved in writing by the Local Planning Authority. The screen will be erected in accordance with the approved details and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the privacy of adjoining occupiers and to comply with policy QD14 of the Brighton and Hove Local Plan.

4) UNI

The external staircase and landing area shall be used to provide access from the first floor flat to the garden only. The landing area shall not be used as a roof terrace, balcony 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 and Hove Local Plan.

5) 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.

6) UNI

Before development commences details of the boundary treatment between the two gardens hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment will be erected in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the privacy of adjoining occupiers and to comply with policy QD14 of the Brighton and Hove Local Plan.

7) UNI

The new dwellings hereby permitted shall be constructed to all reasonable 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.

8) UNI

The development hereby permitted shall not be occupied until the designated external amenity space, hereby approved, is laid out and made available for use as gardens serving the occupiers of the flats 1 and 2. The external area shall be retained for such use at all times.

Reason: To ensure that adequate external amenity space and to comply with policy HO5 of the Brighton & Hove Local Plan.

9) UNI

Unless otherwise agreed in writing with the Local Planning Authority the dormer cheeks and roof shall be clad in lead and retained as such thereafter.

Reason: to ensure a satisfactory appearance to the development and to comply with policies QD1 and Qd14 of the Brighton & Hove Local Plan.

10) UNI

No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority. A completed pre-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

The residential units hereby approved shall not be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure 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
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Site plan	n/a		04 April 2014
Block plan	n/a		04 April 2014
Existing and proposed south east elevation	853.05		04 April 2014
Existing	853.01		22 May 2014
Proposed	583.04.a		04 April 2014

13) 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.

BH2014/02826

24 Hythe Road Brighton

Erection of 3no four bedroom dwellings, conversion of stable block to four bedroom dwelling and enlargement of garden to existing dwelling.

Applicant: Mr H Newman-Starley

Officer: Adrian Smith 290478

Approved on 25/11/14 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

Prior to the first occupation of the development hereby permitted the redundant vehicle crossover on Hythe Road 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.

3) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the stable building as provided for within Schedule 2, Part 1, Classes A - E of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any order revoking and re-enacting that Order with or without modification) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and to the character of the area and for this reason would wish to control any future development to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

No extension, enlargement or alteration of the terrace of dwellinghouses fronting Hythe Road as provided for within Schedule 2, Part 1, Class B 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.

5) UNI

The first floor windows in the north elevation of the stable building 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.

6) 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.

7) 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.

8) UNI

Notwithstanding submitted drawings, no works to the Stable building shall take place until the detailed design of the Stable building, including materials and finishes of the following items, has been submitted to and approved in writing by the Local Planning Authority:

- a. Sections and elevations of all new external doors and windows (including details of reveals, cill and head treatments)
- b. Eaves, parapet and ridge details, and rainwater goods
- c. Rooflights, which should be conservation style

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections, where mouldings are used. The works shall thereafter be implemented strictly in accordance with the agreed details. No bargeboards or eaves fascias shall be used in the approved development.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 & HE6 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

Unless otherwise agreed in writing by the Local Planning Authority, no new build 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.

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no new build 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.

12) 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.

13) 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) 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

14) 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.

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

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	GA01	-	20/08/2014
Existing lower ground floor	GA02	-	20/08/2014
Existing elevations	GA03 GA08		20/08/2014 20/08/2014
Proposed floor plans	GA04 GA05 GA06 GA07	A A A A	03/11/2014 03/11/2014 03/11/2014 03/11/2014
Proposed west elevations	GA09	A	03/11/2014
Proposed rear elevation and section A-A	GA10	A	03/11/2014
Proposed elevations in	GA12	A	03/11/2014

context			
Proposed front elevation	GA13	A	03/11/2014
Proposed block plan	GA14	A	03/11/2014
Proposed rear elevation	GA15	A	03/11/2014
Proposed rear elevation and site plan	GA16	A	03/11/2014
Proposed rear elevation from Preston Drive	GA17	-	03/11/2014
Proposed elevations in context	GA12	A	03/11/2014

BH2014/02991

39 Old Shoreham Road Brighton

Certificate of Lawfulness for proposed rear extension set over 3 floors and dormer to rear.

Applicant: Mr T Clapham

Officer: Lorenzo Pandolfi 292337

Approved on 09/12/14 DELEGATED

BH2014/03013

88 Waldegrave Road Brighton

Replacement of existing timber sash windows with UPVC sash windows to front elevation.

Applicant: Mr Tim Packwood

Officer: Robert Hermitage 290480

Refused on 24/11/14 COMMITTEE

1) UNI

The replacement windows to the front elevation, by virtue of their material and detailing, represents a harmful alteration that fails to preserve the character or appearance of the building or wider Preston Park Conservation Area. The proposal is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document 9 Architectural Features, and Supplementary Planning Document 12 Design Guide for Extensions and Alterations.

BH2014/03094

95 Springfield Road Brighton

Installation of external wall insulation to side elevation.

Applicant: Ms Kathrin Schreckenber

Officer: Joanne Doyle 292198

Refused on 08/12/14 DELEGATED

1) UNI

The application lacks detail on the impact of the proposed insulation on the depth of the window reveals, the junction between the insulation and the chimney stack and the decorative quoin detail to the façade and how the insulation would terminate at parapet level. Notwithstanding this lack of detail the addition of the insulation running flush with the front elevation affecting the decorative quoin detail and running flush with the roof parapet would relate poorly to the aesthetic significance of the building. The proposal would therefore be detrimental to the character and appearance of Springfield Road and the character and appearance of the wider Preston Park Conservation Area.

BH2014/03180

34 Sandgate Road Brighton

Erection of first floor rear extension.

Applicant: Mr Philip Wainwright

Officer: Lorenzo Pandolfi 292337

Approved on 26/11/14 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows shall be constructed in the western and eastern elevations of the first floor extension hereby approved without planning permission obtained from the Local Planning Authority.

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

4) UNI

The development hereby permitted shall be carried out in accordance with the approved drawings 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	34-BN16JQ-20 31	P1	22/09/2014
Existing Plans and Elevations	34-BN16JQ-20 11	P2	27/10/2014
Proposed Plans Section & Elevations	34-BN16JQ-20 21	P2	27/10/2014

BH2014/03252

52 Ashford 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 4.5m, for which the maximum height would be 2.9m, and for which the height of the eaves would be 2.7m.

Applicant: Mrs Lai Lai Wu

Officer: Joanne Doyle 292198

Prior Approval is required and is refused on 26/11/14 DELEGATED

BH2014/03287

157-159 Preston Road Brighton

Non Material Amendment to BH2012/01844 to amend the site layout plan.

Applicant: Cross Stone Securities Ltd

Officer: Adrian Smith 290478

Approved on 31/12/14 DELEGATED

BH2014/03350

Flat 2 113 Ditchling Rise Brighton

Erection of timber summer house and shed in rear garden.

Applicant: Mr & Mrs Jake & Lisa Newman

Officer: Chris Swain 292178

Approved on 09/12/14 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 of the hereby permitted outbuilding shall be finished in asphalt and shall be retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			30 September 2009
Block plan			30 September 2009
Proposed south elevation	App 1		30 September 2009
Proposed side elevation	App 2		30 September 2009
Proposed plan	App 3		30 September 2009

BH2014/03377

201 Preston Drove Brighton

Erection of 1no detached dwelling fronting Hythe Road.

Applicant: Mr R Spence

Officer: Chris Swain 292178

Approved on 10/12/14 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 hard surface hereby approved shall be made of porous materials and

retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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

3) UNI

Access to the flat roof over the basement level to the rear 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

No bargeboards or eaves fascias shall be used in the approved development unless otherwise agreed in writing by the Local Planning Authority.

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

5) UNI

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

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

6) UNI

Notwithstanding the submitted plans 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

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

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.

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 4 as a minimum 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.

10) UNI

Notwithstanding the submitted plans no development shall commence 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) 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 the 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.

12) 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.

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
Existing site, location and block plans	225PD201/01		7 October 2014
Existing ground floor plan and front and rear elevations	225PD201/02		7 October 2014

Existing side elevations	225PD201/03		7 October 2014
Proposed basement and ground floor plan	225PD201/04		7 October 2014
Proposed first and second floor plans	225PD201/05		7 October 2014
Proposed roof plan and front and rear elevations	225PD201/06		7 October 2014
Proposed side elevations	225PD201/07	A	9 December 2014
Proposed section A-A and street view	225PD201/08		7 October 2014

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.

BH2014/03435

153 Havelock Road Brighton

Installation of solar panels to rear roof slope.

Applicant: Mr David Parfitt

Officer: Robert Hermitage 290480

Approved on 08/12/14 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	-	-	22nd October 2014
Existing/Proposed East Elevation (Front)	-	-	13th October 2014
Existing Rear Elevation	-	-	13th October 2014
Proposed Rear Elevation	-	-	13th October 2014

BH2014/03497

151 Waldegrave Road Brighton

Erection of single storey rear/side infill extension and rear decking area. Roof alterations incorporating rooflights to front, side and rear.

Applicant: Mr Ian Mason

Officer: Adrian Smith 290478

Approved on 22/12/14 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 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 plan	9636-PP-050	-	27/10/2014
Block plan	9636-PP-020	A	28/10/2014
Existing plans and elevations	9636-PP-021	A	15/12/2014
Proposed plans and elevations	9636-PP-022	G	17/12/2014

BH2014/03500

15 Southdown Road Brighton

Erection of single storey rear/side infill extension and roof alterations incorporating rooflights to front, side and rear and rear dormer.

Applicant: Mr Simon Hedger

Officer: Robert Hermitage 290480

Approved on 16/12/14 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 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 elevations of the extension hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development in the interests

of the visual amenities of the area and to comply with policy QD14 of the Brighton & Hove Local Plan.

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	1422-01	-	17th October 2014
Proposed Plans and Elevations	1422-02	-	17th October 2014

BH2014/03584

4 Southdown Place Brighton

Erection of single storey porch to front elevation.

Applicant: Miss Sophie Hekkel

Officer: Tom Mannings 292322

Approved on 30/12/14 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 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 & Block Plan	1404-P-001		23/10/14
Existing Roof Site Plan	1404-P-002		23/10/14
Existing Floor Plans	1404-P-003		23/10/14
Existing Elevations	1404-P-004		23/10/14
Proposed Roof Site Plan	1404-P-005		23/10/14
Proposed Floor Plans	1404-P-006		23/10/14
Proposed Elevations	1404-P-007		23/10/14

BH2014/03678

Flat 3 11 Preston Park Avenue Brighton

Erection of single story rear extension.

Applicant: Mr Waterworks Consulting Ltd

Officer: Robert Hermitage 290480

Refused on 31/12/14 DELEGATED

1) UNI

The application is not accompanied by drawings indicating the front elevation of the proposed development. Notwithstanding this omission the proposed extension, by reason of its siting, projection beyond the side elevation of the principal building, design and materials, would appear a visually heavy and unduly dominant addition which would lead to the further incremental erosion of the character and appearance of the building and Preston Park Conservation Area. The proposal is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03679

12 Preston Park Avenue Brighton

Erection of single storey rear extension.

Applicant: Ms Helen Fazakerley

Officer: Robert Hermitage 290480

Refused on 31/12/14 DELEGATED

1) UNI

The proposed rear extension, by reason of its siting, projection beyond the side elevation of the principal building, design and materials, would appear a visually heavy and unduly dominant addition which would lead to the further incremental erosion of the character and appearance of the building and Preston Park Conservation Area. The proposal is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03708

7 Russell Crescent Brighton

Internal alterations to layout.

Applicant: Mr Christopher Scarr

Officer: Adrian Smith 290478

Approved on 02/01/15 DELEGATED

1) BH01.05

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

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

2) UNI

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

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

3) UNI

All new internal doors and architraves shall match exactly those original within the building and shall be retained as such at all times.

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

4) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or

penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

BH2014/03717

135 Waldegrave Road Brighton

Erection of single storey rear infill extension.

Applicant: Ms Rachel Carless

Officer: Robert Hermitage 290480

Approved on 31/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

Unless otherwise agreed in writing with the Local Planning Authority, the bi-folding doors hereby approved shall comprise an anodized aluminium finish. All other external finishes of the development hereby approved 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 serving the infill extension hereby approved 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.

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 and Block Plan	CH633/001	-	4th November 2014
Existing Plans	CH633/002	-	4th November 2014
Existing Elevations	CH633/003	-	4th November 2014
Proposed Plans	CH633/004	-	4th November 2014
Proposed Elevations	CH633/005	-	4th November 2014

BH2014/03722

35 Cleveland Road Brighton

Certificate of lawfulness for proposed alterations to layout of windows and doors and installation of new and replacement UPVC windows and doors to rear elevation.

Applicant: Mr & Mrs Furdas

Officer: Robert Hermitage 290480
Approved on 06/01/15 DELEGATED

BH2014/03766

87 Hythe 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 5.76m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.40m

Applicant: Sarah Challis
Officer: Joanne Doyle 292198

Prior approval not required on 15/12/14 DELEGATED

BH2014/03841

113 Preston Drove Brighton

Certificate of lawfulness for existing use of property as a single dwelling (C3).

Applicant: Mr & Mrs Brown Douglas
Officer: Liz Arnold 291709

Approved on 16/12/14 DELEGATED

BH2014/04095

First Floor Flat 51 Old Shoreham Road Brighton

Application for Approval of Details Reserved by Condition 4 of application BH2013/02413 (approved on appeal)

Applicant: Mr Paul Seivewright
Officer: Liz Arnold 291709

Approved on 31/12/14 DELEGATED

REGENCY

BH2013/04348

The Hippodrome & Hippodrome House 51-58 Middle Street 47 Middle Street 10 & 11 Dukes Lane and land adjacent to 18-19 Ship Street Brighton

Internal and external alterations to Brighton Hippodrome and Hippodrome House to form an eight screen cinema (D2) and four associated café/restaurants units (A3) to include the following works: demolition of the fly tower and other later additions and construction of replacement rear extensions; excavation works to extend existing basements; construction of two storey extension to northern elevation; reinstatement of original Hippodrome entrance on Middle Street; demolition of 11 Dukes Lane to create a new pedestrian route; new bay window to western elevation of 10 Dukes Lane, new windows to 47 Middle Street; new windows and entrance way to Hippodrome House; reconfiguration of existing service yards and parking areas; improvements to pedestrian and disabled access to Middle Street and Dukes Lane; construction of new three storey plus basement unit on land adjacent to 18-19 Ship Street (referenced as 19A Ship Street in supporting documents and plans) comprising A1/A2/A3 use on the ground floor and B1 use on the upper floors; and other associated works.

Applicant: Kuig Property Investments Ltd
Officer: Adrian Smith 290478

Approved after Section 106 signed on 28/11/14 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

Prior to their installation a written scheme for the new street nameplates for the development shall be submitted to and approved in writing by the Local Planning Authority. The nameplates shall be installed in strict accordance with the approved details and thereafter retained.

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

3) UNI

The ground and first/mezzanine floors to the Hippodrome shall be used only for the provision of restaurants/cafes (Use Class A3) as detailed on drawing nos. P101 rev.B and P104 rev.B received on 28 May 2014 (annotated as Restaurant 3 'oculus' and Dome Restaurant) and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

4) UNI

The D2 (cinema) use hereby permitted shall not be open to customers except between the hours of 09:00 Sundays to Thursdays and 02:00 the following day, and between 09:00 Fridays and Saturdays and 03:00 the following day.

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 A3 (restaurants and cafes) uses hereby permitted shall not be open to customers except between the hours of 08:00 and 00:00 daily.

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

6) UNI

No alcohol shall be sold or supplied in any café or restaurant which has a public floorspace in excess of 150 square metres within the development hereby permitted except to persons who are taking meals on the premises and who are seated at tables.

Reason: To prevent noise, nuisance, disturbance and public disorder, to protect the amenities of the occupants of residential accommodation within the development and within the vicinity of the site and to comply with policies QD2, QD7, QD27 and SR12 of the Brighton & Hove Local Plan.

7) UNI

No deliveries, waste collections or non-emergency servicing shall be undertaken at any premises within the development hereby permitted except between the hours of 08:00 and 20:00 Mondays to Fridays and 08:00 and 18:00 on Saturdays, and not at any time on Sundays, Bank or Public Holidays.

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

8) UNI

All glazing in the rear west elevation of the entrance foyer shall be obscure glazed and non-opening 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) UNI

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the

approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the listed buildings and the visual amenities of the locality and to comply with policies QD1, QD27, HE1 & HE6 of the Brighton & Hove Local Plan.

10) UNI

The railings shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

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

11) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors (excluding customers and deliveries) to Dukes Lane, and shall not at any time be used for the parking of vehicles and motorcycles belonging to staff, occupants or visitors to the cinema and restaurant uses hereby permitted.

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

12) UNI

All hard surfaces hereby approved within the development site 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.

13) UNI

No works to any property on Dukes Lane shall take place until 1:20 scale elevations and sections of the new bays to the gable ends of 10 and 12 Duke's Lane have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

14) UNI

No development shall take place until a sample panel of the proposed flint panels to the ground floor to the new cinema building, including pointing, has been constructed on the site 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 policies HE1 & HE6 of the Brighton & Hove Local Plan.

15) UNI

No development shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) Details of the service gates on Ship Street
- b) Samples of all external facing materials, including roof coverings, cladding, and render and paint finishes to the Middle Street façades
- c) Samples of all new hard landscaping materials

Development shall be carried out in full in accordance with such approved details:

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies QD1, QD2, HE1 & HE6 of the Brighton & Hove Local Plan.

16) UNI

No development shall take place until details in respect of the following external works, including 1:20 scale elevations and 1:1 scale profiles where appropriate, have been submitted to and approved in writing by the Local Planning Authority:

- a) the replacement windows to the west elevation of the Hippodrome and Hippodrome House.
- b) the Juliet balconies to west elevation of Hippodrome House.
- c) the proposed ramped access to the Hippodrome, to include materials and finished appearance.
- d) the reinstated Matcham entrance to the west elevation of the Hippodrome.
- e) the proposed doorcase to Hippodrome House, to include steps and materials and finishes
- f) Method statement for repair of stone and terracotta to west elevation of Hippodrome and Hippodrome House

Development shall be carried out in full in accordance with the approved details.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies QD1, QD2, HE1, HE4 & HE6 of the Brighton & Hove Local Plan.

17) UNI

No development shall take place until full details in respect of the rain screen cladding within Hippodrome yard have been submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage.

Reason: To ensure a satisfactory appearance to the development and to comply with policies HE1 & HE6 of the Brighton & Hove Local Plan.

18) 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 and materials for all hard surfacing, and full details of all boundary treatments and gates.

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

19) UNI

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage and sewerage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policies SU3, SU4 and SU5 of the Brighton & Hove Local Plan.

20) 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 programme of archaeological work has been completed in accordance with the approved Written Scheme of Archaeological Investigation.

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.

21) 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. The scheme shall accord with the standards described in Annex 6 of SPD 11 and 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.

22) UNI

No development shall take place until a scheme setting out the highway works to implement a continuous footway on the eastern side of Middle Street in front of the development site which shall include 5 Sheffield stand cycle parking spaces and the reinstatement of footway at the redundant access on Ship Street has been submitted to and approved in writing by the Local Planning Authority. No part of the approved development shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.

Reason: To ensure the development provides for the needs of pedestrians and cyclists travelling to the development and to ensure the development is in accordance with Local Plan policies TR1, TR7, TR8 and TR14.

23) UNI

No works to form the portico and stepped access into Hippodrome House shall commence until the adopted highway on Middle Street where the new portico and steps are proposed, as is indicated on drawing no. P101 revision B received on 28 May 2014 (proposed ground floor plan), has been stopped up.

Reason: To ensure that satisfactory access arrangements are provided to the development and to comply with policy TR7 and TR8 of the Brighton & Hove Local Plan.

24) 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.

25) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until BRE issued Interim/Design Stage Certificates demonstrating that all new build elements, including all extensions, have achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' have 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.

26) UNI

No development shall take place until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning

Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then 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.

27) UNI

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.

28) UNI

The development hereby permitted shall not be commenced until full details of the following have been submitted to and approved in writing to the Local Planning Authority:

- a) a scheme that includes appropriate calculations and structural details to demonstrate that noise from the auditoria along the southern and eastern parts of the building will achieve a target value of 20dB(A) L_{max,s} or less inside the immediately adjacent residential properties along Ship Street Gardens and Ship Street. The scheme shall be based on the details outlined in the Cole Jarman Addendum 01-0 (Ref:13-4108-R02-2-ADDENDUM01-0), dated 02 June 2014, and the Cole Jarman Noise Report (Ref 13-4108-R01-2) dated 20 March 2014,.
- b) details of measures to ensure that noise break out levels from the cinema auditoria and restaurants, other than those addressed under part i) above, will not exceed 5dB below background (LA90) noise levels at the nearest noise sensitive receptors. The submitted measures shall include calculations detailing the structural details and sound insulation properties of the Hippodrome and cinema auditoria where appropriate.

The agreed details shall be installed as approved prior to the first occupation of the development and shall thereafter be retained and maintained as such.

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.

29) UNI

The development hereby permitted shall not be commenced until full details of the following have been submitted to and approved in writing to the Local Planning Authority:

- a) measures to prevent vibration from the cinema auditoria and restaurant uses from being transmitted to adjacent structures and premises
- b) a scheme for the sound insulation of the basement floor to the Hippodrome to prevent noise and vibration from the cinema auditoria from being transmitted via the sewer system to adjacent structures
- c) a scheme for the suitable treatment of all internal and external plant and machinery against the transmission of sound and vibration. The scheme shall include calculations to demonstrate that a target Rating Level of 10dB(A) below the existing LA90 background noise level will be achieved when measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises,. If the target level cannot be achieved, full justification for this must be submitted. The Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:1997.

d) a scheme for the fitting of odour control equipment to the building
The agreed details shall be installed as approved prior to the first occupation of the development and shall thereafter be retained as such.

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.

30) UNI

(i) No works pursuant to this permission shall commence 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; (Please note that 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 be confirmed in writing);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 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 a competent person approved under the provisions of condition 30(i)c that any remediation scheme required and approved under the provisions of condition 30(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

31) 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.

32) 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 and commitments tailored to the needs of the development, which is aimed at promoting safe, active and sustainable travel choices by its users (staff, visitors & 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.

33) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the

development hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that all new build elements, including all extensions, have achieved a minimum BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' have 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) UNI

No development shall take place until full details of the elevational treatment of the new building fronting Ship Street, including 1:20 scale elevations and 1:1 scale profiles where appropriate, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in full in accordance with the approved details.

Reason: As insufficient information has been submitted, to ensure the satisfactory appearance to the development and to comply with policies QD1, QD2 & HE6 of the Brighton & Hove Local Plan.

35) 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 plan	P100	D	28/05/2014
Existing block plan	P125	A	30/01/2014
Existing floor plans showing demolitions	P134	A	30/01/2014
	P135	B	05/02/2014
	P136	A	30/01/2014
Existing elevations showing demolitions	P137	B	05/02/2014
Existing sections	P131	A	30/01/2014
	P132		30/01/2014
	P133		30/01/2014
	P140		05/02/2014
	P141		30/01/2014
	P142		05/02/2014
	P146		05/02/2014
Topographical surveys	3721-T	A	17/01/2014
	3721-T	A	17/01/2014
Proposed floor plans	P101	B	28/05/2014
	P102	B	28/05/2014
	P103	B	28/05/2014
	P104	B	28/05/2014
	P105	B	28/05/2014
	P106	B	28/05/2014
	P107	B	28/05/2014
	P129	A	28/05/2014
Proposed elevations	P115	C	28/05/2014
	P116	B	28/05/2014

	P117	B	28/05/2014
	P118	D	28/05/2014
	P119	C	28/05/2014
	P120	C	28/05/2014
	P128	A	28/05/2014
Proposed sections	P108	B	28/05/2014
	P109	B	28/05/2014
	P110	B	28/05/2014
	P111	B	28/05/2014
	P112	B	28/05/2014
	P113	B	28/05/2014
	P114	B	28/05/2014
	P139	A	28/05/2014
	P145	A	28/05/2014
Landscaping plan	P122	C	04/06/2014
Dukes Lane bay window details	SK94	-	16/04/2014
Boyces Street section	P147	-	16/04/2014

BH2013/04351

The Hippodrome & Hippodrome House 51-58 Middle Street Brighton

Internal and external alterations, restoration and repair to Brighton Hippodrome and Hippodrome House to facilitate conversion to cinema (D2) and associated café/restaurant units (A3) to include the following works: demolition of the rear fly tower and other later additions and construction of replacement rear extensions; construction of two storey extension to northern elevation to provide new access way into the Hippodrome; excavation works to stalls and orchestra pit; installation of mezzanine floor; reinstatement of original Hippodrome entrance on Middle Street; new windows and entrance way to Hippodrome House; and other associated works.

Applicant: Kuig Property Investments Ltd

Officer: Adrian Smith 290478

Approved on 28/11/14 COMMITTEE

1) UNI

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

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

2) UNI

The railings shown on the approved plans shall be painted black within one month of installation and shall be retained as such thereafter.

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

3) UNI

No development shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) Samples of all external facing materials, including roof coverings, cladding, and render and paint finishes to the Middle Street façades
- b) Samples of all new hard landscaping materials

Development shall be carried out in full in accordance with such approved details.

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

4) UNI

No development shall take place until full details of all materials and finishes to the equestrian ramp, including its suspended floor, walls and ceiling, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in full in accordance with such approved details
Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policy HE1 of the Brighton & Hove Local Plan.

5) UNI

No development shall take place until details in respect of the following internal works have been submitted to and approved in writing by the Local Planning Authority:

- a) Method statement, including final constructional drawings, for the recording, removal and reinstatement of the box balconies. The statement shall include photographs, measured drawings and moulding details of the balconies
- b) Detailed drawings and sample materials for the proposed balustrading, handrails, light fittings, ventilation grilles
- c) Detailed drawings for the proposed 'oculus' glazed floor and glazed window between the cinema foyer and mezzanine level
- d) Samples of materials for the floor finishes
- e) Method statement for the removal, repair and reinstatement of the Palm Court features, including the location of all features to be relocated
- f) Drawings for the final treatment of the proscenium arch

Development shall be carried out in full in accordance with the approved measures.

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

6) UNI

No development shall take place until a schedule of works and specification (including photographs and drawings) for the repair/reinstatement/replacement of all internal decorative features to the Hippodrome, including all plasterwork and joinery, has been submitted to and approved in writing by the Local Planning Authority, in consultation with English Heritage. All repaired, replaced and reinstated features must match exactly the original in materials and detail. Development shall be carried out in full in accordance with the approved schedule.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies HE1 & HE4 of the Brighton & Hove Local Plan.

7) UNI

No development, including demolition works, shall take place until details of measures to protect interior feature staircases, balustrades, decorative plaster work, doors, door cases etc. from vandalism, theft or other damage for the duration of the construction/alteration work hereby permitted have been submitted to and approved in writing with the Local Planning Authority, in consultation with English Heritage. Development shall be carried out in full in accordance with the approved measures.

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

8) UNI

No development, including demolition works, shall take place until full photographic surveys of the 'elephant house' and the rear conservatory to Hippodrome House have been submitted to and approved in writing by the Local

Planning Authority. Such surveys should be carried out in accordance with the guidance produced by English Heritage in the publication 'Understanding Historic Buildings - A guide to good recording practice'.

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.

9) UNI

No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage:

- a) a scheme for the collection and analysis of samples of paint from surviving plasterwork within the Hippodrome;
- b) full details of the proposed internal paint scheme to the Hippodrome based on the findings of the analysis of the paint samples secured under part a).

Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ascertain the colour and composition of the original paint scheme to ensure the satisfactory preservation of the listed buildings and to comply with policies HE1 & HE4 of the Brighton & Hove Local Plan.

10) UNI

No development shall take place until details in respect of the following external works, including 1:20 scale elevations and 1:1 scale profiles where appropriate, have been submitted to and approved in writing by the Local Planning Authority:

- a) the replacement windows to the west elevation of the Hippodrome and Hippodrome House.
- b) the Juliet balconies to west elevation of Hippodrome House.
- c) the proposed ramped access to the Hippodrome, to include materials and finished appearance.
- d) the reinstated Matcham entrance to the west elevation of the Hippodrome.
- e) the proposed doorcase to Hippodrome House, to include steps and materials and finishes
- f) Method statement for repair of stone and terracotta to west elevation of Hippodrome and Hippodrome House

Development shall be carried out in full in accordance with the approved details.

Reason: As insufficient information has been submitted, to ensure the satisfactory preservation of this listed building and to comply with policies HE1 & HE4 of the Brighton & Hove Local Plan.

BH2014/02503

75-105 Kings Road Arches Brighton

Demolition of arches and erection of new arches with new brick façade with timber doors. Replacement railings to upper esplanade level. Change of use from storage to mixed uses comprising retail (A1), café (A3), storage (B8) and beach huts. (Part retrospective).

Applicant: Brighton & Hove City Council

Officer: Kathryn Boggiano 292138

Approved on 03/12/14 COMMITTEE

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 & Location Plans	21304/P/01/A	A	18 September 2014
Plans and Elevations as Existing 1 of 3	21304/P/03		18 September 2014
Plans and Elevations as Existing 2 of 3	21304/P/04		18 September 2014
Plans and Elevations as Existing 3 of 3	21304/P/05		18 September 2014
Elevations as Proposed 1 of 7	21304/P/11/B	B	31 October 2014
Elevations as Proposed 2 of 7	21304/P/12/B	B	31 October 2014
Elevations as Proposed 3 of 7	21304/P/13/B	B	31 October 2014
Elevations as Proposed 4 of 7	21304/P/14/B	B	31 October 2014
Elevations as Proposed 5 of 7	21304/P/15/B	B	31 October 2014
Elevations as Proposed 6 of 7	21304/P/16/A	A	16 September 2014
Elevations as Proposed 7 of 7	21304/P/17/A	A	16 September 2014
Typical Elevation Details	21304/P/22		16 October 2014
Brickwork Setting Out Details	21304/P/21		16 October 2014

2) UNI

The arch window and door frames and shutters hereby approved shall be painted cream and retained as such thereafter.

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

3) UNI

The external façade shall be constructed in a Wienerberger imperial 'Smooth Crimson' brick with lime mortar joints.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

4) UNI

Prior to the arches being first brought into use, a scheme for the landscaping details for the area to the south of the front of the arches at the Lower Esplanade Level which shall include details of the 3 metre strip to the south of arches and the steps to the south, east and west of the 3 metre strip shall be submitted to and approved in writing by the Local Planning Authority. Samples of the paving material shall also be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details prior to any arch being first brought into use and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the landscaping and to comply with policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

5) UNI

Prior to any individual unit being first brought into A3 use, a scheme for the fitting of odour control equipment to that individual unit along with a scheme for the sound insulation of such equipment shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of any individual unit for A3 use and shall thereafter be retained as such.

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

Notwithstanding the submitted plans, within six months of the date of this permission, details of brick façade to the subway area to the west of arch number 76 Kings Road arches to be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the development being first occupied.

Reason: In order to ensure a satisfactory appearance to the brick façade of the arches and to comply with policies QD1, QD2 and HE6 of the Brighton & Hove Local Plan.

7) UNI

The number of the total units which comprise either retail or café uses (Use Class A1 or A3) shall not exceed 2 units (where each unit consists of 3 arches); the number of the total units which comprise storage (Use Class B8) shall not exceed 3 units (where 2 x units comprise 3 arches and 1 x unit comprises 1 arch); and the total number of office (Use Class B1a) shall not exceed 1 unit (1 arch per unit).

Reason: In order to provide an appropriate mix of uses within the development and to comply with policies SR1 and SR2 of the Brighton & Hove Local Plan and policy SA1 of the Submission City Plan.

BH2014/02505

75-105 Kings Road Arches Brighton

Replacement railings to upper esplanade level. (Part retrospective).

Applicant: Brighton & Hove City Council

Officer: Kathryn Boggiano 292138

Approved Secretary of State on 12/12/14

1) UNI

The railings shall be constructed using cast iron.

Reason: To ensure the historic character and appearance of the seafront railings is retained and to comply with policy HE1 of the Brighton & Hove Local Plan.

2) UNI

The railings shall be fully installed and coloured to match the remainder of the Brighton Seafront Railings within 2 months of the date of this permission.

Reason: To ensure the historic character and appearance of the seafront railings is retained and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2014/02564

211 Western Road Brighton

Display of 3no internally illuminated fascia signs, 2no internally illuminated projecting signs and window vinyls.

Applicant: A S Watson

Officer: Helen Hobbs 293335

Approved on 21/11/14 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.

BH2014/02565

211 Western Road Brighton

Installation of new shopfront.

Applicant: A S Watson

Officer: Helen Hobbs 293335

Approved on 21/11/14 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 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 QD10 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	H8391/101		30th July 2014
Site plan	H8391/102		30th July 2014
Existing Floor plans	H8391-201		1st September 2014
Existing elevations	H8391-202		1st September 2014
Floor plans	H8391-301		1st September 2014
First floor	H8391-302		1st September 2014
Proposed shop front	H8391-501		17th October 2014
Proposed shop front	H8391-502		17th October 2014
Proposed shop front	H8391-503		17th October 2014

BH2014/02833

86 Western Road Brighton

Creation of external seating area to Sillwood Road elevation at ground floor level.

Applicant: Creams London Ltd

Officer: Helen Hobbs 293335

Approved on 25/11/14 DELEGATED

1) UNI

Within 3 months of the date of this decision the hereby approved gate, as shown on drawing no. YO118-D25, shall be installed in accordance with the agreed details. The gate shall match exactly the colour and finish of the existing railings and shall be maintained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 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
Location and block plan	YO118 A01		21st August 2014
Existing floor plans	YO118 A02		21st August 2014
Existing north elevation	YO118 A03		21st August 2014
Existing east and west elevation	YO118 A.04		21st August 2014
Proposed plans	YO118-D01		30th September 2014
Proposed basement plan	YO118-D02		30th September 2014
Proposed west elevation	YO118-D03		21st August 2014
Proposed north elevation	YO118-D05		21st August 2014
Terrace entrance detail	YO118-D25		24th November 2014

3) UNI

The external seating area hereby permitted shall not be operational except between the hours of 08:00 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.

4) UNI

Prior to installation of the hereby approved gate the stone plinth, where cut, shall be made good and have a smoothed finish to match the existing.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2014/02834

86 Western Road Brighton

Creation of external seating area to Sillwood Road elevation at ground floor level.

Applicant: Creams London Ltd

Officer: Helen Hobbs 293335

Approved on 25/11/14 DELEGATED

1) UNI

Prior to the installation of the gate, the stone plinth where cut, shall be made good and have a smoothed finish.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 of the Brighton & Hove Local Plan.

2) UNI

Within 3 months of this decision, the approved gate shown on drawing no. YO118-D25 shall be installed on site. The gate should match exactly the colour and finish the existing railings.

Reason: To ensure a satisfactory appearance to the development and to comply with policy HE1 of the Brighton & Hove Local Plan.

BH2014/02892

11 Windlesham Road Brighton

Two storey rear extension and formation of raised decking with canopy, balustrade and steps to rear garden (part retrospective).

Applicant: Ms Edwina Sabine

Officer: Robin Hodgetts 292366

Approved on 10/12/14 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan			28/08/14
Existing plans and elevations	1301/CD/001		28/08/14
Demolition plan	1301/PL/002	A	02/10/14
Block plan	1301/PL/003		04/09/14
Proposed lower ground plan	1301/PL/005	A	02/10/14
Proposed ground floor plan	1301/PL/006	A	02/10/14
Proposed roof plan	1301/PL/007	A	02/10/14
Proposed rear elevation	1301/PL/010	A	02/10/14
Proposed side elevations	1301/PL/011	A	02/10/14

BH2014/03051

Royal York Buildings 41-42 Old Steine Brighton

Change of use of fourth and fifth floor apartments from youth hostel (sui Generis) to 8no residential units (C3).

Applicant: Development Securities PLC

Officer: Liz Arnold 291709

Approved on 31/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

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

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

3) UNI

Notwithstanding the details submitted, the development hereby permitted shall not be occupied until full 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	01	-	8th October 2014
Location Plan	01	-	11th September 2014
Existing and Proposed 4th Floor Plan	02	-	10th December 2014
Existing and Proposed 5th Floor Plan	03	-	10th December 2014
Existing Lower Ground Floor Plan of Hotel	04	-	4th December 2014
Proposed Lower Ground Floor Plan of Hotel	05	-	4th December 2014
Proposed Lower Ground and Ground Floor Plans	AL01/F	-	4th December 2014

BH2014/03156

12 Powis Grove Brighton

Application for approval of details reserved by condition 3 of application BH2013/03561.

Applicant: Mrs Sarah Way

Officer: Liz Arnold 291709

Approved on 31/12/14 DELEGATED

BH2014/03158

11 Prince Albert Street Brighton

Demolition of existing two storey rear extension and installation of roof to existing open courtyard to create additional office space with terrace above. Erection of two storey rear extension at ground and first floor level, installation of French doors to replace window to rear and repointing of brickwork to front elevation.

Applicant: Fortis Law

Officer: Christopher Wright 292097

Refused on 25/11/14 DELEGATED

1) UNI

The proposal to infill and cover over the open courtyard to the rear of the building would result in the loss of an open space which is intrinsic to the historic layout and urban grain of the buildings and spaces with the Conservation Area and

significant in respect of the setting and original design of the Listed Building. As such the proposal would have a harmful impact on these heritage assets and would be detrimental to the external setting of the Listed Building and the historic character of the wider Conservation Area, contrary to the aims and objectives of policies HE1 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposals would result in the loss of three sash windows which are original features of the Listed Building and which should be preserved or enhanced. As such the development would be harmful to the character and historic fabric of the Listed Building, contrary to the requirements of policy HE1 of the Brighton & Hove Local Plan.

BH2014/03159

11 Prince Albert Street Brighton

Demolition of existing two storey rear extension and installation of roof to existing open courtyard to create additional office space with terrace above. Erection of two storey rear extension at ground and first floor level, installation of French doors to replace window to rear and repointing of brickwork to front elevation.

Applicant: Fortis Law

Officer: Christopher Wright 292097

Refused on 25/11/14 DELEGATED

1) UNI

The proposal to infill and cover over the open courtyard to the rear of the building would result in the loss of an open space which is intrinsic to the historic layout, character and setting of the Listed Building. As such the proposals would have a harmful impact on the building as a heritage asset, contrary to the aims and objectives of policy HE1 of the Brighton & Hove Local Plan.

2) UNI2

The proposals would result in the loss of three sash windows which are original features of the Listed Building and which should be preserved or enhanced. As such the development would be harmful to the character and historic fabric of the Listed Building, contrary to the requirements of policy HE1 of the Brighton & Hove Local Plan.

BH2014/03170

33 Clifton Hill Brighton

Conversion of ground and lower ground floor shop (A1) to form 1no one bedroom maisonette (C3) with associated construction of bay window to replace existing shop front.

Applicant: Dennis Harris

Officer: Jason Hawkes 292153

Refused on 25/11/14 DELEGATED

1) UNI

Policy SR7 of the Brighton Local Plan aims to maintain and enhance the role of local shopping parades. The change of use at ground floor level to residential is unacceptable as it would detrimentally affect the viability of this local parade of shops. Additionally, it has not been demonstrated that the existing retail use is no longer economically viable as an individual unit or in the context of the wider parade. The proposal is therefore contrary to policy SR7 of the Brighton & Hove Local Plan.

2) UNI2

The proposal would result in the loss of a traditional shopfront which adds to the character and appearance of this parade of shops and to the wider appearance

and setting of the Montpelier and Clifton Hill Conservation Area. Additionally, the external alterations proposed to replace the shopfront are inappropriate and would significantly detract from the appearance of the building. The scheme is therefore considered contrary to policies QD1, QD2, QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 2: Shop Front Design.

3) UNI3

The development would result in a significant loss of privacy to a rear amenity area used by a separate unit through the use of the basement window for a bedroom window which would look directly into the adjoining amenity area. The development would therefore result in significant harm to neighbouring amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI4

The development would provide an unsatisfactory standard of residential accommodation due to the lack of adequate light, outlook and privacy for the basement bedroom proposed for the flat. Additionally, the new residential unit would not benefit from a private outside amenity area. The proposal would therefore result in a poor standard of accommodation for future occupants and is contrary to policies QD27 & HO5 of the Brighton & Hove Local Plan.

BH2014/03232

15 Windlesham Road Brighton

Extension to existing terrace with balustrade, steps to garden level and installation of rooflight.

Applicant: Mr Leo Horsfield

Officer: Sue Dubberley 293817

Refused on 02/01/15 DELEGATED

1) UNI

The proposed roof terrace, due to its position and height in close proximity to the adjacent property, would result in overlooking and loss of privacy to occupants of adjoining properties. The terrace, due to its position, size and use, would additionally result in a significant noise disturbance to adjacent properties. The proposal would therefore lead to a significant loss of amenity and is contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan, and Supplementary Planning Document 12: Design Guide for Extensions and Alterations.

BH2014/03259

3 Windlesham Road Brighton

Erection of two storey rear extension and single storey side extension with associated roof alterations including installation of 9no rooflights and other associated works.

Applicant: Mr Leo Horsfield

Officer: Andrew Huntley 292321

Approved on 29/12/14 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 two rooflight windows in the northern 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.

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 in the northern elevation of the extension hereby approved without planning permission obtained from the Local Planning Authority.

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

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
Location & Block Plan	RHA.023-100		20.10.2014
Existing Floor Plans	RHA.023-101		29.09.2014
Existing Floor Plan	RHA.023-102		29.09.2014
Existing Elevations	RHA.023-103		29.09.2014
Existing Front & Rear Elevations	RHA.023-104		29.09.2014
Existing Side Elevations	RHA.023-105		29.09.2014
Proposed Floor Plans	RHA.023-201		20.10.2014
Proposed Floor Plans	RHA.023-202		20.10.2014
Proposed Elevations	RHA.023-203		20.10.2014
Proposed Front & Rear Elevations	RHA.023-204		03.11.2014
Proposed Side Elevations	RHA.023-205		03.11.2014

BH2014/03291

27 Ship Street Brighton

Installation of hanging sign.

Applicant: Youngs and Co Brewery PLC

Officer: Mark Thomas 292336

Refused on 22/12/14 DELEGATED

1) UNI

The proposed hanging sign, by virtue of its scale, projection and positioning would represent an unduly prominent addition which would significantly detract from the special historical and architectural character and significance of the Grade II Listed Building. As such, the proposed development would be contrary to policies HE1 and HE9 of the Brighton & Hove Local Plan.

BH2014/03329

9 Brighton Place Brighton

Display of externally illuminated hanging sign, externally illuminated fascia sign, internally illuminated display case, non illuminated display case, non illuminated door plaque and lantern.

Applicant: Spirit Pub Co Ltd

Officer: Jason Hawkes 292153

Split Decision on 06/01/15 DELEGATED

1) BH10.01

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

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

2) BH10.02

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

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

3) BH10.03

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

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

4) BH10.04

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

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

5) BH10.05

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

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

6) BH10.06

No advertisement shall be sited or displayed so as to-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or

aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

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

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

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

8) UNI

GRANT advertisement consent for the replacement first floor fascia sign (item 2), menu board (item 5) and circular plaque (item 6) Conditions and Informatives set out below.

1) UNI

REFUSE advertisement consent for the hanging sign (item 1), lantern light (item 3) and menu board (item 4) signs for the reason and Informatives set out below.

1. The proposed hanging sign (item 1), lantern light (item 3) and menu board (item 4) would, by reason of their siting, have an adverse impact on the architectural and historic character and appearance of the building. The proposed advertisements would result in significant harm to amenity and are also contrary to policies HE1 and HE9 of the Brighton & Hove Local Plan, and Supplementary Planning Document 07, Advertisements.

BH2014/03330

9 Brighton Place Brighton

Replacement of existing signage.

Applicant: Spirit Pub Co Ltd

Officer: Jason Hawkes 292153

Refused on 06/01/15 DELEGATED

1) UNI

1. The proposed hanging sign (item 1), lantern light (item 3) and menu board (item 4) would, by reason of their siting, have an adverse impact on the architectural and historic character and appearance of the building. The proposed works are therefore contrary to policies HE1 and HE9 of the Brighton & Hove Local Plan, and Supplementary Planning Document 07, Advertisements.

BH2014/03398

36 Montpelier Road Brighton

Application for Approval of Details Reserved by Condition 8 of application BH2014/00578.

Applicant: Paxform Properties

Officer: Liz Arnold 291709

Approved on 24/11/14 DELEGATED

BH2014/03512

80-82 Preston Street Brighton

Display of externally illuminated fascia sign.

Applicant: Mr Rahmi Aktepe

Officer: Helen Hobbs 293335

Approved on 15/12/14 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.

BH2014/03588

14 Castle Street Brighton

Creation of additional floor incorporating installation of windows to front and rear and insertion of 3no rooflights.

Applicant: Mr Sarang Pandit

Officer: Sonia Gillam 292265

Refused on 17/12/14 DELEGATED

1) UNI

1. By virtue of its additional bulk and height, the proposed development would result in a significant loss of outlook for the residents of the property to the rear, no. 8 Stone Street, leading to a heightened sense of enclosure. Additionally the proposed rear fenestration would allow a significant degree of overlooking into the rear window of 8 Stone Street, resulting in a loss of privacy for the residents. The proposal would therefore have a significant impact on the amenity of neighbouring residents, contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and SPD12, design guide for extensions and alterations.

BH2014/03693

Royal Alexandra Hospital 57 Dyke Road Brighton

Non Material Amendment to BH2010/03379 to removal of internal non structural, stud walling between flats 9 & 10, and flats 10 & 11 to enable combination of flats 9 & 10 and 11 on the first floor of Block D.

Applicant: Mr & Mrs David Law

Officer: Helen Hobbs 293335

Approved on 01/12/14 DELEGATED

BH2014/03699

18 Market Street Brighton

Conversion of first floor restaurant (A3) to 1no one bedroom flat (C3) with associated alterations.

Applicant: Lyons Investments Ltd

Officer: Liz Arnold 291709

Approved on 29/12/14 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 residential unit hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure 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 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.

4) UNI

No residential development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has

been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

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

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
Pre-Existing Floor Plans	1976/9	Issue A	3rd November 2014
As Existing	1976/9	Issue B	3rd November 2014
As Proposed	1976/10	Issue A	3rd November 2014

6) UNI

Notwithstanding the details submitted, the development hereby permitted shall not be commenced until revised 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.

BH2014/03998

Land at and adjacent to West Pier and 62-73 Kings Road Arches Kings Road Brighton

Non Material Amendment to BH2006/02369 to add plan numbers as a condition.

Applicant: Marks Barfield Limited

Officer: Kathryn Boggiano 292138

Approved on 15/12/14 DELEGATED

ST. PETER'S & NORTH LAINE

BH2012/00032

The Open Market Marshalls Row & Francis Street Brighton

Application for Approval of Details Reserved by Condition 45 of application BH2010/03744 as amended by BH2013 01147.

Applicant: Hyde Group & The Brighton Open Market CIC

Officer: Maria Seale 292175

Approved on 19/12/14 DELEGATED

BH2012/02529

Site J Land East of Brighton Station New England Quarter Brighton

Application for variation of condition 2 of application BH2010/03999 (Mixed use development comprising 2973sqm commercial office space (Class B1), 94 bedroom hotel (Class C1), 147 residential units (Class C3) and 255sqm retail floorspace/cafe/office (flexible use Class A1/A2/A3/B1)) to allow revised fenestration and overall appearance of the hotel (Block B) and offices (Block C), increase the internal hotel floorspace from 3029sqm to 4802sqm, decrease the internal office space from 2973sqm to 2460sqm and create new basement area to accommodate plant and other services.

Applicant: Fourshore (HOT) Limited

Officer: Paul Vidler 292192

Approved after Section 106 signed on 11/12/14 DELEGATED

1) UNI

Not used. [Note: This condition (relating to time limit for commencement of development) on the original permission BH2010/03999 has been complied with.]

2) UNI

Details of a Refuse Collection Strategy for each of the respective blocks A, B and C shall submitted to and approved in writing by the Local Planning Authority including any measures required on a temporary basis during construction. The agreed Strategy shall be implemented upon first occupation of each respective block, and implemented during the construction period of each block if required.

Reason: To ensure there is satisfactory, co-ordinated provision for refuse collection across the three sites and the site as a whole and to ensure refuse collection does not compromise highway safety both within and outside the site, to comply with policies SU2 and TR7 of the Brighton and Hove Local Plan.

3) UNI

Plan Type	Reference	Version	Date Received
Middle Block-1 Bed Flat (Affordable)	PL33	A	28/07/11
Middle Block-2 Bed Flat (Affordable)	PL34	A	28/07/11
South Block-3 Bed Flat (Social Rented)	PL35	B	28/07/11
Section GG & HH, Elevation JJ	PL36	C	28/07/11
Middle Block-2 Bed Flat Wheelchair Social Rented	PL41	B	07/10/11
Middle Block-1 Bed Flat Wheelchair Social Rented	PL42	A	07/10/11
Landscape Strategy	615/DHA/001	K	13/09/11
Proposed Site Location Plan	AP010	A	31/08/12
Proposed Basement -2 Plan	AP000	B	31/08/12
Proposed Basement -1 Plan	AP001	B	31/08/12
Proposed Ground Floor Plan	AP002	B	31/08/12
Proposed First Floor Plan	AP003	C	31/08/12
Proposed Second to Fifth Floor Plan	AP004	B	31/08/12
Proposed Sixth Floor Plan	AP006	B	31/08/12
Proposed Seventh Floor Plan	AP007	B	31/08/12
Proposed Roof Plan	AP008		31/08/12
Proposed North Elevation	AE100	B	31/08/12

Towards New England Square			
Proposed East Elevation	AE101	B	31/08/12
Proposed South Elevation Towards Mangalore Way	AE102	B	31/08/12
Proposed West Elevation	AE103	B	31/08/12
Proposed Section AA	AS200	A	31/08/12
Proposed Section BB	AS201	A	31/08/12
Proposed Section CC	AS202	A	31/08/12
Proposed Elevation Typical details	AD001	A	31/08/12
Proposed Elevation Typical details	AD002	A	31/08/12
Proposed Elevation Typical details	AD003	A	31/08/12

4) UNI

No intoxicating liquor shall be sold or supplied within any A3 unit of over 150sqm, except to persons who are taking meals on the premises and who are seated at tables. 'Meals' means food that has been cooked or prepared and purchased within the premises. Any bar area shall be ancillary to the approved A3 restaurant use.

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

5) UNI

The area shown as Southern SNCI shall be used as an informal wildlife and amenity space with public access, and shall not be used for any other purpose and, 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 buildings, fences, walls or other structures shall be erected, or surfaces laid, without the prior express written consent of the Local Planning Authority.

Reason: To conserve and enhance the wildlife and nature conservation interest of the site and in the interest of visual amenity and to comply with policies QD19 and EM13 of the Brighton & Hove Local Plan.

6) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping for each respective block (as defined on drawing AP010 Rev A) shall be carried out in the first planting and seeding seasons following the occupation or the completion of, the buildings in each respective block, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of each respective block 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 each respective block of 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

The use of the commercial premises located at ground floor level in the central block, within Use Classes A1, A2, A3 and B1, shall not be open or in use except

between the hours of 07.00 and 22.00 Mondays to Fridays, 08.00 and 21.00 hours on Saturdays, Sundays and Bank Holidays.

Reason: In the interests of protection of amenity and, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

8) UNI

Vehicular movements for the purposes of loading and unloading, and loading of vehicles for commercial units (except for the hotel), shall only take place between the following hours: 07.00 and 19.00 Mondays to Saturdays, and at no time on Sundays or Bank Holidays. Loading/unloading associated with the hotel shall only take place between the following hours: 06.00 and 19.00 Mondays to Saturdays, and at no time on Sundays or Bank Holidays.

Reason: In the interests of protection of amenity and, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan.

9) UNI

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

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

10) UNI

Unless otherwise first agreed in writing by the Local Planning Authority, the acoustic protection of the buildings and end residents shall be as per figure 5.11, page 31 of the RSK Group Plc Noise and Vibration Assessment Report, reference: 291667-2, dated 15 April 2011, submitted with application BH2010/03999.

Reason: In the interests of protection of amenity, and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

11) UNI

The crime prevention measures contained within the Design and Access Statement submitted with application BH2010/03999 shall be implemented within the development and a Secure By Design (Part 2) certificate for each respective block in the development shall be submitted to and approved in writing by the Local Planning Authority within 3 months of first occupation of each respective block.

Reason: In the interests of crime prevention and, to comply with policies QD2 and QD7 of the Brighton & Hove Local Plan.

12) UNI

If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise first agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with (see condition 22).

Reason: To protect groundwater quality and to comply with policy SU3 of the Brighton & Hove Local Plan.

13) UNI

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The

development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent the contamination of the underlying aquifer and to comply with policy SU3 of the Brighton & Hove Local Plan.

14) UNI

Unless otherwise approved in writing by the Local Planning Authority, no plant or equipment shall be erected or installed on the roofs except where specifically shown on the drawings hereby approved.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1, HE3 and HE6 of the Brighton & Hove Local Plan.

15) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime Homes standards and 7 of the affordable dwellings shall be constructed to wheelchair accessible standards. The dwellings 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.

16) UNI

The sustainable measures contained within the development as indicated within application BH2010/03999 and on the drawings, including the photovoltaic panel array on the roofs, brown roofs, air source heat pumps and rainwater harvesting system for the residential blocks shall be implemented within the development unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure an appropriate mix of sustainable measures to comply with policy SU2 of the Brighton & Hove Local Plan and SPD08.

17) UNI

No parking shall take place within the site except in those dedicated spaces identified on the submitted plans and no vehicles shall access or park within the public square from Fleet Street or Mangalore Way except for general maintenance vehicles.

Reason: To ensure the public square and realm is prioritised for pedestrians and cyclists and in the interests of visual amenity and highway safety, to comply with policies QD15 and TR7 of the Brighton & Hove Local Plan.

18) UNI

A) Notwithstanding the drawings hereby permitted, block A of the site (as shown on drawing AP010 Rev A) shall not be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:

i) Details of the hard and soft landscaping, surfacing materials, lighting, street furniture, balustrades and signs, handrails, boundary treatments within the proposed areas of public open space, communal roof areas, allotments and courtyards;

ii) Detailed specification of green walls including a maintenance programme;

iii) Detailed specification for the external stairs and lift (which shall be capable of carrying wheelchairs, mobility scooters, bicycles and prams) and bridge, forming the station link, including maintenance proposals;

iv) Detailed specification for the provision of the equipped children's play area, which shall include a permanent covered, illuminated area and a minimum of 10 pieces of play equipment including bouldering wall and general seating and litter bins.

The development shall be fully implemented in accordance with the details

hereby approved prior to the occupation of block A and retained as such thereafter.

B) Within 6 months of commencement of development of the hotel in block B of the site (as shown on drawing AP010 Rev A), details of the hard and soft landscaping, surfacing materials, lighting, street furniture, balustrades, signs and handrails shall be submitted to and approved in writing by the Local Planning Authority. The development shall be fully implemented in accordance with the details hereby approved prior to the occupation of block B and retained as such thereafter.

C) Within 6 months of commencement of development of the office in block C of the site (as shown on drawing AP010 Rev A), details of the hard and soft landscaping, surfacing materials, lighting, street furniture, balustrades, signs and handrails shall be submitted to and approved in writing by the Local Planning Auth

19) UNI

Block A of the site (as shown on drawing AP010 Rev A) shall not be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority:

- i) Details and samples of all materials to be used in the external surfaces of the buildings;
- ii) Details of fenestration and entrances;
- iii) Details of brise soleil, balconies and solar panels;
- iv) Details of external lighting to be affixed to the buildings;
- v) Details of entrances and shopfronts to the commercial buildings

The development shall be carried out in accordance with the details hereby approved prior to the occupation of block A and retained as such thereafter.

B) Within 6 months of commencement of development of the hotel in block B of the site (as shown on drawing AP010 Rev A) the following details shall be submitted to and approved in writing by the Local Planning Authority:

- i) Details and samples of all materials to be used in the external surfaces of the buildings;
- ii) Details of fenestration and entrances;
- iii) Details of external lighting to be affixed to the buildings.

The development shall be carried out in accordance with the details hereby approved prior to the occupation of block B and retained as such thereafter.

C) Within 6 months of commencement of development of the office in block C of the site (as shown on drawing AP010 Rev A) the following details shall be submitted to and approved in writing by the Local Planning Authority:

- i) Details and samples of all materials to be used in the external surfaces of the buildings;
- ii) Details of fenestration and entrances;
- iii) Details of external lighting to be affixed to the buildings.

The development shall be carried out in accordance with the details hereby approved prior to the occupation of block C and retained as such thereafter.

Reason: To secure a satisfactory external appearance and to comply with policies QD1, QD2, QD3, QD4, QD15, QD25 and EM13 of the Brighton & Hove Local Plan.

20) UNI

Notwithstanding the drawings hereby approved, Block A (as shown on drawing AP010 Rev A) shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority, a scheme for landscaping within the Southern SNCI as defined on the DHA drawings. The scheme shall include the following elements:

- i) A planting plan at a suitable scale to show the location, extent and type of all tree, shrub and other new planting, with areas of current SNCI to be retained unchanged;
- ii) A list of plant species,
- iii) A method statement with appropriate techniques for plant establishment to include land forming, soil preparation, use of materials, types of plant material to be used (eg seed, plant plugs) and timing of works;
- iv) An aftercare statement to describe the operations to be carried out following creation in order to maintain the SNCI in good condition and to ensure all trees, structures and other features on site are maintained in a safe condition for public access;
- v) Construction and lighting details of the footpath/cycle path link through the SNCI to ensure it is accessible for less mobile and disabled people and those with children and pushchairs, including dimensions, gradients, materials, tactile paving, signage handrails, street furniture and details of the steps. The details shall include channels for bicycles;
- vi) Details of any seating and other features to be provided, to include designs, locations and materials to be used;
- vii) Type, location and number of nest/bird/bat/insect/bumble bee boxes to be installed;
- viii) Details of existing and proposed ground levels from a fixed, known Ordnance Datum Point.

The Southern SNCI landscaping scheme shall be implemented in accordance with the agreed details prior to the occupation of block A and retained as such thereafter.

Reason: To enhance the landscape and ecological value of the site and ensure it is accessible, and enhance the appearance of the development in the int

21) UNI

A) Block A of the site (as shown on drawing AP010 Rev A) shall not be occupied until a Wind Assessment scheme including mitigation measures if necessary has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within block A before first occupation of the block. The Scheme shall include the provision of screens, tree planting and canopies where necessary to mitigate against any adverse wind effects identified.

B) Within 6 months of commencement of development of the hotel in block B of the site (as shown on drawing AP010 Rev A) a Wind Assessment scheme including mitigation measures if necessary shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within block B before first occupation of the block. The Scheme shall include the provision of screens, tree planting and canopies where necessary to mitigate against any adverse wind effects identified.

C) Within 6 months of commencement of development of the office in block C of the site (as shown on drawing AP010 Rev A) shall take place until a Wind Assessment scheme including mitigation measures if necessary shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within block C before first occupation of the block. The Scheme shall include the provision of screens, tree planting and canopies where necessary to mitigate against any adverse wind effects identified. Each of the respective Wind Mitigation schemes shall have due regard to proposed and implemented mitigation measures within each of the three sites and take into account the cumulative impact,

Reason: In the interests of amenity and good design, to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan and SPGBH15.

22) UNI

A) The development of block A of the site (as shown on drawing AP010 Rev A) shall be carried in accordance with the surface water drainage scheme for the block, based on sustainable drainage principles as detailed in permission BH2012/04068 granted on 14/2/13.

B) No development of block B of the site (as shown on drawing AP010 Rev A) shall commence until a detailed surface water drainage scheme for block B of the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

C) No development of block C of the site (as shown on drawing AP010 Rev A) shall commence until a detailed surface water drainage scheme for block C of the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.

Reason: To prevent pollution of groundwater within the underlying chalk aquifer and to comply with policy SU3 of the Brighton & Hove Local Plan.

23) UNI

A) The development of block A of the site (as shown on drawing AP010 Rev A) shall be carried out in accordance with the preliminary risk assessment, the site investigation scheme, the options and remediation strategy and the verification plan associated with the contamination of the site as detailed in permission BH2012/04027 granted on 24/5/13. The development in block A shall not be occupied until a verification report, demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

B) No development of block B of the site (as shown on drawing AP010 Rev A) shall commence, until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority:

i) A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination of the site.

ii) A site investigation scheme, based on i) to provide information for assessment of the risk to all receptors that may be affected, including those off site.

iii) The site investigation results and the detailed risk assessment based on ii) and based on these, an options and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that works set out in iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

v) A v

24) UNI

C) No development of block C of the site (as shown on drawing AP010 Rev A) shall commence, until the following components of a scheme to deal with the

risks associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority:

i) A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination of the site.

ii) A site investigation scheme, based on i) to provide information for assessment of the risk to all receptors that may be affected, including those off site.

iii) The site investigation results and the detailed risk assessment based on ii) and based on these, an options and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that works set out in iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

v) A verification report, demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The scheme shall be implemented in accordance with the approved details.

Reason: Previous historical activities associated with this site may have potentially caused, or have potential to cause, contamination of controlled waters and to ensure that the proposed site investigations and remediation will not cause pollution of controlled waters, to comply with policy SU3 of the Brighton & Hove Local Plan.

25) UNI

A) Block A of the site (as shown on drawing AP010 Rev A) shall not be first occupied until details of the external lighting of block A have been submitted to and approved in writing by the Local Planning Authority. The lighting installation shall comply with the recommendations of the Institution of Lighting Engineers (ILE) Guidance Notes for the Reduction of Light Pollution (2005) for zone E or similar guidance recognised by the Council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) shall be submitted with the details. The external lighting shall be installed in accordance with the approved details prior to occupation and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

B) Within 6 months of commencement of development of block B of the site (as shown on drawing AP010 Rev A) details of the external lighting of block B shall be submitted to and approved in writing by the Local Planning Authority. The lighting installation shall comply with the recommendations of the Institution of Lighting Engineers (ILE) Guidance Notes for the Reduction of Light Pollution (2005) for zone E or similar guidance recognised by the Council. A certificate of compliance signed by a competent person (such as a member of the Institution of Lighting Engineers) shall be submitted with the details. The external lighting shall be installed in accordance with the approved details prior to occupation and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

C) Within 6 months of commencement of development of block C of the site (as shown on drawing AP010 Rev A) details of the external lighting of block C shall be submitted to and approved in writing by the Local Planning Authority. The

lighting installation shall comply with the recommendations of the Institution

26) UNI

A) Block A of the site (as shown on drawing AP010 Rev A) shall not be occupied until the bird, bat and insect boxes and log piles as included within block A of the development (excluding Southern SNCI) as detailed in permission BH2013/01926 granted on 14/10/13 have been fully implemented and they shall thereafter be maintained in perpetuity in accordance with the approved details.

B) Within 6 months of commencement of development of block B of the site (as shown on drawing AP010 Rev A) details showing the type, location and timescale for implementation of compensatory bird, bat, bumble bee and bug boxes included within block B of the development hereby approved have 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 prior to occupation.

C) Within 6 months of commencement of development of block C of the site (as shown on drawing AP010 Rev A) details showing the type, location and timescale for implementation of compensatory bird, bat, bumble bee and bug boxes included within block C of the development hereby approved have 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 prior to occupation.

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 policies QD17 and QD18 of the Brighton & Hove Local Plan.

27) UNI

A) Block A of the site (as shown on drawing AP010 Rev A) shall not be occupied until the brown roofs within block A as detailed in permission BH2013/01826 granted on 14/10/13 have been implemented and maintained in accordance with the approved details in perpetuity.

B) Within 6 months of commencement of development of the hotel in block B of the site (as shown on drawing AP010 Rev A) details of the construction of the brown roofs within block B shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement and the seed mix. The scheme shall then be carried out in accordance with the approved details prior to occupation.

C) Within 6 months of commencement of development of the office in block C of the site (as shown on drawing AP010 Rev A) details of the construction of the brown roofs within block C shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement and the seed mix. The scheme shall then be carried out in accordance with the approved details prior to occupation.

Reason: To ensure that the development contributes to ecological enhancement on the site, in accordance with policies QD17 and SU2 of the Brighton & Hove Local Plan.

28) UNI

Block A of the site (as shown on drawing AP010 Rev A) shall be carried out to the Code for Sustainable Homes Level 4 standard as detailed in the Code for Sustainable Homes Design Stage/Interim Certificates submitted as part of application BH2013/02969 granted on 5/11/13 which demonstrate that the development will achieve Code Level 4 for all residential units.

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.

29) UNI

A) Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development of block A of the site (as shown on drawing AP010 Rev A) shall be occupied until:

I. evidence that the non-residential development within block A is registered with the Building Research Establishment (BRE) under BREEAM (either a BREEAM buildings scheme or bespoke BREEAM) and a Design Stage Assessment Report showing that the development will achieve a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall

"Excellent" rating have been submitted to the Local Planning Authority; and

II. a BRE Design Stage Certificate demonstrating that the non-residential development within block A has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall "Excellent" rating has been submitted to and approved in writing by the Local Planning Authority.

B) (i) No development of the hotel in block B of the site (as shown on drawing AP010 Rev A) shall commence until evidence has been submitted to and approved in writing by the Local Planning Authority that the development within block B is registered with the Building Research Establishment (BRE) under BREEAM (either a BREEAM buildings scheme or bespoke BREEAM) and a Design Stage Assessment Report shall be submitted for approval showing that the development will achieve a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for the hotel; and

(ii) Within 6 months of commencement of development a BRE Design Stage Certificate demonstrating that the development within block B has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment within overall 'Very Good' for the hotel, shall be submitted to and approved in writing by the Local Planning Authority.

C) (i) No development of the office in block C of the site (as shown on drawing AP010 Rev A) shall com

30) UNI

A) Block A (as shown on drawing AP010 Rev A) shall not be occupied until the rainwater irrigation system including water butts as detailed in permission BH2013/00668 granted on 13/8/13 has been fully implemented and made available for use in the development in perpetuity.

B) Within 6 months of commencement of block B, a Feasibility Study for rainwater harvesting and grey water recycling shall be undertaken and submitted to the Local Planning Authority for written approval. Should the Studies demonstrate that it is technically feasible to achieve rainwater harvesting and grey water recycling, the agreed details/measures shall then be incorporated fully into the construction/operation of the development.

C) Within 6 months of commencement of block C, a Feasibility Study for rainwater harvesting and grey water recycling shall be undertaken and submitted to the Local Planning Authority for written approval. Should the Studies demonstrate that it is technically feasible to achieve rainwater harvesting and grey water recycling, the agreed details/measures shall then be incorporated fully into the construction/operation of the development.

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

31) UNI

Block A (as shown on drawing AP010 Rev A) shall not be occupied until the accessibility measures detailed in permission BH2013/01144 granted on 20/6/13 have been fully complied with.

Reason: To ensure the development is accessible to all, to comply with policies QD1 and HO13 of the Brighton & Hove Local Plan.

32) UNI

Within 6 months of commencement of development of the hotel (block B as shown on drawing AP010 Rev A), a feasibility study for renewable forms of energy for the hotel, shall be undertaken and submitted to and approved in writing by the Local Planning Authority. The agreed details/measures shall then be incorporated fully into the operation of the hotel.

Reason: To ensure that the development is sustainable and maximises the use of renewable forms of energy, and to comply with policy SU16 of the Brighton & Hove Local Plan and Supplementary Planning Document SPD08 Sustainable Building Design.

33) UNI

A) Block A (as shown on drawing AP010 Rev A) shall not be occupied until the secure cycle parking facilities for the occupants of, and visitors to, block A as detailed in permission BH2013/00667 granted on 19/8/13 have been fully implemented. These facilities shall thereafter be retained for use at all times.

B) Within 6 months of commencement of development of the hotel in block B of the site (as shown on drawing AP010 Rev A) hereby permitted details of secure cycle parking facilities for the occupants of, and visitors to, block B of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of block B hereby permitted and shall thereafter be retained for use at all times.

C) Within 6 months of commencement of development of the office in block C of the site (as shown on drawing AP010 Rev A) hereby permitted details of secure cycle parking facilities for the occupants of, and visitors to, block C of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of block C 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.

34) UNI

Seven of the disabled parking spaces in the undercroft parking area of block A shall be allocated, signed and used solely by occupiers of the 7 wheelchair accessible units in that block hereby approved.

Reason: To ensure there is satisfactory disabled parking for occupiers of those units, in accordance with policies TR18 and TR19 of the Brighton & Hove Local Plan.

35) UNI

A) The development of block A of the site (as shown on drawing AP010 Rev A) hereby approved shall not be occupied until the refuse and recycling storage facilities for block A 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.

B) The development of block B of the site (as shown on drawing AP010 Rev A) hereby approved shall not be occupied until the refuse and recycling storage

facilities for block B 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.

C) The development of block C of the site (as shown on drawing AP010 Rev A) hereby approved shall not be occupied until the refuse and recycling storage facilities for block C 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.

36) UNI

A) The development of block A of the site (as shown on drawing AP010 Rev A) hereby approved shall not be occupied until the vehicle parking areas, including disabled bays, and cycle parking facilities shown on the approved plans for block A have been fully implemented and made available for use. The cycle parking facilities and parking areas shall be retained for use by the occupants of, and visitors to, the development at all times thereafter.

B) The development of block B of the site (as shown on drawing AP010 Rev A) hereby approved shall not be occupied until the vehicle parking areas, including disabled bays, and cycle parking facilities shown on the approved plans for block B have been fully implemented and made available for use. The cycle parking facilities and parking areas shall be retained for use by the occupants of, and visitors to, the development at all times thereafter.

C) The development of block C of the site (as shown on drawing AP010 Rev A) hereby approved shall not be occupied until the vehicle parking areas, including disabled bays, and cycle parking facilities shown on the approved plans for block C have been fully implemented and made available for use. The cycle parking facilities and parking areas shall be retained for use by the occupants of, and visitors to, the development at all times thereafter.

Reason: To ensure that adequate parking provision is retained and satisfactory facilities for the parking of cycles are provided, to comply with policies TR14 and TR19 of the Brighton & Hove Local Plan.

37) UNI

A) Within 6 months of commencement of development of the hotel in Block B (as defined on drawing number AP010 rev A) details shall be submitted to and approved in writing by the Local Planning Authority of the proposed four disabled parking spaces adjacent to Mangalore Way and a 'no parking' area between the undercroft and Mangalore Way, including road markings, labelling and signage. All the four approved parking spaces shall be solely for use by disabled drivers and no parking shall occur on the 'no parking' zone.

The approved parking scheme shall be implemented before the hotel is first brought into use.

B) Within 6 months of commencement of development of the B1 office building in Block C (as defined on drawing number AP010 rev A) details shall be submitted to and approved in writing by the Local Planning Authority of the proposed three disabled parking spaces adjacent to Mangalore Way and part of the 'no parking' area adjacent to the east, including road markings, labelling and signage. All the three approved parking spaces shall be solely for use by disabled drivers and no parking shall occur on the adjacent 'no parking' zone. The approved parking scheme shall be implemented before the office building is first brought into use.

Reason: To ensure adequate provision is made for people with disabilities who work in or visit the hotel and office and to ensure the access through to the undercroft and the public square is kept free for pedestrians, cyclists, refuse

collection and maintenance vehicles, to comply with policies TR1, TR18, TR19, TR7 and SU2 of the Brighton and Hove Local Plan.

38) UNI

Notwithstanding the details shown on the submitted plans, the hotel part of the development (block B as shown on drawing AP010 Rev A) shall not be occupied until details of a minimum of 3 bollards on Mangalore Way and the undercroft of the Southern block have been submitted to and approved in writing by the Local Planning Authority. The approved bollards shall be implemented prior to occupation and retained as such thereafter. The undercroft shall be kept free for public access.

Reason: To ensure satisfactory access for the general public and maintenance vehicles and to prevent general parking in the undercroft and public square, to comply with policies TR7 and QD15 of the Brighton & Hove Local Plan.

39) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of residential units in each respective block within block A hereby approved shall be occupied until a Final / Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built in each respective block has achieved 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.

40) UNI

A) Unless otherwise agreed in writing by the Local Planning Authority, no non-residential development of block A of the site (as shown on drawing AP010 Rev A) 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 of block A has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment, within overall 'Excellent' rating has been submitted to and approved in writing by the Local Planning Authority.

B) Unless otherwise agreed in writing by the Local Planning Authority, none of the development of block B of the site (as shown on drawing AP010 Rev A 294/2/a) shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that block B has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment, within overall 'Very Good' rating has been submitted to and approved in writing by the Local Planning Authority.

C) Unless otherwise agreed in writing by the Local Planning Authority, none of the development of block C of the site (as shown on drawing AP010 Rev A 294/2/a) shall be occupied until a BREEAM Design Stage Certificate and a Building Research Establishment issued Post Construction Review Certificate confirming that block C has achieved a BREEAM rating of 60% in energy and water sections of relevant BREEAM assessment, within overall 'Excellent' rating has been submitted to and approved in writing by the Local Planning Authority.

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

41) 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	PL01		21/01/11
Site Plan Existing	PL02		21/01/11
Site Plan Proposed	PL03	D	28/07/11
Ground Floor Plan	PL05	J	26/09/11
First Floor Plan	PL06	G	28/07/11
Second Floor Plan	PL07	D	28/07/11
Third Floor Plan	PL08	D	28/07/11
Fourth Floor Plan	PL09	D	28/07/11
Fifth Floor Plan	PL10	D	28/07/11
Sixth Floor Plan	PL11	D	28/07/11
Seventh Floor Plan	PL12	E	28/07/11
Roof Plan	PL13	F	28/07/11
Section AA	PL15	E	28/07/11
Section BB	PL16	E	28/07/11
Section CC	PL17	H	28/07/11
Section DD	PL18	D	28/07/11
Section EE	PL19	E	28/07/11
West Elevation	PL20	F	28/07/11
Fleet Street Elevation	PL21	F	28/07/11
Mangalore Way Elevation	PL22	C	28/07/11
Detail Section/Elevation North Block	PL25	B	28/07/11
Detail Section/Elevation Middle Block	PL26	C	28/07/11
Detail Section/Elevation South Block	PL27	C	28/07/11
Detail Section through car park	PL28	B	28/07/11
West Elevation	PL29	A	28/07/11
North Block-1 Bed Flat (Market)	PL30	B	28/07/11
North Block-2 Bed Flat (Market)	PL31	B	28/07/11
North Block-3 Bed Flat (Market)	PL32	A	28/07/11

BH2014/00501

55 Lewes Road Brighton

Remodelling and extension of existing building to form a 3 storey building with bank (A2) at basement and ground floor level and 5no self contained flats above.

Applicant: Hope Homes

Officer: Paul Earp 292454

Approved after Section 106 signed on 26/11/14 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 flat roofs hereby approved shall not be used as a roof garden, terrace, patio or similar amenity area at any time, and accessed for maintenance and emergency purposes only.

Reason: In order to protect adjoining properties from overlooking and to comply with policy QD27 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall be undertaken in accordance with the Waste Minimisation Statement received on 17 February 2014.

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 WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

4) UNI

No development shall commence until a full Acoustic Assessment has been submitted to and been approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the recommendations of the approved report and thereafter retained as such.

Reason: To ensure that the amenities of the occupiers of the residential units are not unduly impacted upon and to comply with policies SU10 and QD27 of the Brighton & Hove Local Plan.

5) UNI

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

Reason: To safeguard the amenities of the occupiers of future occupants of the development, ensure the efficient use of resources and to comply with policies SU2, SU10 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, including details of window openings, 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.

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

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.

9) 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 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.

10) UNI

No development shall take place until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then 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.

11) UNI

No development shall take place until details of the proposed green walling and maintenance and irrigation programme have been submitted to and approved in writing by the Local Planning Authority. The walls shall thereafter be constructed, maintained and irrigated in accordance with the approved details.

Reason: To ensure that the development contributes to ecological enhancement on the site and in accordance with policy QD17 of the Brighton & Hove Local Plan.

12) 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.

13) 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.

14) UNI

Prior to the first occupation of the development hereby permitted the applicant shall reinstate the redundant vehicle crossover to Caledonian Road back to a footway by raising the existing kerb and footway.

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

15) 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.

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

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.

18) 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
Land survey drawing	12720114		17 February 2014
Basement and ground floor plan. Site Location Plan	1211-P-31	A	10 June 2014
First and second floor plans	1211-P-32	C	10 June 2014
Roof plan	1211-P-33	B	10 June 2014
Elevations - 1	1211-P-34	C	10 June 2014
Elevations - 2	1211-P-35	C	10 June 2014
Contextual studies	1211-P-36	C	13 June 2014
Sunlight study	1211-P-37	C	13 June 2014
Townscape study	1211-P-38	C	13 June 2014
Acoustic and air quality mitigation, aesthetic impact	1211-P-39	C	13 June 2014

Impact of proposal on rear of buildings and gardens	1211-P-40	C	13 June 2014
Existing building, plans and elevations	1211-P-41		17 February 2014

BH2014/00528

Brighton Station Queens Road Brighton

Application for Approval of Details Reserved by Conditions 4, 5, 6, and 7 of application BH2012/03872.

Applicant: Southern Rail

Officer: Maria Seale 292175

Approved on 07/01/15 DELEGATED

BH2014/01735

89-90 London Road Brighton

Change of use of first and second floors from retail (A1) to residential (C3) with erection of first and second floor rear extension and mansard roof to create a total of 4no two bedroom flats with associated alterations. Installation of new shopfront including new access to upper floors.

Applicant: Ebury Estates

Officer: Andrew Huntley 292321

Approved on 10/12/14 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 cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation facing a highway.

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

3) UNI

The 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

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

No development shall take place until full details and sample elevations and sections at 1:20 scale of the windows (including cills and reveals), external doors,

parapets and roofing detail have 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 and shall be retained as such thereafter.

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

6) 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.

7) UNI

No development shall take place until a scheme for the soundproofing of the residential units has been submitted to and approved in writing by the Local Planning Authority. The measures shall include details of glazing specifications and alternative means of ventilation. The development shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

8) UNI

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

Reason: To safeguard the amenities of the occupiers of future occupants of the development, ensure the efficient use of resources and to comply with policies SU2, SU10 and QD27 of the Brighton & Hove Local Plan.

9) 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) 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 appr

10) UNI

None of the residential units hereby approved shall be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'very good' 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.

11) UNI

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

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

12) UNI

The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

13) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Ground & First Floor Plans	001		27.05.2014
Existing Elevations	002	A	21.07.2014
Location Plan	003		27.05.2014
Existing Second Floor & Roof Plans	004		27.05.2014
Block Plan	005		27.05.2014
Proposed Ground & First	400	A	14.11.2014

Floor Plans			
Proposed Second & Third Floor Plans	410	A	14.11.2014
Proposed Elevations	420	A	14.11.2014
Proposed Section AA	430	A	14.11.2014

14) UNI

No development shall take place above until a scheme for the soundproofing of the building between ground floor commercial units and first floor residential units has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

BH2014/01942

31-33 Bath Street Brighton

Application for variation of condition 2 and removal of condition 9 of application BH2012/02147 (Demolition of existing buildings to be replaced with proposed development of 5no residential dwellings to the rear of the site and 3no live-work units at the front of the site) to allow the ground floor units to be individual business units and the upper floors as self-contained flats.

Applicant: Natterjack Construction

Officer: Wayne Nee 292132

Approved on 17/12/14 DELEGATED

1) UNI

N/A

2) UNI

Within 6 months of the date of this permission, details of a sustainability scheme for the ground floor B1 units hereby permitted, which details the sustainability measures to be incorporated in order to reduce their energy and water consumption, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation of the B1 units and thereafter be retained as such.

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

3) UNI

N/A

4) UNI

The upper half of the sash windows servicing the bathrooms within units R4 and R5 shall not be glazed otherwise than with obscured glass and shall also be fixed shut and thereafter permanently retained as such.

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

5) UNI

The top half of the sash windows servicing the second bedrooms within the rear elevations of units R2 and R3 hereby approved shall not be glazed otherwise than with obscured glass and shall also be fixed shut and thereafter permanently

retained as such.

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

6) UNI

The walls of the new buildings shall be smooth rendered down to ground level and shall not have bell-mouth drips or channels.

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

7) UNI

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

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

8) UNI

All planting, seeding or turfing comprised in the approved details 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 accord with policy QD15 of the Brighton & Hove Local Plan.

9) UNI

N/A

10) UNI

No outside working or storage shall be permitted at any time.

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

11) 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.

12) 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.

13) UNI

The proposed green walling and chalk grassland roof shall be implemented, installed and maintained in accordance with the details approved on 12 April 2013 under application reference BH2013/00121 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.

14) UNI

The materials to be used in the external surfaces of the development hereby permitted shall be implemented in full accordance with the details approved on 23 August 2013 under application reference BH2013/01772.

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

15) UNI

The refuse and recycling storage shall be implemented and installed in accordance with the details approved on 12 April 2013 under application reference BH2013/00121 and shall be retained as such thereafter.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and to comply with policies SU2 and QD27 of the Brighton & Hove Local Plan.

16) UNI

The architectural metalwork of the Juliet balconies and the central entrance gates, shall be implemented and installed in accordance with the details approved on 20 September 2013 under application reference BH2013/02433 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.

17) UNI

The balcony balustrades shall be implemented and installed in accordance with the details approved on 20 September 2013 under application reference BH2013/02433 and shall be retained as such thereafter.

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

18) UNI

N/A

19) UNI

The boundaries to the site shall be implemented in accordance with the details approved on 11 September 2014 under application reference BH2014/02166 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.

20) UNI

The swift nesting box shall be implemented and installed in accordance with the details approved on 12 April 2013 under application reference BH2013/00121 and shall be retained as such thereafter.

Reason: To ensure protection of species on the site in accordance with policy QD18 of the Brighton & Hove Local Plan.

21) UNI

Landscaping of the site shall be undertaken in accordance with the details approved on 01 October 2014 under application reference BH2014/02381 and shall be maintained as such thereafter.

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

22) UNI

A scheme for the suitable treatment of all plant and machinery against the transmission of sound and/or vibration shall be submitted to and approved by the local planning authority and the use of the premises shall not commence until all specified works have been carried out to the satisfaction of the local planning authority. Machinery shall not be operated outside of business hours.

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

23) UNI

The scheme for the soundproofing of the building shall be implemented in accordance with the details approved on 12 April 2013 under application reference BH2013/00121 and shall be retained as such thereafter.

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

24) UNI

Prior to the occupation of the development the applicant shall reinstate the redundant vehicle crossover to Bath Street 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 and Hove Local Plan.

25) UNI

The development hereby permitted shall not be occupied until there has been submitted to the Local Planning Authority verification by a competent person that the Remediation Strategy received on 14 January 2013 and approved on 12 April 2013 under application reference BH2013/00121 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 Remediation Strategy by Southern Testing received 15 February 2013 and approved on 14 June 2013 under application reference BH2013/00574.

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.

26) UNI

The development shall proceed in compliance with the details in the Design Stage Report and Interim Certificates confirming that all residential units will achieve Code level 3 of the Code for Sustainable Homes in accordance with the details approved on 17 May 2013 under application reference BH2013/00914.

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.

27) 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.

28) UNI

The sectional profiles, details of materials and details of colours and finishes shall be implemented in full accordance with the details approved on 23 August 2013 under application reference BH2013/01772.

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

29) 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	TA657/01		11 July 2012
Block plans	TA657/02		11 July 2012
Existing plans and elevation	TA657/03		11 July 2012
Proposed site plan	TA657/10		11 July 2012
Proposed lower ground floor plan	TA657/11		11 July 2012
Proposed ground floor plan	TA657/12		11 July 2012
Proposed first floor plan	TA657/13	A	07 September 2012
Proposed second floor plan	TA657/14		11 July 2012
Proposed section AA	TA657/15		11 July 2012
Proposed Bath Street elevation	TA657/16	A	07 September 2012
Proposed courtyard (north)	TA657/17		11 July 2012
Proposed courtyard (south)	TA657/18		11 July 2012
Proposed rear elevations	TA657/19		11 July 2012
Proposed side elevation (East)	TA657/20		11 July 2012
Proposed section EE	TA657/21		11 July 2012
Proposed section FF	TA657/22		11 July 2012
Proposed section GG	TA657/23		11 July 2012
Typical building details	TA657/30	A	24 September 2012
Proposed Bath Street elevation	TA657/16	B	08 October 2012
The Ecology Consultancy letter	n/a		10 January 2013
Site and ground floor plans	Y0112G001		12 June 2014
1st and 2nd floor plans	Y0112G002		12 June 2014

BH2014/02221

34-35 Prestonville Road Brighton

Conversion of 2no retail units (A1) to form 2no two bedroom flats (C3) with associated external alterations including erection of a single storey rear extension and alterations to fenestration.

Applicant: Mr Tony Pasby

Officer: Chris Swain 292178

Approved on 12/12/14 DELEGATED

1) BH01.01

The development hereby permitted shall be commenced before the expiration of

three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) BH03.03

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

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

3) UNI

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

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

4) UNI

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

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

5) UNI

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 sustainability measures to reduce the energy and water consumption of the development have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation and thereafter be retained as such.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy and water 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.

7) 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.

8) 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) 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

9) UNI

No development shall take place until 1:20 scale sectional drawings showing the hereby permitted protruding bay have 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 and shall be retained as such thereafter.

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

10) UNI

Access to the flat roof over the basement level to the rear 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.

11) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and block plans as	3476.EXG01		3 July 2014

existing			
Floor plans as existing	3476.EXG02		3 July 2014
Section A-A as existing	3476.EXG03		3 July 2014
Elevations as existing	3476.EXG04		3 July 2014
Floor plans as proposed	3476.PL.100		3 July 2014
East elevation as proposed	3476.PL.101		3 July 2014
Sections A-A and B-B as proposed	3476.PL.102		3 July 2014
Roof plans a proposed	3476.PL.103		3 July 2014
Location and block plans as proposed	3476.PL.104		3 July 2014
Plans showing previously scheme	3476.PL.105		3 July 2014

12) UNI

The hereby doors to the front elevation shall be timber and retained as such thereafter.

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

BH2014/02307

48 London Road Brighton

Loft conversion to facilitate creation of one bedroom flat incorporating raising of roof with 3no rooflights to rear and 2no rooflights to front.

Applicant: Starlow Management Ltd

Officer: Chris Swain 292178

Approved on 25/11/14 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 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.

3) UNI

The development hereby permitted shall not be commenced until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with Supplementary Planning Document SPD08 Sustainable Building Design. The development shall be carried out in strict accordance with the approved details.

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

4) UNI

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	A.001		10 July 2014
Existing plans, elevations and section	A.002		10 July 2014
Proposed plans, elevations and section	A.003		10 July 2014

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.

BH2014/02311

77a London Road Brighton

Conversion of lower ground and first floor into 2no self contained flats with associated alterations.

Applicant: Mr A Daniel

Officer: Sue Dubberley 293817

Refused on 04/12/14 DELEGATED

1) UNI

The proposed basement unit, by virtue of its constrained outlook and limited availability of natural light, would provide for an enclosed, gloomy and generally claustrophobic living environment. The unit would provide a poor standard of accommodation harmful to the amenity of future occupiers and contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/02772

4 Gardner Street Brighton

Certificate of lawfulness for existing use of basement and ground floor as a sandwich bar (A1).

Applicant: Hells Kitchen (Brighton) Ltd

Officer: Mark Thomas 292336

Refused on 27/11/14 DELEGATED

1) UNI

Insufficient documentary evidence has been provided to demonstrate that the premises has been operating as a sandwich bar (A1) for a continuous period of 10 years. As such, a sandwich bar use has not been demonstrated to be lawful under section 191 of the Town and Country Planning Act 1990, as amended.

BH2014/02781

77 London Road Brighton

Change of use of ground floor retail unit (A1) to cafe/restaurant (A3) with associated extraction equipment mounted on flat roof to side with vertical flue contained within false chimney stack.

Applicant: Davidson Foods Ltd
Officer: Sue Dubberley 293817
Approved on 08/12/14 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 finish of the chimney stack shall match the existing western elevation of the building.

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

3) UNI

The hereby approved false chimney stack, as indicated on drawing no. A_010, shall be completed in accordance with the agreed details prior to the hereby approved restaurant being first brought into use. The chimney stack shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development 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
Site plan and proposed plans	A_010		18/08/2014

5) UNI

The use hereby permitted shall not be open to customers except between the hours of 08.30 to 23.00 Mondays to Saturdays 08.30 to 22.00 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.

BH2014/02800

19-20 Surrey Street Brighton

Conversion of bookmakers (A2) with flat (C3) above to 2no two bedroom dwellings (C3) with associated alterations including erection of a part one part two storey rear extension to replace existing extension.

Applicant: C/O RA Draycott
Officer: Sue Dubberley 293817

Approved on 04/12/14 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 and doors shall be set in plain reveals with no 'drip mouldings'.

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

3) 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

4) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

5) UNI

No development shall take place until full details of all new sash windows and their reveals and cills including 1:20 scale elevation 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 single glazed 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 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.

6) UNI

No development shall take place until full details of all new external doors and their reveals including 1:20 scale elevation 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 single glazed 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 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.

7) 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 and to comply with policy TR14 of the Brighton & Hove Local Plan.

8) 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 TR19 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
Existing plans	3621-01	A	19/08/2014
Proposed plans	3621-02	B	17/10/2014

10) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on the 19th August 2014 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.

BH2014/02957

22 Tidy Street Brighton

Replacement of existing windows with double glazed windows to the front.

Applicant: Mrs Charlotte Ricketts

Officer: Robert Hermitage 290480

Approved on 28/11/14 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 hereby approved shall be painted timber vertical sliding sashes with no trickle vents and shall match exactly the existing sash windows to the building, including their architrave, frame and glazing bar dimensions and mouldings, and subcill, masonry cill and reveal details, and shall have concealed sash boxes recessed within the reveals and set back from the outer face of the building to match the original sash windows to the building, and the windows shall be retained as such thereafter.

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

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	-	-	2nd September 2014
Location Plan	-	-	3rd October 2014
Front Façade	-	-	3rd October 2014
Window 1 Replacement Details	-	-	3rd October 2014

Windows 2 and 3 Replacement Details	-	-	3rd October 2014
Casement Window Section	-	-	3rd October 2014
Sash Window Section	-	-	3rd October 2014

BH2014/02963

Unit 7 Brighton Railway Station Queens Road Brighton

Display of one illuminated fascia sign and one non-illuminated fascia sign

Applicant: Doddle

Officer: Chris Swain 292178

Approved on 15/12/14 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.

BH2014/02977

89 Upper Lewes Road Brighton

Change of use from a 5 bedroom small house in multiple occupation (C4) to an 8 bedroom house in multiple occupation (Sui Generis). (Retrospective).

Applicant: Mr John Standing

Officer: Chris Swain 292178

Refused on 30/12/14 DELEGATED

1) UNI

The change of use to provide 8 bedrooms as a Sui Generis House in Multiple Occupation has, as a result of over-subdivision of the rooms and lack of shared communal space, created an overly cramped form of accommodation which fails to provide an acceptable standard of accommodation. The proposed development is therefore contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2014/03069

Chapel Royal 164 North Street Brighton

Internal alterations including lowering of internal floor levels, installation of plant and ventilation systems and alterations to layout. External alterations to East elevation including creation of a new street entrance with excavation works, new steps, new street level wall, cast iron railings, disabled access lift.

Applicant: Jo & Marcus Thompson

Officer: Liz Arnold 291709

Approved on 05/01/15 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 bricks and brick slips, to be used in the entrance well and plinth wall are to be Lambs Imperial Handmade Red Rubber Medium Multi Facings laid in English Bond with a chamfered edge to the top course of slips and no external brickwork shall be constructed until a sample panel of the facing brickwork has been constructed on the site and approved in writing by the Local Planning Authority. The brickwork comprised within the works shall be carried out and completed to match the approved sample panel.

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

3) UNI

Other than the Lambs Imperial Handmade Red Rubber Medium Multi Facings brick and brick slip referred to in condition 2, no development shall take place until samples of the 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. Works shall be carried out in accordance with the approved details.

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

4) UNI

The railings, gates, handrails and grilles shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted and shall be retained as such thereafter.

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

5) UNI

Before works commence to re-face the new external elevation hereby approved, details at 1:5 scale of the new door, including how the jambs will be treated and detailed, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

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

6) UNI

No works shall take place until details of the external light fittings have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

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

7) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

8) UNI

Prior to the commencement of works to re-face the new external elevation hereby approved, a photographic record of the externally exposed wall construction shall be submitted to and approved in writing by 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.

9) UNI

No works shall take place until 1:1 scale section details of the new railings, gates and handrails hereby approved have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

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

BH2014/03091

25 New England Street Brighton

Change of use from single dwelling (C3) to four bedroom small house in multiple occupation (C4).

Applicant: Anthony Briggs

Officer: Adrian Smith 290478

Approved on 22/12/14 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	-	-	27/10/2014
Existing and proposed floor plans (2 documents)	-	-	27/10/2014

BH2014/03150

93 Lewes Road Brighton

Application for variation of condition 15 of application BN/82/0515 to state that no deliveries shall be made to the store between 2100hrs and 0700hrs on Mondays to Saturday or at any time on Sunday and Public Holidays except between 0900hrs and 1700hrs. On Sunday and Public Holidays there shall be no more than four deliveries to the store within the hours hereby permitted.

Applicant: Sainsburys Supermarkets Ltd

Officer: Sue Dubberley 293817

Approved on 25/11/14 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 retail store may be open 24 hours only on the 14 days before New Years Day.

Reason: In order to protect the amenity of adjacent residents with regard to noise disturbance and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

3) UNI

No roll pallets shall be used in the delivery yard on Sundays or between 21:00 to 22:00 on Mondays to Saturdays.

Reason: In order to protect the amenity of adjacent residents with regard to noise disturbance and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI

Deliveries to the retail store shall only take place between the hours of 07:00 and 21:00 on Mondays to Saturdays and a maximum of 4 deliveries shall be made to the store between the hours of 09.00 and 17.00 on Sundays and Bank Holidays.

Reason: In order to protect the amenity of adjacent residents with regard to noise disturbance and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

5) UNI

The parking spaces shown on the approved plans (82/515) shall be for retained as such.

Reason: To ensure that adequate parking provision is retained and to comply with policy TR19 of the Brighton and 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 plan	A046793		18/09/2014

7) UNI

The retail store shall only be open for trade between the hours of 07:00 and 22:00 Monday to Saturdays and between 10:00 and 16:00 on Sundays and Bank Holidays.

Reason: In order to protect the amenity of adjacent residents with regard to noise disturbance and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2014/03171

114 - 115 London Road Brighton

Replacement of existing window with door to side elevation and removal of access ramp, railings and ATM to front elevation.

Applicant: Mr Richard Grills

Officer: Sonia Gillam 292265

Approved on 03/12/14 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	001		07/10/2014
Block plan	002		07/10/2014
Existing ground floor plan	003		07/10/2014
Existing front elevation	004		07/10/2014
Existing side elevation	005		07/10/2014
Proposed ground floor plan	006		07/10/2014
Proposed front elevation	007		07/10/2014
Proposed side elevation	008		07/10/2014

BH2014/03244

43 Providence Place Brighton

Demolition of existing three storey building and erection of four storey and basement building with roof terrace front comprising of 10no short term let rooms (Sui Generis), 1no function room at basement level and 1no function room with kitchen (D1) at third floor level.

Applicant: Mr James Watts

Officer: Adrian Smith 290478

Approved on 11/12/14 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 D1 function room uses hereby permitted at basement level and third floor level shall not be open or in use except between the hours of 07:00 to 00:00 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

Access to the rear fourth floor flat roof shown on plan referenced (21)005 F received on 9 December 2014 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

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

Unless otherwise agreed in writing by the Local Planning Authority, the short term lets within the ground, first and second floor levels hereby approved shall not be occupied until a BREEAM Building Research Establishment issued Post Construction Review Certificate has been submitted to and approved in writing by the Local Planning Authority confirming that the short term lets within the ground, first and second floor levels have achieved a minimum BREEAM Multi-residential rating of 'Very Good', including 50% in the energy and water sections.

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 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.

7) 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.

8) UNI

i) No works pursuant to this permission shall commence 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; (Please note that 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 be confirmed in writing); 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 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) 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.

9) UNI

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a BRE issued Interim/Design Stage Certificate has been submitted to and approved in writing by the Local Planning Authority demonstrating that the short term lets within the ground, first and second floor levels have achieved a minimum BREEAM Multi-residential rating of 'Very Good', including 50% in the energy and water sections.

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 shall place until details of a sustainability scheme for the basement and third floor function rooms hereby permitted, which details the sustainability measures to be incorporated in order to reduce their energy and water consumption, have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation of the basement and third floor function rooms and thereafter be retained as such.

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

11) 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 and block plan	(10)001	A	25/09/2014
Existing floor plans	(20)001 (20)002 (20)003		25/09/2014 25/09/2014 25/09/2014
Existing elevations	(31)001 (31)002	B B	25/09/2014 25/09/2014
Proposed floor plans	(21)000 (21)001 (21)002 (21)003 (21)004 (21)005 (21)006	H H D N 	25/09/2014 25/09/2014 25/09/2014 25/09/2014 25/09/2014 09/12/2014 25/09/2014
Proposed elevations	(31)001 (31)002	E D	25/09/2014 25/09/2014
Proposed sections	(41)001 (41)002	E A	25/09/2014 25/09/2014
Existing and proposed section	(41)003	-	25/09/20`14
Vision splays	(21)007	-	25/09/2014

12) UNI

No development shall commence until details of the soundproofing measures to be incorporated between all floors and the adjoining properties to the north and south of the site have been submitted to and approved in writing by the Local Planning Authority. The scheme should demonstrate soundproofing to a minimum of 5db in excess of Part E of the Building Regulations. The proposed lift must not exceed the noise values set out in BS8233 for the habitable residential rooms located in the property. The development shall then be carried out in strict accordance with the approved details.

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

BH2014/03343

28B Crescent Road Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 5no self contained flats.

Applicant: Just Developments Ltd

Officer: Andrew Huntley 292321

Prior Approval is required and is refused on 09/12/14 DELEGATED

BH2014/03349

22 West Hill Street Brighton

Replacement of existing metal framed windows with timber sash windows to front elevation.

Applicant: Dr Sophie Forster

Officer: Robert Hermitage 290480

Approved on 01/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

No development shall take place until full details of all new sash windows and their reveals and cills 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 slim line double glazed 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 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 Plan	-	-	6th October 2014
Proposed Window Details	RT2897	-	6th October 2014

BH2014/03381

8 Windsor Street Brighton

Conversion of garage into habitable accommodation incorporating replacing doors with window.

Applicant: Harvey Burton

Officer: Robert Hermitage 290480

Approved on 02/12/14 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.

Reason: In the interests of the character and appearance of the building and the visual amenities of the area and to comply with policies QD1 and QD14 of the Brighton & Hove Local Plan.

3) UNI

Unless otherwise agreed in writing no development to the ground floor frontage shall take place until works have commenced to reinstate the redundant vehicle crossover parallel to the front elevation back to a footway by raising the existing kerb and footway. The reinstated footway shall be completed prior to the additional residential accommodation being first brought into use.

Reason: In the interests of highway safety and to comply with policies TR7 and TR8 of the Brighton and 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 Block and Location Plans	003	-	7th October 2014
Existing and Proposed Plans	004	-	7th October 2014
Existing and Proposed Elevations	005	-	7th October 2014

BH2014/03434

Brighton Station Queens Road Brighton

Application for Approval of Details Reserved by Conditions 9, 16 and 18 of application BH2012/03872.

Applicant: Mr Paul Best

Officer: Maria Seale 292175

Split Decision on 11/12/14 DELEGATED

1) UNI

Insufficient or no detail has been submitted with regard to the detailed design measures a)-h) of condition 9.

BH2014/03466

67A Upper Gloucester Road Brighton

Application for Approval of Details Reserved by Conditions 3 and 7 of application BH2014/02225.

Applicant: Mrs Alison Cornelius

Officer: Andrew Huntley 292321

Approved on 09/12/14 DELEGATED

BH2014/03476

24-25 Queens Road Brighton

Installation of mild steel and aluminium gates to replace existing to front

elevation.

Applicant: P.G.L.S. Ltd
Officer: Helen Hobbs 293335
Approved on 17/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

Notwithstanding the submitted drawings the hereby approved concertinaing metal gates shall be painted black and shall be maintained as such thereafter.

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

3) UNI

All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

Reason: 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
Site plan			13th October 2014
Block plan			13th October 2014
Existing and proposed plans	01	A	23rd October

BH2014/03477

24 - 25 Queens Road Brighton

Installation of mild steel and aluminium gates to replace existing to front elevation.

Applicant: P.G.L.S. Ltd
Officer: Helen Hobbs 293335
Approved on 19/12/14 DELEGATED

1) BH01.05

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

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

2) UNI

All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

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

3) UNI

Notwithstanding the submitted drawings the hereby approved concertinaing metal gates shall be painted black and shall be 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.

BH2014/03579

100 Upper Lewes Road Brighton

Installation of extract duct and fresh air intake fan to roof.

Applicant: Mrs Alison Cornelius

Officer: Andrew Huntley 292321

Refused on 22/12/14 DELEGATED

1) UNI

The extraction flue and fan, by reason of their siting, design, size and material, would be visually unsympathetic and incongruous alterations that fail to reflect the original character and appearance of the building and would harm the character and appearance of the area. As such the proposal is contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03586

34 Foundry Street Brighton

Erection of single storey rear extension.

Applicant: Mr Damian Harris

Officer: Robert Hermitage 290480

Approved on 30/12/14 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 Plans and Sections	274FS34/01	-	24th October 2014
Existing Elevations and Block Plan	274FS34/02	-	24th October 2014
Proposed Plans and Sections	274FS34/03	-	24th October 2014
Proposed Elevations and Block Plan	274FS34/04	-	24th October 2014

BH2014/03659

1 Park Crescent Brighton

Application for Approval of Details Reserved by Condition 2 of application BH2013/00218.

Applicant: Mr & Mrs Geilinger

Officer: Liz Arnold 291709

Approved on 01/12/14 DELEGATED

BH2014/03666

40 Gardner Street Brighton

Change of use of first and second floors from retail (A1) to a two bedroom maisonette (C3) including alterations to fenestration.

Applicant: Belato Ltd

Officer: Sonia Gillam 292265

Approved on 31/12/14 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

If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

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.

4) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

5) UNI

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

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.

7) UNI

The development hereby permitted shall not be occupied until the sustainability

measures detailed within the Sustainability Checklist received on the 7 November 2014 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.

8) UNI

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

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

Plan Type	Reference	Version	Date Received
Site location plan	201414.PIApp 03		07/11/2014
Existing floor plans and elevations	201414.Exg01		07/11/2014
Existing sections	201414.Exg02		7/11/2014
Proposed floor plans and sections	201414.PIApp. 01	A	16/12/2014

9) UNI

No development shall commence until details of sound insulation between the residential accommodation and ground floor retail use have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall make reference to BS8233 - Sound Insulation and Noise Reduction for Buildings Code of Practice and the achievement of 'Good Standard' internal noise levels in the flat (as laid out in BS8233). The sound insulation measures shall be installed in accordance with the agreed details prior to the first occupation of the residential unit and shall be retained as such thereafter.

Reason: To safeguard the amenities of future occupants and/or neighbours and to comply with Policies SU10 and QD27 of the Brighton & Hove Local Plan.

BH2014/03740

Block K Brighton Station Redevelopment Brighton

Non Material Amendment to BH2008/01148 to infill the ground floor terrace as glazed office space, removal of balconies on the east elevation and infilling of the lightwell and new ground floor bin store on the north elevation.

Applicant: McAleer & Rushe Ltd

Officer: Maria Seale 292175

Approved on 08/12/14 DELEGATED

BH2014/03756

58-62 Lewes Road Brighton

Application for Approval of Details Reserved by Condition 8 of application BH2013/03631.

Applicant: Wm Morrison Supermarkets PLC

Officer: Andrew Huntley 292321

Approved on 07/01/15 DELEGATED

WITHDEN

BH2014/01091**38 Withdean Road Brighton**

Demolition of existing dwelling and erection of 2no four bed detached dwellings.

Applicant: Mrs Vanessa Drury

Officer: Liz Arnold 291709

Approved on 05/12/14 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 be carried out in accordance with the Ecological Method Statement for Construction Works, received on the 7th November 2014.

Reason: To ensure the protection of any protected species and to comply with policy 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
Block and Site Plan	TA768/01	-	7th April 2014
Existing Site Survey Plan	TA768/02	-	7th April 2014
Existing Street Elevation	TA768/03	Rev.	24th November 2014
Existing Cross Section	TA768/04	-	7th April 2014
Proposed Block Plan	TA768/10	Rev. C	24th November 2014
Proposed Site Plan	TA768/11	Rev. D	24th November 2014
Unit 1 - Floor Plans	TA768/12	Rev. D	24th November 2014
Unit 1 - Floor Plans	TA768/13	Rev. C	24th November 2014
Proposed Elevations 1	TA768/14	Rev. D	24th November 2014
Proposed Rear Elevation	TA768/15	Rev. D	24th November 2014
Unit 1 - Side Elevation	TA768/16	Rev. D	24th November 2014
Unit 1 - Side Elevation	TA768/17	Rev. C	24th November 2014
Unit 2 - Side Elevation	TA768/18	Rev. D	24th November 2014
Unit 2 - Side Elevation	TA768/19	Rev. C	24th November 2014
Proposed Section	TA768/20	Rev. D	24th November 2014

Unit 2- Floor Plans	TA768/21	Rev. B	24th 2014	November
Unit 2 - Floor Plan	TA768/22	Rev. B	24th 2014	November

4) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(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.

5) 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.

6) 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.

7) UNI

No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers / densities and an implementation programme. The landscaping scheme should include planting screening on the southern boundary of the site to replace trees removed in this vicinity.

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 or other operations shall commence on site in connection with the development hereby approved until a detailed Construction Specification/Method Statement for the access driveways within root protection areas 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 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 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 Arboricultural Method Statement for protection of all remaining trees along with any tree pruning operations 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 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.

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.

11) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles 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.

12) UNI

Notwithstanding the plans submitted, the development hereby permitted shall not be commenced until further details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

13) UNI

The new crossover and access shall be constructed prior to the first occupation of the development hereby permitted.

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

14) 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.

15) 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.

16) 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.

17) UNI

The development hereby permitted shall be undertaken in accordance with the Site Waste Management Statement received on 7th April 2014.

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 WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

18) 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.

19) 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. The scheme shall accord with the standards described in Annex 6 of SPD 11 and 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.

20) UNI

No hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

Reason: To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

BH2014/02176

Varndean College Surrenden Road Brighton

Retention of existing temporary classrooms for a further period of five years. (Retrospective)

Applicant: Varndean College

Officer: Helen Hobbs 293335

Approved on 16/12/14 COMMITTEE

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 location plan	GEN181/B-10 0		1st July 2014
Elevations and floor plans	09.260		4th July 2014
Aerial photographs			1st July 2014

2) UNI

The temporary classroom buildings hereby permitted shall be permanently removed from the site and the land reinstated to its former condition by 31 December 2019 or when they are no longer required, whichever is the earlier. A scheme of works setting out how the removals take place and the land reinstated shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The structures are not considered suitable as a permanent form of development and permission is therefore granted for a temporary period only to comply with policies QD1, QD2, QD20 and SR20 of the Brighton & Hove Local Plan.

BH2014/02358

71 Gordon Road Brighton

Erection of part one, part two storey rear extension with raised decking.

Applicant: Simon Grange

Officer: Joanne Doyle 292198

Refused on 06/01/15 DELEGATED

1) UNI

The proposed first floor extension, by virtue of its design and roof form would fail to integrate well with the form of the building and the character found at the rear of properties in the direct vicinity detracting from the appearance and character of the property and the wider surrounding area. The proposal is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and the Supplementary Planning document: Design guide for Extensions and Alterations (SPD12).

BH2014/02627

83 Bates Road Brighton

Change of use of ground floor unit from car mechanic garage (B2) to office (B1). Demolition of existing side lean-to structure and erection of replacement single storey extension with access stair to first floor flat and external alterations.

Applicant: Clive Emson

Officer: Andrew Huntley 292321

Approved on 17/12/14 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 not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.

These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

3) UNI

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 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).

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.

4) UNI

If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

5) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location & Block Plan	TA 799 01		05.08.2014
Existing Site Plan	TA 799 02		05.08.2014
Existing Ground Floor Plan	TA 799 03		05.08.2014
Existing First Floor Plan	TA 799 04	A	16.10.2014
Existing Front Elevation	TA 799 05		05.08.2014
Existing Elevations	TA 799 06		05.08.2014
Existing Elevations	TA 799 07		05.08.2014
Proposed Site plan	TA 799 10		05.08.2014
Proposed Ground Floor Plan	TA 799 11		05.08.2014
Proposed First Floor Plan	TA 799 12	A	16.10.2014
Proposed Front Elevation	TA 799 13	A	16.10.2014
Proposed Elevations	TA 799 14		05.08.2014
Proposed Elevations	TA 799 15	A	18.08.2014

6) UNI

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

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

BH2014/02848

27 Varndean Drive Brighton

Erection of conservatory to west elevation.

Applicant: Mehrdad Seifouri

Officer: Adrian Smith 290478

Approved on 17/12/14 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 finishes of the external elevations 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 and floor plans	08/14/14		29 August 2014
Block plan	08/14/14		29 August 2014
Existing and proposed south elevation	08/14/14		29 August 2014
Existing and proposed west and north elevations	08/14/14		29 August 2014

BH2014/03036

41 Wayland Avenue Brighton

Application for Approval of Details Reserved by Condition 14 of application BH2012/00935.

Applicant: Mr K Healey

Officer: Christopher Wright 292097

Refused on 26/11/14 DELEGATED

BH2014/03142

12 Bankside Brighton

Erection of boundary wall at rear of property.

Applicant: Darren Manley

Officer: Adrian Smith 290478

Approved on 06/01/15 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	-	-	11/11/2014
Block plan	-	-	11/11/2014
Site layout plan	-	-	11/11/2014
Section	-	-	11/11/2014

BH2014/03190**5 Valley Close Brighton**

Erection of timber terrace to rear with steel and glass balustrades.

Applicant: Mr & Mrs Gerry & Debbie Maye

Officer: Lorenzo Pandolfi 292337

Approved on 25/11/14 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 and Location Plan	E01		22/09/2014
Block Plan	E02		22/09/2014
Existing Plans	E02		22/09/2014
Existing Plans (Elevations)	E02		22/09/2014
Proposed Plans	P02		22/09/2014
Proposed Plans (Elevations)	P03		22/09/2014

BH2014/03199**13 Harrington Road Brighton**

Erection of rear extension at first floor level with installation of rooflights to side elevation.

Applicant: Mr & Mrs Colenso

Officer: Benazir Kachchhi 294495

Approved on 09/12/14 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 finishes of the external elevations 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 single-storey rear 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 Location Plan, block plan and proposed floor plans and elevations.	1521/1806A		22 September 2014
Existing floor plans and elevations	1521/1777		22 September 2014

BH2014/03242

15 Reigate Road Brighton

Certificate of lawfulness for existing loft conversion incorporating hip to gable roof extension, front rooflights, side window and rear dormer.

Applicant: Chris Hallett

Officer: Sonia Gillam 292265

Approved on 05/12/14 DELEGATED

BH2014/03255

First Floor Flat 17 Millers Road Brighton

Installation of rear dormer and rooflight to front elevation.

Applicant: Mr Rob Friedrich

Officer: Helen Hobbs 293335

Refused on 04/12/14 DELEGATED

1) UNI

The rear dormer by reason of its size, bulk and detailing would appear unduly bulky and would fail to respect and be harmful to the character and appearance of the existing building, row of terraces and the wider surrounding area. The proposal is thereby contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03262

180 Tivoli Crescent North Brighton

Certificate of Lawfulness for proposed single storey rear extension.

Applicant: Mr Seth Richardson

Officer: Mark Thomas 292336

Refused on 22/12/14 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, in that the extension would protrude beyond the rear elevation of the dwellinghouse in excess of 4m and the development does not benefit from Prior Approval.

Informatives:

1. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Site location plan	-	-	29th September

			2014
Block plan	-	-	15th October 2014
Existing ground floor plan	01a	C	27th October 2014
Existing first floor plan	01b	C	27th October 2014
Proposed ground floor plan	02	C	15th October 2014
Proposed floor plan and existing/ proposed elevations	05	C	15th October 2014

BH2014/03267

21 Whitethorn Drive Brighton

Erection of pitched roof front porch and revised fenestration.

Applicant: Mr & Mrs Graham Jasper

Officer: Lorenzo Pandolfi 292337

Approved on 26/11/14 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 & Site Location Plans	TA 766/01		29/09/2014
Existing Floor Plans	TA 766/02		29/09/2014
Existing Elevations	TA 766/03		29/09/2014
Proposed Site Plan	TA 766/10		29/09/2014
Proposed Floor Plans	TA 766/11		29/09/2014
Proposed Elevation	TA 766/12		29/09/2014
Proposed Elevations	TA 766/13		29/09/2014

BH2014/03333

10 Valley Drive Brighton

Erection of new front porch to replace existing.

Applicant: Ms Jenny Tasker

Officer: Christopher Wright 292097

Approved on 02/12/14 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
OS Map			6 Oct 2014
Plans As Existng	RVD01		6 Oct 2014
Elevations As Existing	RVD02		6 Oct 2014
Plans As Proposed	RVD03A		15 Nov 2014
Elevations As Proposed	RVD04A		15 Nov 2014

BH2014/03336

10 Peacock Lane Brighton

Certificate of lawfulness for proposed erection of a single storey rear extension with associated external works including alterations to fenestration.

Applicant: Mr Jon Nevin

Officer: Robert Hermitage 290480

Approved on 17/12/14 DELEGATED

BH2014/03345

46 Redhill Drive Brighton

Erection of single storey rear extension raised decking to rear and alterations to fenestration. Creation of hardstanding to front and alterations to front boundary to facilitate new crossover.

Applicant: Mr Sonny Mears

Officer: Andrew Huntley 292321

Approved on 19/12/14 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, Section, Elevations & Location Plan	01		06.10.2014
Proposed Plans	02	C	17.11.2014
Proposed Section & Elevations	03	C	17.11.2014

BH2014/03348**29 Kingsmere London Road Brighton**

Replacement of existing crittal windows with UPVC double glazed windows.

Applicant: Ms Natalie Billington

Officer: Paul Earp 292454

Approved on 09/12/14 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			06.10.2014
Site photographs			06.10.2014
Product specification			06.10.2014
Window details			06.10.2014

BH2014/03359**156 Tivoli Crescent North Brighton**

Erection of two storey rear extension to lower ground and ground floor levels with roof terrace above. Creation of dormer to rear revised fenestration and associated alterations.

Applicant: Mr & Mrs Holland

Officer: Christopher Wright 292097

Refused on 02/12/14 DELEGATED

1) UNI

The proposed rear extension would, by reason of the siting, scale, bulk, massing and design detailing, have a discordant and unduly dominant relationship with the original dwelling and as such would be detrimental to visual amenity and the character and appearance of the recipient building. The proposal is thereby considered contrary to the requirements of policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03378**23 Wayland Avenue Brighton**

Conversion of existing garage into habitable accommodation, erection of new single storey double garage and new entrance porch to front elevation and associated works.

Applicant: Mr Tony Ascough

Officer: Robert Hermitage 290480

Refused on 17/12/14 DELEGATED

1) UNI

The proposed garage extension, by reason of its footprint, siting, scale and design, would result in an over-dominant extension which would appear incongruous within the street scene. The additional window proposed to replace

the existing garage door on the front elevation, would not line up with the first floor window above and would be harmful to the symmetry of the host dwelling. As such the aforementioned extension and siting of additional window would harm the character and appearance of the host building and street scene contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

BH2014/03393

15 Mill Rise Brighton

Demolition of existing garage and erection of single storey side extension.

Applicant: Mr & Mrs Gunn

Officer: Robert Hermitage 290480

Approved on 05/12/14 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.

Location and Block Plan	TA829/01	-	8th October 2014
Site Survey	TA829/02	-	8th October 2014
Existing Elevations	TA829/03	-	8th October 2014
Existing Ground Floor Plans	TA829/04	-	8th October 2014
Existing Western Elevations	TA829/05	-	8th October 2014
Existing Northern Elevations	TA829/06	-	8th October 2014
Existing Eastern Elevations	TA829/07	-	8th October 2014
Proposed Site Plan	TA829/10	A	8th October 2014
Proposed Ground Floor Plan	TA829/11	A	8th October 2014
Proposed Western Elevations	TA829/12	A	8th October 2014
Proposed Northern Elevations	TA829/13	A	8th October 2014
Proposed Eastern Elevations	TA829/14	A	8th October 2014

BH2014/03471

240 Dyke Road Brighton

Application for Approval of Details Reserved by Conditions 5, 6, 7 and 8 of application BH2014/01236

Applicant: Lioncare Ltd

Officer: Liz Arnold 291709

Approved on 24/12/14 DELEGATED

BH2014/03474

76 Tongdean Lane Brighton

Application for variation of condition 2 of application BH2014/01777 (Removal of existing conservatory and erection of part two storey, part three storey rear and side extension incorporating revised fenestration, creation of terraces at lower ground and ground floor levels and associated works) to allow for external alterations including installation of rooflights, relocation of window and changes to terrace door.

Applicant: Mr Tomislav Stojanovic

Officer: Liz Arnold 291709
Approved on 17/12/14 DELEGATED

BH2014/03478

81 Valley Drive Brighton

Roof alterations including hip to barn end roof extensions, raising of ridge height, dormers to front and rear and rooflight to rear. Demolition of existing side extension, erection of single storey rear extension, new entrance steps and associated works.

Applicant: Roger Turner Smith
Officer: Joanne Doyle 292198
Refused on 02/01/15 DELEGATED

1) UNI

The front and rear dormer windows, by virtue of their size and design, represent unduly bulky additions which fail to reflect the proportions and scale of the ground floor of the building and would dominate the front and rear roofslopes. The proposal would cause significant harm to the character and appearance of the property and the wider street scene and would be contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03585

1 Compton Road Brighton

Installation of timber access platform to rear to replace existing with privacy screen and balustrade with associated alterations to fenestration and landscaping.

Applicant: Ms Roberta Vella
Officer: Paul Earp 292454
Approved on 17/12/14 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 obscure glazed screen to the south side of the decking hereby approved shall be erected at the same time as the decking and thereafter retained to the satisfaction of the Local Planning Authority. Reason: To prevent overlooking and protect the amenities of the occupiers of the occupiers of neighbouring properties.

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 drawing, including block plan	000 X 100 P4		23 October 2014

BH2014/03587

158 Tivoli Crescent North Brighton

Erection of first floor rear extension over existing flat roof.

Applicant: Mr & Mrs Sadeghi
Officer: Tom Mannings 292322
Refused on 17/12/14 DELEGATED

1) UNI

The proposed development, by virtue of its scale, bulk, height and design would form an overly dominant addition which would not appear subservient to the existing building and would result in an over-extended appearance to the property. The development would also result in an unneighbourly form of development, which would appear overbearing and result in a material loss of outlook to 160 Tivoli Crescent North. The proposed development is therefore contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan and Supplementary Planning Document SPD12: Design guide for extensions and alterations.

BH2014/03593

119 Valley Drive Brighton

Erection of a single storey front/side extension.

Applicant: Ms Myra Knight
Officer: Mark Thomas 292336

Approved on 17/12/14 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	-	-	22nd October 2014
Existing plans and elevations	PL-01	-	22nd October 2014
Proposed plans and elevations	PL-02	-	22nd October 2014

BH2014/03643

23 Tongdean Rise Brighton

Application for approval of details reserved by condition 3 of application BH2014/00576.

Applicant: Mr Garth Williams
Officer: Christopher Wright 292097

Approved on 22/12/14 DELEGATED

BH2014/03738

1 Robertson Road Brighton

Prior approval for change of use from offices (B1) to residential (C3) to form 1no flat.

Applicant: Pamoja

Officer: Wayne Nee 292132

Prior approval not required on 30/12/14 DELEGATED

BH2014/03791

180 Tivoli Crescent North Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.9, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Mr Seth Richardson

Officer: Mark Thomas 292336

Prior approval not required on 22/12/14 DELEGATED

BH2014/03850

1 Mill Rise Brighton

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 3.3m, and for which the height of the eaves would be 2.5m.

Applicant: Mr Jignesh Agnihotri

Officer: Tom Mannings 292322

Prior Approval is required and is refused on 23/12/14 DELEGATED

EAST BRIGHTON

BH2014/02417

Robert Lodge Manor Place Brighton

Construction of two new 3 storey blocks of flats consisting of 8no one bed flats, 1no one bed wheelchair accessible flat and lift in the Southern block and 4no one bed flats and 2no two bed flats in the Northern block together with associated works including solar panels on the roofs of both blocks and the re-routing of the public footpath within the site.

Applicant: Brighton and Hove City Council

Officer: Adrian Smith 290478

Approved after Section 106 signed on 12/12/14 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

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

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

4) UNI

No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- a. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units/bed spaces;
- b. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c. the arrangements for the transfer of the affordable housing to an affordable housing provider, or the management of the affordable housing (if no RSL involved);
- d. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the development meets the housing needs of the city and to comply with policies HO2 & HO3 of the Brighton & Hove Local Plan.

5) UNI

Other than the dedicated balconies to each flat, access to the flat roofs over the building hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

6) UNI

The vehicle parking areas as detailed on drawing nos E003 rev.B & E020A rev.B received on 23/10/2014 shall be laid out as such and shall not be used otherwise than for the parking of private motor vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

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

7) UNI

All hard surfaces hereby approved within the development site 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.

8) 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. A

minimum of one unit shall be built to wheelchair standards to the satisfaction of the Local Planning Authority.

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

9) UNI

No development shall take place until a scheme of measures to divert the public sewer have been submitted to an approved in writing by the Local Planning Authority, in consultation with Southern Water.

Reason: To ensure satisfactory sewer infrastructure is maintained and to comply with policy SU3 of the Brighton & Hove Local Plan.

10) UNI

No development shall commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal and to comply with policy SU3 of the Brighton & Hove Local Plan.

11) 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.

12) UNI

No development shall commence until a scheme for the soundproofing of the party walls and floors between the ground floor plant room and the first floor residential units has been submitted to and approved in writing by the Local Planning Authority. The measures should be designed to achieve a sound insulation value of 5dB better than Approved Document E performance standard, for airborne sound insulation for floors of purpose built dwelling-houses and flats. The scheme shall be implemented in strict accordance with the approved details prior to first occupation of the development and shall thereafter be retained as such.

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

13) UNI

(i) Prior to the commencement of the development details of the external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light" (2011,) for zone E, or similar guidance recognised by the council.

(ii) Prior to occupation, the predicted illuminance levels shall be tested by a competent person to ensure that the illuminance levels agreed in part1 are achieved. Where these levels have not been met, a report shall demonstrate what measures have been taken to reduce the levels to those agreed in Part 1.

(iii) The approved installation shall be maintained and operated in accordance

with the approved details unless the Local Planning Authority gives its written consent to a variation.

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.

14) UNI

No development shall commence until the adopted footpath through the site where the southern and northern blocks are proposed, as is indicated on the footpath diversion block plan (Drawing number E002 revision E received on 23/10/2014), has been diverted and an alternative route been provided.

Reason: To ensure that satisfactory access arrangements are provided to the development and to comply with policy TR7 and TR8 of the Brighton & Hove Local Plan.

15) UNI

No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- a) a scheme of how the contractors will liaise with local residents to ensure that residents are kept aware of site progress and how any complaints will be dealt with reviewed and recorded (including details of any considerate constructor or similar scheme)
- b) a scheme of how the contractors will minimise complaints from neighbours regarding issues such as noise and dust management vibration site traffic and deliveries to and from the site
- c) details of hours of construction including all associated vehicular movements
- d) details of the construction compound
- e) a plan showing construction traffic routes

The construction shall be carried out in accordance with the approved CEMP.

Reason: In the interests of amenity and highway safety, to comply with policies QD27, SU10, SR18, SU9 and TR7 of the Brighton & Hove Local Plan.

16) 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.

17) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include details of hard landscaping, boundary treatments, planting plans (including plant species and numbers, and tree sizes and their planting method), and indications of all existing trees on the land to be retained together with a Method Statement for their protection in the course of development. Development shall be carried out in accordance with the approved Method Statement.

Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and to comply with policies QD1, QD15 & QD16 of the Brighton & Hove Local Plan.

18) 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.

19) 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. The scheme shall accord with the standards described in Annex 6 of SPD 11 and 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.

20) UNI

(i) No works pursuant to this permission shall commence 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 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,

(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 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 a competent person approved under the provisions of condition (i)c that any remediation scheme required and approved under the provisions of condition (i)b 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

21) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the

residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 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.

22) 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.

23) 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	E001A	-	25/07/2014
Existing southern block	E020B	-	25/07/2014
Proposed site plan	E001B	A	25/07/2014
Northern block floor plans	E010 E011	B B	23/10/2014 23/10/2014
Northern block elevations	E012 E013	C B	23/10/2014 23/10/2014
Southern block floor plans	E020A E021	B B	23/10/2014 23/10/2014
Southern block elevations	E022 E023	B D	23/10/2014 23/10/2014
Footpath diversion	E002	E	23/10/2014
Landscape and lighting scheme (indicative)	E003	B	23/10/2014
Tree and levels survey	J48.78/01	-	25/07/2014

BH2014/02685

7 Court Royal Mansions 1 Eastern Terrace Brighton

Internal and external alterations including alterations to layout of flat, replacement of UPVC window with timber sash window and installation of new timber sash window to replace rear fire escape door.

Applicant: Mr Kim Gordon

Officer: Sue Dubberley 293817

Approved on 28/11/14 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

Photographic details of any concealed historic ceilings which are revealed during the removal of any existing ceilings from the front of the flat, including evidence of original wall positions, shall be recorded and the results shall be submitted to the East Sussex County Historic Environment Record (HER). Evidence of this submission is to be submitted for the written approval of the Local Planning Authority within 3 months of the completion of the internal works to the lounge.

Reason: In order to preserve by record the current condition/surviving stable features of the building as a whole, and to comply with policy HE1 of the Brighton and Hove Local Plan.

3) UNI

No works shall take place until full details of the new doors and windows including 1:20 scale elevational drawings and 1:1 scale joinery sections have been submitted to and approved in writing by the Local Planning Authority. The joinery details should match those of the existing southern windows in the living room. 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.

BH2014/03247

37 Whitehawk Way Brighton

Erection of single storey side extension. (Part retrospective)

Applicant: Mr Jek Por Fong

Officer: Robert Hermitage 290480

Approved on 19/12/14 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 Block Plan	37WWF002	-	20th October 2014
Proposed Block Plan	37WWF003	-	20th October 2014
Pre-existing Ground Floor Plan	37WWF004	-	20th October 2014
Proposed Ground Floor Plan	37WWF005	-	20th October 2014
Proposed Roof Plan	37WWF007	-	20th October 2014
Pre-existing Elevations	37WWF008	-	20th October 2014
Proposed Elevation	37WWF009	-	20th October 2014

BH2014/03303

2 Chichester Place Brighton

Erection of new white rendered wall with stone capping and gates to North boundary (part retrospective).

Applicant: Mrs Juliette Wright

Officer: Wayne Nee 292132

Approved on 26/11/14 DELEGATED

1) UNI

The proposed gate hereby permitted shall be vertically-boarded timber ledged and braced gates, with a painted finish.

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

2) UNI

The proposed wall hereby permitted shall be smooth rendered down to ground level, shall not have bell mouth drips or expansion joints and shall be painted white to exactly match the finish of the host property.

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

BH2014/03458

Flat 1 4 Eastern Terrace Brighton

Application for Approval of Details Reserved by Condition 3 of application BH2014/02120.

Applicant: James Foley

Officer: Tom Mannings 292322

Approved on 31/12/14 DELEGATED

BH2014/03598

23A College Gardens Brighton

Proposed resurfacing of external basement floor area to front stairwell.

Applicant: Mr J Journeaux

Officer: Chris Swain 292178

Approved on 05/01/15 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 finished in grey brick and retained as such thereafter.

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

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			10 November 2014
Block plan			10 November 2014
Proposed stairwell plan			24 October 2014

BH2014/03697

29 Reading Road Brighton

Erection of single storey rear extension.

Applicant: Mr Hammond
Officer: Chris Swain 292178
Approved on 30/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) BH03.03

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

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

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed in the south and north facing elevations of the hereby permitted extension 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 Type	Reference	Version	Date Received
Existing floor plans and elevations	1439/1835		3 November 2014
Proposed floor plans and elevations	1439/1836	A	3 November 2014

BH2014/03734

Caravan Club Site Sheepcote Valley Brighton

Installation of motor van waste point to existing all weather pitch, enlargement of 1 no. all weather pitch, enlargement of existing site entrance and erection of chain link fence around existing underground tanks.

Applicant: Mr Sollner
Officer: Chris Swain 292178
Approved on 05/01/15 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 hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct

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

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

3) UNI

The 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	SHV-OS		5 November 2014
Existing site plan	SHV-AB		5 November 2014
Existing entrance to site	SHV-2014-T-1 01		5 November 2014
Proposed entrance to site	SHV-2014-T-1 03		5 November 2014
Motor Van Waste Detail	SHV-2014-T-1 10		5 November 2014
Proposed lower toilet block plan	SHV-2014-T-3 02		5 November 2014
Proposed hardstanding details	STD.H/S.TYP E 1		5 November 2014
Existing plan for block A	829.GA20	A	5 November 2014

HANOVER & ELM GROVE

BH2014/01241

97 Hartington Road Brighton

Demolition of metal sheds and erection of two storey building comprising 2no two bedroom flats (C3) to rear of 95 and 97 Hartington Road with access and off street parking from Hartington Terrace.

Applicant: Lovell & Baker

Officer: Jonathan Puplett 292525

Refused on 04/12/14 DELEGATED

1) UNI

The proposed development would result in the loss of internal accommodation and external space associated with the commercial ground floor premises at no. 97 Hartington Road. Insufficient information has been submitted to confirm that the remaining accommodation would provide a viable premises for commercial use, and no alternative use has been proposed. In the absence of these details, it is considered that the proposed development may threaten the future viability of the commercial premises, contrary to policy EM6 of the Brighton and Hove Local Plan.

2) UNI2

The proposal, by reason of its siting, design, height and materials, represents a cramped inappropriate development which would have a detrimental impact on the visual amenities of the area, and the character and setting of the adjacent Grade II Listed Brighton and Preston Cemetery Entrance Lodge and the flint boundary wall. The proposal is therefore contrary to policies QD1, QD2 and HE3 of the Brighton and Hove Local Plan.

3) UNI3

The development would have an overbearing impact upon the outlook from neighbouring windows and gardens and would cause increased overshadowing. The proposal would therefore result in significant harm to neighbouring amenity and is contrary to policy QD27 of the Brighton and Hove Local Plan.

4) UNI4

The proposed development would not provide an acceptable standard of accommodation for future occupants due to the absence of private outdoor amenity space. The proposal is therefore contrary to policies QD27 and HO5 of the Brighton and Hove Local Plan.

5) UNI5

The development, in the absence of information to demonstrate otherwise, would result in a harmful increased demand for on-street parking in the vicinity of the application site. The proposed development is therefore contrary to policies TR1 and QD27 of the Brighton and Hove Local Plan.

BH2014/02370

148 Lewes Road Brighton

Demolition of existing warehouse and erection of 2no new dwellings with garden areas and new parking areas to rear of 148 Lewes Road. (Part retrospective).

Applicant: Shaws of Brighton

Officer: Sonia Gillam 292265

Approved on 03/12/14 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 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.

3) UNI

The development hereby permitted shall not be occupied or brought into use 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,

(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) 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.

4) UNI

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

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

5) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles 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.

6) UNI

The 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.

7) 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.

8) 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.

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 location plan	ADC609/LP		15/07/2014
Block plan	ADC609/BP		15/07/2014
Proposed lower ground and ground floor plans	ADC609/05		15/07/2014
Proposed first and second floor plans	ADC609/06	A	30/10/2014
Proposed elevations	ADC609/07	A	30/10/2014
Existing garage plan	ADC609/08		23/07/2014
Existing elevations	ADC609/09		08/10/2014
External works plan	ADC609/04	A	01/12/2014
External materials list			01/12/2014

10) 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.

BH2014/02626

47B Islingword Road Brighton

Demolition of storage unit/garage (B1/B2/B8) and excavation works to facilitate erection of 1no two storey one bedroom dwelling (C3).

Applicant: Yotu Architectural Design Ltd

Officer: Sonia Gillam 292265

Refused on 08/12/14 DELEGATED

1) UNI

The development would fail to respect the scale, form, siting and proportions of surrounding properties. The development represents a visually cramped form of development which would fail to emphasise or enhance the positive qualities of the neighbourhood. The proposed development would therefore be contrary to policies QD1, QD2 and QD3 of the Brighton and Hove Local Plan.

2) UNI2

The development, by reason of rooms of a limited size throughout, constrained outlook and a failure to incorporate Lifetime Home standards in the design, would provide for a cramped, gloomy and generally claustrophobic living environment. The unit would provide a poor standard of accommodation and would be harmful to the amenity of future occupiers, contrary to policies QD27 and HO13 of the Brighton & Hove Local Plan.

BH2014/02899

76 Islingword Road Brighton

Display of externally illuminated fascia signs.

Applicant: Smoque Grill Limited

Officer: Chris Swain 292178

Refused on 31/12/14 DELEGATED

1) UNI

The submitted plans are inaccurate in scale and as such it is not possible to accurately determine the heights and depths of the proposed signage. Notwithstanding these inaccuracies, the proposed fascia signage by reason of its height, design and bulk would result in an overly dominant element that disrupts the original form of the shopfront and harms the uniformity of the existing parade, detracting from the appearance and character of the building, the street scene and the wider surrounding area. As such, the proposed signage is harmful to amenity and contrary to policy QD12 of the Brighton and Hove Local Plan and the Council's Supplementary Planning Document 'Advertisements' (SPD07).

BH2014/03288

75A Hanover Street Brighton

Installation of new windows to side elevation and replacement of existing timber double doors and windows with aluminium double doors and windows to rear elevation.

Applicant: Mr Nathan Morgan

Officer: Sonia Gillam 292265

Approved on 09/12/14 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			30/09/2014
Existing elevations			13/10/2014
Proposed elevations			30/09/2014
Existing and proposed lower ground floor plan			14/10/2014
Product survey sheet			30/09/2014

BH2014/03334

51 Hanover Terrace Brighton

Conversion of existing garage into habitable living space including replacement of existing garage door with timber bay window and erection of single storey rear extension with rooflight above.

Applicant: Ms Kirsty Erridge

Officer: Chris Swain 292178

Approved on 01/12/14 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 to the front elevation at ground floor level shall take place until the redundant vehicle crossover to the frontage of the site has been 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 and Hove Local Plan.

3) UNI

The windows hereby permitted to the front bay at ground floor level shall match exactly the design, proportions, material and detailing of the windows to the front bay at first floor level.

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
Location plan, block plan and existing plans and elevations	019.EXG.01		6 October 2014
Proposed plans and elevations	019.PL.01		6 October 2014

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 policy HE6 of the Brighton & Hove Local Plan.

BH2014/03395

78 Ewart Street Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.17m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.6m.

Applicant: Mr & Mrs A Colombo

Officer: Joanne Doyle 292198

Prior approval not required on 20/11/14 DELEGATED

BH2014/03410

Land to the side of and 14 Southover Street Brighton

Demolition of existing brick outhouse and erection of 1no two storey, two bedroom house with 1no one storey, one bedroom annex.

Applicant: Mr Alan Teague

Officer: Andrew Huntley 292321

Approved on 19/12/14 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 dwellinghouse(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 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.

4) 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.

5) 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. The scheme shall accord with the standards described in Annex 6 of SPD 11 and 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.

6) UNI

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

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

7) 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.

8) UNI

No development shall take place until full details and sample elevations and sections at 1:20 scale of the windows (including cills and reveals), external doors, parapets and roofing detail have 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 and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policy QD1 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 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.

10) 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.

11) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	S0		09.10.2014
Block Plan	P0		09.10.2014
Existing Site Plan	S1		09.10.2014
Existing South West Elevation	S2		09.10.2014
Existing North West Elevation	S3		09.10.2014
Existing North East Elevation	S4		09.10.2014
Existing South East Elevation	S5		09.10.2014
Existing Section AA	S6		09.10.2014

Existing Section BB	S7		09.10.2014
Proposed Site Plan	P1	D	09.10.2014
Proposed South West Elevation	P2	F	09.12.2014
Proposed North West Elevation	P3	D	09.10.2014
Proposed North East Elevation	P4	D	09.10.2014
Proposed South East Elevation	P5	D	09.10.2014
Proposed Section AA	P6	D	09.10.2014
Proposed Section BB	P7	D	09.10.2014
Proposed Ground Floor Plans	P8	D	09.10.2014
Proposed First Floor Plans	P9	D	09.10.2014
Proposed Section DD	P10	D	09.10.2014
Proposed Section EE	P11	D	09.10.2014

12) UNI

No development shall take place until full details of the rainwater goods, soil and other waste pipes have 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 and shall be retained as such thereafter.

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

BH2014/03464

1 De Montfort Road Brighton

Application for Approval of Details Reserved by Conditions 7, 8 and 9 of application BH2014/02610.

Applicant: Mr K Keehan

Officer: Adrian Smith 290478

Approved on 31/12/14 DELEGATED

BH2014/03771

134 Islingword Road Brighton

Conversion of ground and lower ground floor pianola repair premises to a 2no bedroom maisonette (C3), with associated alterations including new French doors within enlarged rear light well, removal of rear fire escape and replacement of shop front with window.

Applicant: Bourne Property Developments Ltd

Officer: Adrian Smith 290478

Approved on 05/01/15 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 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.

4) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

5) UNI

The development hereby permitted shall not be occupied until the sustainability measures detailed within the Sustainability Checklist received on 10 November 2014 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.

6) UNI

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a method statement to identify, risk assess and address the unidentified contaminants.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

7) 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 and block plan	rfa/13/278/OS	-	10/11/2014
Existing floor plans and elevations	rfa/13/278/1	-	10/11/2014
Proposed floor plans and elevations	rfa/13/278/2	B	30/12/2014
Proposed section	rfa/13/278/03	-	10/11/2014

8) UNI

The sash windows to the front elevation shall be painted softwood, double hung vertical sliding sashes with concealed trickle vents and shall be retained as such.

Reason: As UPVC windows would be harmful to the character and appearance of the street and Valley Gardens Conservation Area, and to comply with policy HE6 of the Brighton & Hove Local Plan.

BH2014/04060

71 Toronto Terrace Brighton

Certificate of lawfulness for proposed single storey rear extension and replacement of rear window.

Applicant: Mr & Mrs Baker

Officer: Tom Mannings 292322

Approved on 05/01/15 DELEGATED

HOLLINGDEAN & STANMER

BH2014/01709

Tithe Barn Moulsecomb Place Lewes Road Brighton

Erection of timber deck area and balustrades to replace existing ramps with new door onto deck replacing existing window and replacement of existing door with new window and erection of flint faced retaining wall.

Applicant: University of Brighton

Officer: Jonathan Puplett 292525

Approved on 04/12/14 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	0001		22/05/2014
BLOCK PLAN	0002		22/05/2014
EXISTING AND PROPOSED FLOOR PLAN	0003		22/05/2014
EXISTING AND PROPOSED ELEVATIONS	0004		22/05/2014
PROPOSED ELEVATION	0005		22/05/2014
EXISTING AND PROPOSED ELEVATIONS	0006		22/05/2014
PROPOSED SECTION	0007		22/05/2014
PROPOSED SECTION	0008		22/05/2014
BLOCK PLAN	0009		22/05/2014
EXISTING ELEVATIONS			30/05/2014

3) UNI

The new timber balustrades and handrails shall be stained black to match the weatherboarding of the barn.

Reason: To ensure the satisfactory preservation of this listed building and to

comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until details and sample of the bricks and pointing mortar to be used in the construction of the works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.

5) UNI

No development shall take place until a sample panel of flint work and its brick quoining has been constructed on the site and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.

BH2014/01710

Tithe Barn Moulsecomb Place Lewes Road Brighton

Erection of timber deck area and balustrades to replace existing ramps with new door onto deck replacing existing window and replacement of existing door with new window and erection of flint faced retaining wall. Internal layout alterations to first floor.

Applicant: University of Brighton
Officer: Jonathan Puplett 292525

Approved on 02/12/14 DELEGATED

1) BH01.05

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

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

2) UNI

The new timber balustrades and handrails shall be stained black to match the weatherboarding of the barn.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.

3) UNI

No development shall take place until a sample panel of flint work and its brick quoining has been constructed on the site and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.

4) UNI

No development shall take place until details and sample of the bricks and pointing mortar to be used in the construction of the works hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and to comply with policies QD14 and HE1 of the Brighton & Hove Local Plan.

BH2014/02559

54 Coldean Lane Brighton

Certificate of lawfulness for existing single storey side extension.

Applicant: Miss Alo Ehimiaghe**Officer:** Robert Hermitage 290480**Approved on 23/12/14 DELEGATED****BH2014/03039****Watts Building University of Brighton Lewes Road Brighton**

Replacement of existing steel framed windows.

Applicant: Brighton University**Officer:** Wayne Nee 292132**Approved on 20/11/14 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	14019-001		10 September 2014
Window details	14041-301		25 September 2014
Block plan	14041-002		10 September 2014
Existing/proposed elevation	14041-100		10 September 2014

BH2014/03126**Lancaster House Lancaster House Rd Univ of Sussex**

Replacement of existing crittall windows with aluminium double glazed windows.

Applicant: University of Sussex**Officer:** Tom Mannings 292322**Approved on 24/11/14 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
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			Received
Existing Elevation A, Sections AA, BB	14061-001	A	17/09/14
Existing Elevation B	14061-002	A	17/09/14
Window Schedule Elevation C	14061-003	A	17/09/14
Existing Elevation D	14061-004	A	17/09/14
Existing Window Schedule	14061-005	A	17/09/14
Proposed Elevation A, Sections AA, BB	14061-006	A	17/09/14
Proposed Elevation B	14061-007	A	17/09/14
Proposed Window Schedule Elevation C	14061-008	A	17/09/14
Proposed Elevation D	14061-009		17/09/14
Proposed Window Schedule	14061-0010	A	17/09/14
OS Extract	14061-0011	A	17/09/14
Site Plan	14061-0012	A	17/09/14
Proposed Overlay	14061-0013	A	17/09/14
Product Specification Sheet (6 pages)			26/09/14
Product Brochure (8 pages)			17/09/14
Technical Specification Sheet (18 pages)			18/09/14
Technical Specification Sheet (17 pages)			18/09/14
Technical Specification Sheet (11 pages)			18/09/14

BH2014/03145

73 Brentwood Road Brighton

Erection of two storey rear extension and roof alterations incorporating front rooflight and rear dormer.

Applicant: Mr Alan Ferraz

Officer: Lorenzo Pandolfi 292337

Refused on 02/12/14 DELEGATED

1) UNI

The proposed rear extension and dormer, by reason of their scale, bulk and design, would have an unduly dominant relationship with the original dwelling and wider terrace row. As a result the proposal would be detrimental to the character and appearance of the recipient building and the immediate surroundings. The proposal is thereby 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 rear extension, by reason of its scale and siting, would cause a harmful loss of light and outlook for occupants of 71 Brentwood Road, to the significant detriment of their amenity. The proposal is thereby contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/03197

63 Roedale Road Brighton

Erection of single storey rear extension.

Applicant: Mr M Hobden

Officer: Joanne Doyle 292198

Approved on 10/12/14 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			23 Sep 2014
Block Plan			23 Sep 2014
Existing & Proposed Floor Plans & Elevations	14/961/01		23 Sep 2014

BH2014/03362

Beech Trees Hollingbury Rise West Brighton

Erection of single storey pitched roof side extension.

Applicant: Mr & Mrs Richards

Officer: Tom Mannings 292322

Refused on 10/12/14 DELEGATED

1) UNI

The proposed extension, by reason of its siting and projection forward of the main building line, width, height, design and massing, would result in an incongruous extension which would result in the dwelling appearing overextended and would unbalance the appearance of the pair of semi-detached dwellings. As such the proposal would be harmful to the character and appearance of the existing building, pair of semi-detached dwellings and the wider street scene, contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: 'Design guide for extensions and alterations'.

BH2014/03437

78a Hollingbury Road Brighton

Alterations to existing rear garden including raising of ground level, creation of wall and lowering of ground level with steps in between.

Applicant: Maher Khan

Officer: Mark Thomas 292336

Approved on 16/12/14 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 details of boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be erected in accordance with the agreed details prior to the hereby approved raised garden area being first used.

Reason: In order to protect adjoining properties from overlooking 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
Site location plan	PBP0211/03	-	13th October 2014
Block plan	PBP0211/04	-	13th October 2014
Existing plan and section	PBP0211/01	-	13th October 2014
Proposed plan and section	PBP0211/02	-	13th October 2014

BH2014/03445

30 Hollingbury Place Brighton

Demolition of double garage and erection of single storey side extension.

Applicant: Ms Joy Whittam

Officer: Joanne Doyle 292198

Approved on 10/12/14 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 & Block Plan	PL-01		13 Oct 2014
Existing Floor Plans & Elevations	PL-02		13 Oct 2014
Proposed Floor Plans	PL-03		13 Oct 2014
Proposed Elevations	PL-04		13 Oct 2014

BH2014/03685

The Pavilion Retail Park Lewes Road Brighton

Display of 3no internally illuminated totem signs.

Applicant: Aviva Investors Ltd

Officer: Andrew Huntley 292321

Split Decision on 30/12/14 DELEGATED

1) BH10.01

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

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

2) BH10.02

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

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

3) BH10.03

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

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

4) BH10.04

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

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

5) BH10.05

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

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

6) BH10.06

No advertisement shall be sited or displayed so as to-

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

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

7) BH10.07

The illumination of the advertisement shall be non-intermittent.

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

8) UNI

GRANT advertisement consent for the totem sign annotated 'Signage Location 3' shown on drawing referenced 1149-SK034 Rev A received on 3 November 2014

1) UNI

REFUSE advertisement consent for the totem signs annotated 'Signage Location 1' and 'Signage Location 2' shown on drawing referenced 1149-SK034 Rev A received on 3 November 2014

2) UNI2

1. The totem signs annotated Signage Location 1 and Signage Location 2 by reason of their height, size, scale and bulk would appear as visually incongruous and intrusive features, which would be detrimental to the visual amenity of the site and wider surrounding area. These aforementioned signs would harm the visual amenities of the area and as such are contrary to policy QD12 of the Brighton & Hove Local Plan and Supplementary Planning Document 07, Advertisements.

BH2014/03767

8 Mountfields Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m.

Applicant: Dr Lars Schuy

Officer: Tom Mannings 292322

Prior approval not required on 10/12/14 DELEGATED

MOULSECOOMB & BEVENDEAN

BH2014/03357

14 Wheatfield Way Brighton

Demolition of existing conservatory and erection of single storey rear extension.

Applicant: Mr Walls

Officer: Joanne Doyle 292198

Approved on 09/12/14 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
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Site Location & Block Plan	003		02 Oct 2014
Existing Floor Plans Elevations & Sections	001		02 Oct 2014
Proposed Floor Plans Elevations & Sections	002		02 Oct 2014

BH2014/03566

102 Milner Road Brighton

Certificate of lawfulness for proposed loft conversion including creation of rear dormer with roof window and insertion of 2no rooflights to front.

Applicant: Ms Emer Gillespie

Officer: Robert Hermitage 290480

Approved on 17/12/14 DELEGATED

BH2014/03591

10 Nesbitt Road Brighton

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr Bennett

Officer: Robert Hermitage 290480

Approved on 17/12/14 DELEGATED

BH2014/03599

86 The Highway Brighton

Erection of a two storey rear extension.

Applicant: Brighton and Hove City Council

Officer: Tom Mannings 292322

Approved on 07/01/15 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

The first floor window in the northern (side) elevation of the dwellinghouse shall be obscure glazed to a height of 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Plans	0337.EXG.001		24/10/14

Existing Sections & Elevations	0337.EXG.002		24/10/14
Proposed Plans	0337.PL.001	A	06/11/14
Proposed Sections & Elevations	0337.PL.002	A	06/11/14

BH2014/03716

67 Auckland Drive Brighton

Erection of two storey side extension with associated roof alterations incorporating rooflights.

Applicant: Mr Barry Elwell

Officer: Robert Hermitage 290480

Approved on 30/12/14 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	L-100	-	4th November 2014
Block Plan	L-101	-	4th November 2014
Existing Plans and Elevations	L-102	-	4th November 2014
Proposed Plans and Elevations	L-103	A	4th December 2014

BH2014/03770

69 Norwich Drive Brighton

Change of use from three bedroom dwelling house (C3) to four bedroom small house in multiple occupation (C4).

Applicant: Mr L Stedman-Bryce

Officer: Andrew Huntley 292321

Approved on 31/12/14 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

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.

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 & Block Plan	01		06.11.2014
Existing Ground Floor & Site Plan	02		06.11.2014
Existing First Floor Plan	03		06.11.2014
Proposed Ground Floor & Site Plan	22		06.11.2014
Proposed First Floor Plan	23		06.11.2014
Cycle Parking Details			06.11.2014

QUEEN'S PARK

BH2014/01645

19 & Land Adjacent to 19 Dorset Gardens Brighton

Demolition of existing storage buildings (B8) and erection of a four storey building with basement level fronting Dorset Gardens containing 3 no one and two bedroom self contained flats (C3) and erection of 3 no two bedroom houses in land to rear accessed from Dorset Gardens.

Applicant: Colin Brace

Officer: Sue Dubberley 293817

Approved after Section 106 signed on 15/12/14 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 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, QD27 and HE6 of the Brighton & Hove Local Plan.

3) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

4) UNI

Access to the flat roofs hereby approved shall be for maintenance only and the flat roofs shall not be used as a roof garden, terrace, patio or other similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

5) UNI

The works of demolition hereby permitted shall not be begun until documentary evidence is produced to the Local Planning Authority to show that contracts have been entered into by the developer to ensure that building work on the site the subject of this consent is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

Reason: To prevent premature demolition in the interests of the character and appearance of the Conservation Area and to comply with policy HE8 of the Brighton & Hove Local Plan.

6) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed development 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 and Hove Local Plan.

7) UNI

No development shall take place until samples of the materials (including colour and texture of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted, including window and door openings, 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

8) UNI

No works shall take place until details of the Dorset Gardens frontage building, including windows (including cills and masonry rebates), basement and ground floor entrances (including doors, pilasters, brackets and porch), steps, ironwork and plinth (including profiled top rail, finials and gate), cornice and parapet profiles have been submitted to and approved by the Local Planning Authority. The details shall be at a scale of 1:20 for elevations and sections and 1:1 for window joinery profiles. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

Reason: To ensure the satisfactory appearance of this building in the conservation area in accordance with policy HE6 of the Brighton & Hove Local Plan.

9) 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.

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

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 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.

11) UNI

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 Condition 8 (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.

12) 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.

13) UNI

The railings shown on the approved plans shall be painted black prior to the occupation of the development hereby permitted 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.

14) 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.

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

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			20/05/2014
Existing ground floor plan/ block plan	D.02		20/05/2014
Proposed lower ground floor plan	D.03		20/05/2014
Proposed upper ground floor plan	D.04	A	20/05/2014

Proposed upper floor plans and roof plan	D.05	A	20/05/2014
Proposed residential development	D.06		20/05/2014
Existing and proposed elevations	D.07	A	20/05/2014
Existing and proposed elevations	D.08		20/05/2014

BH2014/02522

113 Marine Parade Brighton

Certificate of lawfulness for proposed change of use of a four bedroom small house in multiple occupation (C4) at first and second floor to form 1no residential unit (C3).

Applicant: Mr A Hills

Officer: Chris Swain 292178

Approved on 25/11/14 DELEGATED

BH2014/02727

30 West Drive Brighton

Change of use at upper ground floor level from offices (B1) to 3 no two bedroom flats (C3) with associated alterations and revised fenestration.

Applicant: Godfrey Investments

Officer: Sue Dubberley 293817

Approved on 17/12/14 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 and motorcycles 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 cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes, expansion joints, bell mouldings, metal leads, stops or flues shall be fixed to any elevation facing a highway.

Reason: To safeguard the appearance of the listed building, Queens Park Conservation Area and the visual amenities of the locality and to comply with policies QD1, QD27, HE1 and HE6 of the Brighton & Hove Local Plan.

4) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with policy QD27 of the Brighton & Hove Local Plan.

5) UNI

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

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

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

7) UNI

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

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

8) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	1233--01		11/08/14
Existing upper ground floor	1233-02		11/08/14
Existing east and north elevations	No number		11/08/14
Existing west and south elevations	No number		11/08/14
Proposed upper ground floor	1233-03		11/08/14
Proposed mezzanine level layout	1233-04		11/08/14
Proposed south elevation	1233-05		11/08/14
Proposed west elevation	1233-06		11/08/14
Proposed north elevation	1233-07		11/08/14
Proposed east elevation	1233-08		11/08/14
Cross section AA as proposed	1233-09		11/08/14

Proposed main entrance door	1233-10		11/08/14
Internal joinery details	1233-11		11/08/14
Proposed flat 3 entrance details	1233-12		11/08/14
Portico detail to flat 3	1233-13		11/08/14
Replacement rooflights	1233-14		11/08/14
Internal layout Flat one	1233-15		11/08/14
Flat 2 furniture layout	1233-16		11/08/14
Proposed front garden	1233-18		24/10/14
West elevation of front garden area	1233-19		24/10/14
Survey plan	No number		11/08/14
Survey plan	No number		11/08/14

9) UNI

No works shall take place until full details, including 1:20 scale sample elevations and 1:1 scale joinery profiles, of existing and proposed windows, new doors, brise soleil and 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 policy HE1 of the Brighton & Hove Local Plan.

BH2014/02728

30 West Drive Brighton

Change of use at upper ground floor level from offices (B1) to 3no two bedroom flats (C3) with associated alterations and revised fenestration.

Applicant: Godfrey Investments

Officer: Sue Dubberley 293817

Approved on 12/12/14 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 occupation of the upper ground floor units the existing burglar alarm boxes and flues and drainage pipes shall be painted in a colour to be agreed and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details prior to occupation of the upper ground floor units and shall be 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

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

4) UNI

No works shall take place until full details, including 1:20 scale sample elevations and 1:1 scale joinery profiles, of existing and proposed windows, new doors, brise soleil and 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 policy HE1 of the Brighton & Hove Local Plan.

BH2014/03089

24 St Georges Terrace Brighton

Application for Approval of Details Reserved by Conditions 3, 4 and 5 of application BH2014/02112.

Applicant: Miss Tamara Podmore

Officer: Sonia Gillam 292265

Approved on 20/11/14 DELEGATED

BH2014/03374

33 Upper Bedford Street Brighton

Application for Approval of details reserved by condition 15 of application BH2013/03350.

Applicant: Godfrey Investments

Officer: Jonathan Puplett 292525

Approved on 27/11/14 DELEGATED

BH2014/03384

Top Flat 41 Devonshire Place Brighton

Installation of internal insulation to rear office room, replacement timber window to rear and 11no photovoltaic panels to south facing roof slope.

Applicant: Mr Mark Hindmarsh

Officer: Chris Swain 292178

Approved on 22/12/14 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 hereby permitted PV panels shall not protrude greater than 200mm from the plane of the roofslope.

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 windows hereby approved shall be painted timber 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.

BH2014/03580

Flat 3 3 Clarendon Place Brighton

Replacement of 2no existing timber sash windows with UPVC.

Applicant: Mrs Rosemary Friggens

Officer: Robert Hermitage 290480

Approved on 07/01/15 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	-	-	21st October 2014
Ace Glass Window Details	-	-	21st October 2014
Windows Sections	-	-	12th November 2014
Enclosed Photographs	-	-	21st October 2014
Proposed Window Siting Photograph	-	-	5th November 2014

BH2014/03597

30 Sussex Terrace Brighton

Erection of rear dormer and new window to form extension at first floor level.

Applicant: Mr & Mrs John Nash

Officer: Tom Mannings 292322

Refused on 31/12/14 DELEGATED

1) UNI

The proposed erection of a roof and rear dormer by reason of their siting, size, bulk, design and materials, would fail to respect the character and appearance of the existing building and wider row of terraced properties. The proposal would appear as an incongruous addition and would be harmful to the character and appearance of the host building and row of terraced properties and as such is contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

ROTTINGDEAN COASTAL

BH2013/04327

74 & 76 Greenways Brighton

Demolition of existing dwellings and erection of 2no four bed dwellings and 2no 3 bed dwellings. (Amended Scheme)

Applicant: Mr Michael Boswood

Officer: Paul Earp 292454

Approved on 16/12/14 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

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.

3) UNI

The development hereby permitted shall be undertaken in accordance with the Waste Minimisation Statement received on 19 December 2013. 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 WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

4) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(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.

5) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles 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.

6) 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.

7) 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, including details of window openings, 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.

8) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed development 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.

9) UNI

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, 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 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.

10) 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.

11) 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 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.

12) UNI

The development hereby permitted shall not be commenced until a feasibility study for rainwater harvesting and/or greywater recycling to reduce water consumption of the development have been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented prior to occupation and thereafter be retained as such.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy and water 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.

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

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.

16) UNI

The new 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

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

17) 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 Plans	1219/P2/001	A	13th May 2014
Site Plan & streetscape elevation as existing	1219/P2/002		19th December 2013
Site Plans as Proposed	1219/P2/003	A	13th May 2014
Site Plan as Proposed with Survey Overlay	1219/P2/004	A	13th May 2014
Site Sections & streetscape as Proposed	1219/P2/005	A	13th May 2014
Existing elevations - No. 74	1219/P2/006		3rd January 2014
Existing elevations - No. 76	1219/P2/007		3rd January 2014
Photomontage	1219/P2/201	A	13th May 2014
Front houses - ground floor plans & front elevations	1219/P2/101	A	13th May 2014
Front houses - first floor and roof plans	1219/P2/102		13th May 2014
Front houses - rear & side elevations	1219/P2/103	A	13th May 2014

Rear houses - ground floor plans and front elevations	1219/P2/104	A	13th May 2014
Rear houses - first floor & roof plans	1219/P2/105	A	13th May 2014
Rear houses - rear & side elevations	1219/P2/106	A	13th May 2014

BH2014/01024

63 Marine Drive Rottingdean Brighton

Application for Approval of Details Reserved by Conditions 3, 4, 5, 6, and 8 of application BH2010/02093.

Applicant: Keith Pryke

Officer: Sue Dubberley 293817

Split Decision on 02/01/15 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 4, 5, 6, and 8 and subject to full compliance with the submitted details.

1) UNI

Condition 3. Insufficient information submitted

BH2014/01533

12 Court Ord Road Rottingdean Brighton

Erection of two storey rear extension with juliette balcony at first floor rear, enlargement of existing front porch and other associated works.

Applicant: Mr & Mrs P Daniels

Officer: Christine Dadswell 292205

Approved on 05/12/14 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing Ground Floor, Location and Block Plans	148COR12/01		12 May 2014
Existing First Floor and Roof Plans	148COR12/02		12 May 2014
Existing Front and Rear Elevations	148COR12/03		12 May 2014
Existing Side Elevations and Sections	148COR12/04		12 May 2014

Proposed Ground Floor, Location and Block Plans	148COR12/05	B	02 September 2014
Proposed First Floor and Roof Plans	148COR12/06	B	02 September 2014
Proposed Front and Rear Elevations	148COR12/07	B	02 September 2014
Proposed Side Elevations	148COR12/08	B	02 September 2014

BH2014/01620

St Wulfrans Church Greenways Brighton

Alterations to existing pathway including retarmacing and extending path and timber handrail.

Applicant: Parochial Church Council

Officer: Chris Swain 292178

Approved on 10/12/14 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 replacement timber balustrade hereby permitted shall match the existing balustrade in material, design and scale and 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 development or other operations shall commence on site in connection with the development hereby approved until a detailed Arboricultural Method Statement 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 Method Statement. Such method statement shall include full detail of protection of the retained tree, adjacent to the existing footpath, along with a simple construction method statement for the path (ie, no dig, only layering over, of new top surface).

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

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	Doc 1		15 May 2014
Existing block plan	Doc 2		15 May 1014
Proposed block plan	Doc 3		15 May 2014
Existing pathway plan	Doc 4		15 May 2014
Proposed pathway extension plan	Doc 5		15 May 2014
Existing elevation	Doc 9		9 June 2014

Proposed elevation	Doc 10		9 June 2014
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BH2014/01724

39 Roedean Road Brighton

Demolition of existing 6 no bedroom house and erection of new 6no bedroom three storey house with basement level and associated parking. (Part retrospective)

Applicant: Mr R Flavell

Officer: Liz Arnold 291709

Approved on 30/12/14 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 Location Plan	P-238-01	-	27th May 2014
Proposed Basement Floor with Site Setting Out	P-238-02	-	9th December 2014
Proposed Ground Floor with Site Layout	P-238-03	-	9th December 2014
Proposed First Floor	P-238-04	-	6th November 2014
Proposed Second Floor	P-238-05	-	6th November 2014
Proposed South and East Elevations	P-238-06	-	6th November 2014
Proposed North and West Elevations	P-238-07	-	6th November 2014
Proposed Roof Plan and Section AA	P-238-08	-	6th November 2014
Existing House Floor Plans	P-238-09	-	27th May 2014
Existing House Elevations	P-238-10	-	27th May 2014
Proposed and Existing Street Scene View Roedean Road	P-238-11	-	9th December 2014
Block Plan Layout with Proposed and Previous Scheme Outlines	P-238-12	-	7th July 2014
Proposed Rear Garage Wall Infill and Verge Reinstatement Works	P-238-13	-	7th July 2014
Roedean Road Topographical Survey Sheet 2 of 3	13002_TOPO	-	27th May 2014

2) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(s) as provided for within Schedule 2, Part 1, Class 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 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 and motorcycles belonging to the occupants of and visitors to the development hereby approved.

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

5) UNI

Within 2 months of the date of the permission hereby approved, 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.

6) UNI

Within 2 months of the date of the permission hereby approved, 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.

7) UNI

The first and second floor windows in the east elevation and the second floor window in the 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.

8) 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.

9) UNI

Within 2 months of the date of the permission hereby approved, the obscure glazed screens to the sides of the first and second floor rear balconies shall be installed as shown on the approved drawings.

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.

10) 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.

11) UNI

Unless otherwise agreed in writing by the Local Planning Authority, within 3 months of the date of the permission hereby approved a Final/Post Construction Code Certificate issued by an accreditation body confirming that the 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

Within 2 months of the date of the permission hereby approved, the applicant shall reinstate the redundant vehicle crossover on the western side of The Cliff frontage, back to a footway by raising the existing kerb and footway.

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

BH2014/02189

Rendezvous Casino Brighton Marina Village Brighton

Display of externally illuminated lettering to roof.

Applicant: London Clubs Mgt Ltd

Officer: Jonathan Puplett 292525

Refused on 27/11/14 DELEGATED

1) UNI

The proposed signage, by reason of its size, illumination and siting, would appear visually incongruous and intrusive and would be detrimental to the visual amenity of the site and wider surrounding area. The proposal would result in significant harm to amenity and is contrary to policy QD12 of the Brighton and Hove Local Plan and the guidance set out in SPD07 'Advertisements'.

BH2014/02387

65 Chichester Drive West Saltdean Brighton

Hip to barn end roof extension with rooflights to side roof slopes and windows to front and rear. Enlargement and conversion of existing garage into habitable living space. Creation of additional hardstanding to front driveway.

Applicant: Mrs Diane Meik
Officer: Chris Swain 292178
Approved on 07/01/15 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 rooflights to the side roofslopes hereby permitted shall be obscure glazed and non-opening, unless the parts of the rooflights which can be opened are more than 1.7 metres above the floor of the room in which the rooflight is installed, and thereafter permanently retained as such.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Existing floor and roof plan	CDW-01		17 July 2014
Existing elevations	CDW-02		17 July 2014
Proposed floor plans	CDW-03	A	10 November 2014
Proposed roof plan	CDW-04	A	10 November 2014
Proposed elevations	CDW-05	A	10 November 2014
Site location and block plan	CDW-06	A	10 November 2014

BH2014/02452

2 Meadow Close Rottingdean Brighton

Erection of single storey two/three bedroom chalet bungalow with associated off - street parking and landscaping.

Applicant: Martin Investment Management

Officer: Chris Swain 292178

Refused on 02/12/14 DELEGATED

1) UNI

The proposed subdivision to form a building plot would fail to emphasise and or enhance the positive qualities of the local neighbourhood and would result in an overly cramped form of development, contrary to the prevailing plot sizes and layouts within the immediate vicinity and detracting with the appearance and character of the site and the wider surrounding area. The development would therefore be contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

BH2014/02598

28 Marine Drive Rottingdean Brighton

Application for variation of condition 17 of application BH2011/03060 (Original permission BH2010/02745) to allow for changes to the approved scheme including revised fenestration and alterations to internal layout. (Retrospective)

Applicant: G Rafter

Officer: Adrian Smith 290478

Approved on 05/12/14 DELEGATED

1) UNI

The development hereby permitted shall be carried out in accordance with the Overview of Ground Investigation and Cliff Stability Reports received on 20 December 2012 under application reference BH2012/04049.

Reason: To prevent the contamination of the underlying aquifer and to comply with policy SU3 of the Brighton & Hove Local Plan.

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

The terraces to the rear of the site (north elevation) shall be completed in accordance with the details received on 20 December 2012 under application reference BH2012/04049 and thereafter maintained as such.

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

4) UNI

The first and second floor windows serving units 5 and 8 in the north elevation of the development as shown on drawings no. P005 and P016 received on 31/07/2014 and AL(00)204 Rev H received on 11/10/2011 shall be obscure glazed and, 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, non-opening. The windows shall thereafter be permanently retained as such.

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

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
Site location plan	-	-	11/09/2014
Site context plan	AL(00)002	A	08/09/2010
Existing site plan	AL(00)100	B	08/09/2010
Proposed site plan	AL(00)200	F	11/10/2011
Proposed floor plans	AL(00)201	H	11/10/2011
	P004		31/07/2014
	P005	H	31/07/2014
	AL(00)204	D	11/10/2011
	AL(00)205		11/10/2011
Proposed elevations	P015		31/07/2014

	P016 AL(00)208 AL(00)209 AL(00)210	A B B	31/07/2014 08/09/2010 09/09/2010 09/09/2010
Landscaping plan	AL(00)211	B	09/09/2010
Constraints Plan	101		20/12/2012
Schedule of key external materials	-	-	20/12/2012
Overview of Ground Investigation and Cliff Stability Reports for resolution of condition 13	-	-	20/12/2012
Access Road Cross Sections (Sheet 1 of 2)	925	P1	04/02/2013
Access Road Cross Sections (Sheet 2 of 2)	926	P1	04/02/2013
Access Road Layout and Long section	920	P1	04/02/2013
External Works Layout	900	P2	04/02/2013

6) UNI

Not used.

7) UNI

The development hereby permitted shall be carried out in accordance with the material samples and schedule received on 20 December 2012 under application reference BH2012/04049.

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

8) UNI

The existing west hedge boundary and east hedge boundary (adjoining the rear garden of no.36) treatment shall be retained. The hedges shall not be removed unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of nature conservation and to safeguard the existing outlook to the occupiers of adjoining properties and to comply with policies QD16, QD17 and QD27 of the Brighton & Hove Local Plan.

9) UNI

The fences for the protection of the hedges to be retained shall be implemented in accordance with the details received on 20 December 2012 under application reference BH2012/04049. The fences shall be maintained in good repair 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 hedges which are to be retained on the site and to comply with policies QD16, QD17 and QD27 of the Brighton & Hove Local Plan.

10) UNI

The fencing for the protection of the SSSI shall be implemented in accordance with the details received on 20 December 2012 under application reference BH2012/04049. No vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences. No materials shall be stored or dumped within the SSSI boundary and there should be no access (pedestrian or vehicular) to the site from within the SSSI boundary.

Reason: To prevent damaging impacts on the adjacent nature conservation features and their setting and to comply with policy NC2 of the Brighton & Hove

Local Plan.

11) 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.

12) UNI

Not used.

13) UNI

The construction of the proposed road[s], surface water drainage, outfall disposal and crossover hereby permitted shall be carried out in accordance with the details received on 20 December 2012 under application reference BH2012/04049.

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

14) UNI

The development hereby permitted shall be carried out in accordance with the cycle parking details received on 20 December 2012 under application reference BH2012/04049. The cycle parking shall be implemented in full prior to first occupation in strict accordance with the approved details.

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 new dwelling[s] shall be constructed to Lifetime Homes standards to the satisfaction of the Local Planning Authority.

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

16) UNI

Unless otherwise agreed in writing by the Local Planning Authority within 3 months of the date of this decision a BRE issued Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all residential units shall be 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.

17) UNI

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Building Research Establishment issued Final Code Certificate 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.

18) UNI

Unless otherwise agreed in writing by the Local Planning Authority the development shall not be occupied until a scheme detailing the measures to improve ecological biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details prior to first occupation of the development and shall thereafter be maintained.

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

BH2014/02687

21 Bazehill Road Rottingdean Brighton

Erection of single storey front extension incorporating replacement garage, single storey rear extension with first floor Juliet balconies, alterations to fenestration and other associated alterations.

Applicant: Mr & Mrs M Gunn

Officer: Chris Swain 292178

Approved on 25/11/14 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

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) UNI

No development to the rear of the building shall take place until details of screening to the shared boundary with 19 Bazehill Road have been submitted to and agreed in writing by the Local Planning Authority. The hereby permitted rear extension shall not be brought into use until the agreed boundary screening 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.

4) UNI

The hereby permitted rooflight to the south-west (side) roofslope shall be obscure glazed and, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, non-opening. The window shall thereafter be permanently retained as such.

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

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
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Site plan, block plan and proposed roof plan	14/27		11 August 2014
Proposed plans	14/27/1		11 August 2014
Proposed elevations and section	14/27/2		11 August 2014
Proposed elevations and section	14/27/3		11 August 2014
Existing plans and elevations	14/27/4		11 August 2014

6) UNI

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

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

BH2014/02871

Land Rear of Sussex Mansions 39-40 Sussex Square Brighton

Erection of three bedroom house to rear, utilising existing basement space located under garden.

Applicant: Ian Barr & Susan Jacobs

Officer: Andrew Huntley 292321

Refused on 08/12/14 DELEGATED

1) UNI

Insufficient information has been submitted regarding the historic and architectural significance and structural integrity of 39 and 40 Sussex Square, the basement and surrounding walls to demonstrate the structural stability would not be undermined by the proposed development. Notwithstanding the lack of information, the proposal is considered unacceptable in heritage terms as it would lead to the complete loss of the basement structure which would have a substantial harmful impact on the significance of this Grade I Listed Building. The proposal is therefore contrary to policies HE1 and HE3 of the Brighton and Hove Local Plan.

2) UNI2

The proposed subdivision of the existing and original townhouse plots would result in further and in all probability permanent loss of the original proportions of the plots, and their original relationship with the heritage asset. The resultant plot sizes would also be of an insufficient size in relation to the character and status of the main listed buildings. As such the proposals would have a detrimental impact upon the setting and historic character of the Listed Building and adjoining listed assets contrary to policy HE3 of the Brighton & Hove Local Plan.

3) UNI3

The proposed alterations to the rendered masonry boundary wall would result in the loss of the original form of the historic wall which rises to the rear of the plot and is characteristic in the area. The proposal would therefore have a harmful impact on the significance of the heritage asset contrary to policies HE1 and HE3 of the Brighton & Hove Local Plan.

4) UNI4

The proposed development would provide an unsatisfactory residential environment for the future occupiers of the proposed dwellings by virtue of poor level of outlook, direct overlooking by adjoining occupiers and potential noise and disturbance from the adjoining electrical substation contrary to policies QD27,

SU9 and SU10 of the Brighton & Hove Local Plan.

5) UNI5

The proposed roof terrace by virtue of its size and siting, would adversely affect the amenities of the occupiers of Nos. 40A Sussex Square resulting in loss of privacy, and interlocking, contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/02876

39 Grand Crescent Rottingdean Brighton

Erection of two storey side extension at lower ground floor and ground floor level with associated roof extensions. Removal of front steps and relocation of front entrance, alterations to existing rear dormer, installation of solar panels, alterations to fenestration and associated works.

Applicant: Mr & Mrs Giles Henry

Officer: Wayne Nee 292132

Refused on 21/11/14 DELEGATED

1) UNI

The proposed rear mono-pitched roofs are of an inappropriate design and thus would fail to integrate effectively with the existing dwelling. Furthermore, the proposed front balcony glazed screen, front elevation flat roof, and fenestration are considered inappropriate additions to the dwelling that would appear at odds with the character of the surrounding area. As such, the proposal is contrary to policies QD2 and QD14 of the Brighton and Hove Local Plan, and SPD12: Design guide for extensions and alterations.

2) UNI2

The proposed extended dormer, by reason of its size, bulk and design, is considered to form an over dominant alteration to the rear roof slope that would adversely affect the character and appearance of the dwelling. As such, the proposal is contrary to policies QD2 and QD14 of the Brighton and Hove Local Plan, and SPD12: Design guide for extensions and alterations.

BH2014/02901

5-8 West Street Rottingdean Brighton

Application for variation of condition 5 of application BH2004/02617/FP (Demolition of existing buildings. Erection of single storey building for class A1 retail use) to state that the premises shall not be open for customers or in use except between the hours of 06:00 and 23:00.

Applicant: Tesco Stores Ltd

Officer: Chris Swain 292178

Withdrawn on 01/12/14 DELEGATED

BH2014/02952

Flat 11 Bristol Mansions 19 - 20 Sussex Square Brighton

Internal alterations to layout of flat including new and replacement doors and repair works. (Part retrospective).

Applicant: Mr John Lovell

Officer: Sue Dubberley 293817

Approved on 01/12/14 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.

BH2014/03010

17 Chichester Drive East Saltdean Brighton

Demolition of existing garage, erection of single storey side and rear extension with associated roof extensions and alterations including side rooflights and raising of ridge height and erection of raised rear decking with glazed balustrade.

Applicant: Steve Jones

Officer: Tom Mannings 292322

Approved on 07/01/15 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 rooflights in the north east side 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.

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, block plan and proposed floor plans and elevations	599/01	A	28/10/2014
Existing floor plans and elevations	599/02	-	08/09/2014

BH2014/03110

151 & 151A Marine Drive Brighton

Application for variation of condition 2 of application BH2012/01545 (Demolition of existing houses and erection of 3no detached dwellings.) to allow for minor material amendments.

Applicant: Allbeck Homes Ltd

Officer: Jonathan Puplett 292525

Approved on 23/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

The development shall be constructed using facing materials in accordance with the samples during the course of the application which consist of:

- Render sample (Monocouche XF)
- Freshfield Lane Stock brick sample
- Window sample and RAL 7040 colour sample (grey)
- Weatherboard sample (Colour proposed: Blue Grey)
- Natural Slate sample

Reason: To ensure an acceptable appearance to the scheme and to comply with policies QD1 and QD2 of the Brighton and Hove Local Plan.

3) UNI

Unless otherwise agreed in writing, the rainwater goods (drainpipes and guttering) shall be of white to match the walls to which they are attached, and shall be retained as such thereafter.

Reason: To ensure an acceptable appearance to the scheme and to comply with policies QD1 and QD2 of the Brighton and 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 extension, enlargement or other alteration of the dwellinghouses hereby approved 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

5) UNI

All north facing (rear) first floor, second floor and roof level windows to the dwellings 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.

6) UNI

The development hereby permitted shall not be occupied until the noise mitigation measures which consist of the installation of triple glazing (Model: Rationel Aldus) to all windows, and the installation of an acoustic ventilation system (Model: Roytons Cowled Super Accoustic LookRyt AirCore vents) to all habitable rooms, shall be installed and shall be retained as such thereafter.

Reason: To ensure that future residents of the development do not suffer harmful noise disturbance and to comply with policies SU10 and QD27 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 each 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 vehicle parking areas shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles belonging to the occupants of and visitors to the development hereby approved.

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

9) 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 has been submitted to, and approved in writing by, the Local Planning Authority.

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

10) UNI

The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans and details 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.

11) 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.

12) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping and all nature conservation enhancement measures set out in drawing no. DWG-NDJ-14-22 A and RW Green Limited Arboricultural Horticultural and Ecological Management Report received 17/09/2014 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.

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
LOCATION PLAN AND BLOCK PLAN	P01		17/09/2014
BLOCK PLAN	P03	A	17/09/2014
SITE LAYOUT	P04	A	17/09/2014
GROUND FLOOR PLAN	P05	C	04/11/14
FIRST FLOOR PLAN	P06	B	17/09/2014
SECOND FLOOR PLAN	P07	A	17/09/2014
STREET ELEVATIONS	P08	B	13/11/2014
PROPOSED ELEVATION	P10	A	17/09/14
PROPOSED ELEVATIONS	P11	B	04/11/14
PROPOSED ELEVATIONS	P12	C	13/11/14
PROPOSED ELEVATIONS	P13	A	17/09/14
SITE SURVEY	P14		17/09/14
LANDSCAPE PLAN	22	A	17/09/14
WINDOW DETAILS	R-001A		17/09/14
WINDOW DETAILS	R-001B		17/09/14
WINDOW DETAILS	R-001C		17/09/14
CYCLE STORE DETAILS			31/10/14

14) UNI

The dwellings hereby permitted shall be constructed to Lifetime Homes standards 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.

BH2014/03137

Flat 1 43 Sussex Square Brighton

Application for Approval of Details Reserved by Conditions 2, 3, 4, 5, 6 and 7 of application BH2014/01532.

Applicant: Mr & Mrs Yoram Allon

Officer: Andrew Huntley 292321

Split Decision on 01/12/14 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 4 and 7 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 2, 3, 5 and 6 are NOT APPROVED for the reasons set out in section 6.

2) UNI2

1. The details submitted pursuant to compliance with condition 2 are not acceptable because they show a boxed in extract run is proposed at high level in bedroom 3, which is unacceptable. If the extract cannot be housed within existing floor or ceiling voids (without notching through historic joists or similar), then a re-circulating extract should be used. As such, the proposed extraction system would be harmful to the historic fabric and character of the listed building contrary to policy HE1 of the Brighton and Hove Local Plan.

3) UNI3

The details submitted pursuant to compliance with condition 3 are not acceptable because the proposed flush plywood doors are not acceptable. Traditionally, the

doors to a basement of a Regency townhouse would have been traditionally-constructed 4 panelled timber doors. These would have had plain panels with no mouldings and the architraves should have a simple moulding. As such, it is considered that the proposed doors and architraves would be harmful to the historic character and appearance of the listed building contrary to policy HE1 of the Brighton and Hove Local Plan.

4) UNI4

The details submitted pursuant to compliance with condition 5 are not acceptable as the proposed finish to the fireplace is inappropriate and is not sympathetic to the traditional character of the building. As such, it is considered that the proposed details for the fireplace and hearth would be harmful to the historic character and appearance of the listed building contrary to policy HE1 of the Brighton and Hove Local Plan.

5) UNI5

The details submitted pursuant to compliance with condition 6 are not acceptable as the proposal provides no information on what evidence was revealed to either side of the fireplace (the original arrangement of the recesses to either side of the chimney breast). As such, the proposal has failed to demonstrate that it would preserve the historic character and appearance of the listed building contrary to policy HE1 of the Brighton and Hove Local Plan.

BH2014/03149

2 Perry Hill Saltdean Brighton

Erection of single storey side extension.

Applicant: Mr & Mrs Izzard

Officer: Tom Mannings 292322

Refused on 21/11/14 DELEGATED

1) UNI

The proposed development would visually unbalance the semi-detached pair of dwellings and would have a detrimental impact on the uniform character and appearance of the Perry Hill street scene. The proposal would therefore fail to emphasise and enhance the positive qualities of the local neighbourhood and is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guide for extensions and alterations.

BH2014/03162

45 Roedean Crescent Brighton

Erection of a part one part two storey rear extension with roof terrace at first floor level and solar panels to new pitched roof.

Applicant: Mr Geoff Austen

Officer: Andrew Huntley 292321

Approved on 30/12/14 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 & Elevations	2656/01	B	18.09.2014
Proposed Plans & Elevations	2656/02	B	18.09.2014
Site Location & Block Plans	2656/03		18.09.2014
Site Photos	2656/04		18.09.2014

BH2014/03185

Flat 2 23 Sussex Square Brighton

Internal and external alterations including installation of slate roof with rooflights to rear conservatory and alterations to layout of flat.

Applicant: Mr & Mrs A Meredith

Officer: Tom Mannings 292322

Refused on 15/12/14 DELEGATED

1) UNI

The proposed alterations would result in a vastly more substantial structure and appearance than currently exists. The existing sense that the space was originally part of the garden would be lost and the relationship between garden and building would be compromised. As a result the proposal would be harmful to the special architectural and historic character and appearance of the listed building and is contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2014/03186

Flat 2 23 Sussex Square Brighton

Alterations to rear conservatory including installation of slate roof incorporating rooflights.

Applicant: Mr & Mrs A Meredith

Officer: Tom Mannings 292322

Refused on 28/11/14 DELEGATED

1) UNI

The proposed alterations would result in a vastly more substantial structure and appearance than currently exists. The existing sense that the space was originally part of the garden would be lost and the relationship between garden and building would be compromised. As a result the proposal would be harmful to the special architectural and historic character and appearance of the listed building and is contrary to policy HE1 of the Brighton & Hove Local Plan.

BH2014/03205

15 Lenham Avenue Saltdean Brighton

Demolition of existing dwelling and erection of 2no detached dwellings (C3). (Part retrospective)

Applicant: Ms Kathryn O Connell

Officer: Sue Dubberley 293817

Approved on 15/12/14 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
Existing plans, elevations and site plan	1124-30	B	20/10/2014
Proposed floor plans and elevations	1124-40	A	20/10/2014

2) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the 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 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 crossovers 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.

4) 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 has been submitted to, and approved in writing by, the Local Planning Authority.

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

5) UNI

Prior to the occupation of the development, details of a scheme of works to raise the existing kerb and footway in front of the proposed dwelling 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.

6) UNI

The hereby approved dwellinghouses shall not be occupied until details demonstrating that the dwellings have been built to Lifetime Homes standards have been submitted to and approved in writing by the Local Planning Authority. The dwellings 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.

BH2014/03278

46 Wivelsfield Road Saltdean Brighton

Change of use of part of ground floor from residential dwelling (C3) to mixed use residential dwelling and Pilates studio (C3/D1). (Retrospective)

Applicant: Oliver Armfield

Officer: Robert Hermitage 290480

Approved on 16/12/14 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 09:00 and 21:00 and shall only be operational for a maximum number of 15 hours in any consecutive 7 day period.

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 pilates/exercise studio use shall be confined solely to the lower ground floor room annotated as 'studio' on block plan received on 29 September 2014 and 'garden room/pilates studio' on lower ground plan received on 21 October 2014. This aforementioned room shall only be used as a D1 pilates/exercise studio only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of this building in the interests of protecting the amenities of the occupiers of adjoining properties and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site and Block Plan	-	-	29th September 2014
Existing and Proposed Floor Plan	-	-	21st October 2014
Tabulated Car Parking Records	-	-	29th September 2014

5) UNI

The D1 pilates/exercise studio use hereby permitted shall be carried on only by Mr & Mrs Armfield and by no other person and upon the cessation of occupation

of 46 Wivelsfield Road by Mr & Mrs Armfield the D1 use hereby permitted shall cease.

Reason: This permission is granted exceptionally and only in view of the personal circumstances of the applicant and the arrangement within this building and in the interests of protecting the amenities of the occupiers of adjoining properties and to comply with policies SU9, SU10 and QD27 of the Brighton & Hove Local Plan.

BH2014/03295

5 Rowan Way Rottingdean Brighton

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension to both sides, rear dormer and side windows.

Applicant: Mr Jason Steele

Officer: Tom Mannings 292322

Approved on 02/01/15 DELEGATED

BH2014/03296

5 Rowan Way Rottingdean Brighton

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Jason Steele

Officer: Tom Mannings 292322

Approved on 02/01/15 DELEGATED

BH2014/03338

The Outlook 2 Roedean Path Brighton

Non material amendment to BH2010/01264 for the replacement of a window to the rear elevation with an obscure glass door.

Applicant: Mrs Andrea Bennett

Officer: Jonathan Puplett 292525

Approved on 02/01/15 DELEGATED

BH2014/03415

Saltdean Lido Saltdean Park Road Saltdean Brighton

Erection of pool plant building, alterations to pool to create a single pool, new volley ball court with mesh fencing, re-instatement of paddling pool with canopy over. Five year consent for 4no portakabins (changing facilities, WC's), with timber deck around, entrance kiosk and beach huts.

Applicant: Saltdean Community Interest Company

Officer: Kathryn Boggiano 292138

Approved on 08/12/14 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 with regard to the relining of the pool until samples of the materials to be used in the relining of the pool have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

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

3) UNI

Unless otherwise agreed in writing with the Local Planning Authority, the pool

lighting shall be carried out fully in compliance with the details contained within Conran & Partners document titled '2260 Saltdean Lido - Specification of items including within Listed Building and Full Planning Applications. Proposed underwater swimming pool lighting' received on 9 October 2014 and plan referenced 'Section AA + BB as proposed PL104 revision A' received on 3 December 2014.

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

4) UNI

The slide shown on plan referenced 'Plan as Proposed PL103 revision B' received on 8 December 2014 shall not be installed until full details of the slide including the design, size, materials and method of fixing to the pool, have been submitted to approved in writing with the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

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

5) UNI

No works shall take place until a Phasing Plan which details the timeframe for the delivery of the works approved as part of this planning permission, has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall be implemented fully in accordance with the approved details.

Reason: To ensure that works to improve the historical character and setting of the Lido occur within an appropriate timeframe and to comply with policy HE1 of the Brighton & Hove Local Plan.

6) UNI

No works shall take place on the southern access gate and associated steps and ramp hereby approved until full details of the colour of the gates and fencing, and full details of the surface materials for the steps, ramp and paths leading to the volleyball court, pool and portacabins hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and unless agreed in writing with the Local Planning Authority shall be retained as such thereafter.

Reason: To ensure the satisfactory preservation of the setting of this listed building and pool and to comply with policy HE3 of the Brighton & Hove Local Plan.

7) UNI

No works shall take place on the Pool Plant Building until details of the construction of the green roof of the Pool Plant Building 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 then 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 to protect the setting of the Lido and to comply with policies QD17 and HE3 of the Brighton & Hove Local Plan.

8) UNI

No works shall take place on the Paddling Pool and Soft Play Area until details of the lining of the Paddling Pool and samples of the material for the Soft Play area have been submitted to and approved in writing with the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

Reason: To ensure the satisfactory preservation of the setting of this listed building and pool and to comply with policy HE3 of the Brighton & Hove Local Plan.

9) UNI

The canopy shown on plan no. PL111 referenced 'Proposed section through shade sail canopy over children's paddling pool' received 13 October 2014 shall not be installed until full details of the canopy including the design, size and materials have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

Reason: To ensure the satisfactory preservation of the setting of this listed building and pool and to comply with policy HE3 of the Brighton & Hove Local Plan.

10) UNI

Notwithstanding the submitted plans, no fencing surrounding the volleyball court shall be installed until full details of the fencing including the height, design and colour have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

Reason: To ensure the satisfactory preservation of the setting of this listed building and pool and to comply with policy HE3 of the Brighton & Hove Local Plan.

11) UNI

No works shall take place on the installation of the beach huts until a colour scheme for the beach huts has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

Reason: To ensure the satisfactory preservation of the setting of this listed building and pool and to comply with policy HE3 of the Brighton & Hove Local Plan.

12) UNI

The temporary portacabins, associated decking surround and fencing and temporary beach huts and associated paths leading to these structures hereby permitted and shown on plans referenced PL106 received on 13 October 2014 and PL- 103 Revision B received on 8 December 2014 shall be permanently removed from the site before 8 December 2019 and the land reinstated in accordance with a landscape scheme to be submitted to and approved in writing with the Local Planning Authority.

Reason: As the structure hereby approved is not considered suitable as a permanent form of development within the grounds of the Lido, permission is granted for a temporary period and to comply with policy HE3 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
Location Plan	PL-100		9 October 2014
Block Plan existing and proposed	PL109		9 October 2014

Site Survey as existing	PL - 101		9 October 2014
Section AA + BB as existing	PL102		13 October 2014
Section AA + BB as proposed	PL104	A	3 December 2014
Proposed temporary changing and WC facilities	PL106		13 October 2014
Proposed section through volleyball court	PL107		9 October 2014
Proposed + Existing Section + Elevation of new entrance to under-cliff walk	PL108		9 October 2014
Proposed Section through shade sail canopy over children's paddling pool	PL111		13 October 2014
Proposed elevations of beach hut	PL110		13 October 2014
Detail section through proposed pool plant room	PL105	1	17 November 2014
Plan as proposed	PL103	B	8 December 2014

14) UNI

No works shall take place on the Pool Plant Building hereby approved, until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces and for the doors and windows of the Pool Plant Building and for the external hardsurfaces surrounding the Pool Plant Building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: To ensure the satisfactory preservation of the setting of this listed building and pool and to comply with policy HE3 of the Brighton & Hove Local Plan.

BH2014/03416

Saltdean Lido Saltdean Park Road Saltdean Brighton

Works to pool which include removal of subdividing section to create a single pool, relining of the pool, new slide and new lighting to pool.

Applicant: Saltdean Community Interest Company

Officer: Kathryn Boggiano 292138

Approved on 08/12/14 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 a Phasing Plan which details the timeframe for the delivery of the works approved as part of this Listed Building Consent, has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall be implemented fully in accordance with the approved details.

Reason: To ensure that works to improve the historical character of the listed pool occur within an appropriate timeframe and to comply with policy HE1 of the Brighton & Hove Local Plan.

3) UNI

The slide shown on plan referenced 'Plan as Proposed PL103 revision B' received shall not be installed unless and until full details of the slide including the design, size, materials and method of fixing to the pool, have been submitted to approved in writing with the Local Planning Authority. The scheme shall be implemented fully in accordance with the approved details and retained as such thereafter.

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

4) UNI

No works shall take place with regard to the relining of the pool, unless and until samples of the materials to be used in the relining of the pool have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

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

5) UNI

Unless otherwise agreed in writing with the Local Planning Authority, the pool lighting shall be carried out fully in compliance with the details contained within Conran & Partners document titled '2260 Saltdean Lido - Specification of items including within Listed Building and Full Planning Applications. Proposed underwater swimming pool lighting' received on 9 October 2014 and plan referenced 'Section AA + BB as proposed PL104 revision A' received on 3 December 2014.

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

BH2014/03422

4 Challoners Cottages Falmer Road Rottingdean Brighton

Replacement of existing double glazed UPVC windows with UPVC sash windows to front elevation.

Applicant: Miss Jean Barrett

Officer: Robert Hermitage 290480

Refused on 19/12/14 DELEGATED

1) UNI

The replacement windows to the front elevation, by virtue of their material and detailing, represent a harmful alteration that would fail to preserve the character and appearance of the building or wider Rottingdean Conservation Area. The proposal is thereby contrary to policies QD14 and HE6 of the Brighton & Hove Local Plan, and Supplementary Planning Document 9 Architectural Features, and Supplementary Planning Document 12 Design Guide for Extensions and Alterations.

BH2014/03463

21 Lustrells Vale Saltdean Brighton

Certificate of lawfulness for proposed single storey rear extension to replace existing conservatory.

Applicant: Mr & Mrs R Milton

Officer: Andrew Huntley 292321

Approved on 08/12/14 DELEGATED

BH2014/03465

St Wulfrans Church Greenways Brighton

Application for Approval of Details Reserved by Condition 5 and 6 of application BH2013/04102.

Applicant: St Wulfrans Church Ovingdean

Officer: Chris Swain 292178

Approved on 08/12/14 DELEGATED

BH2014/03513

Units 1, 2, 4, 5, 6, 7, 8, 10 and 11 Bush Mews 5 Arundel Road Brighton

Prior Approval for change of use from offices (B1) to residential (C3) to form 9no self contained dwellings.

Applicant: Mr Vincent Goldstein

Officer: Jason Hawkes 292153

Prior Approval is required and is approved on 11/12/14 DELEGATED

BH2014/03517

Flat 7 15 Sussex Square Brighton

Installation of wall hung gas boiler in kitchen with flue to rear elevation. (Part retrospective).

Applicant: Mr & Mrs Sattin

Officer: Allison Palmer 290493

Approved on 15/12/14 DELEGATED

1) UNI

Informatives:

1. This decision is based on the drawings listed below:

Plan Type	Reference	Version	Date Received
Site location & block plan	823/slp		20/10/2014
Elevations	823/07		20/10/2014
Floorplan existing	823/01/A		20/10/2014
Floorplan proposed	823/08		20/10/2014
Roof plan & section	823/03/B		20/10/2014

2. This decision to grant Listed Building Consent has been taken:

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

(ii) for the following reasons:-

The works would not cause harm to the character or an unacceptable loss of fabric to this Grade 1 Listed Building.

2) 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.

BH2014/03520

60 Greenways Brighton

Demolition of existing conservatory and garage and erection of two storey rear extension and single storey garage to rear. Alterations to existing porch and roof alterations including insertion of rooflights. Erection of single storey outbuilding in

rear garden.

Applicant: Mr A Patel
Officer: Tom Mannings 292322
Approved on 15/12/14 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 first floor window within the south-east facing elevation of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

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 window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed within the south-eastern elevation of the property 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.

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
Location Plan	03-1014g		20/10/14
Existing Block Plan	03-1014h		20/10/14
Proposed Block Plan	03-1014i		20/10/14
Existing Layouts	05/07/10a		20/10/14
Existing Roof Plan	05/07/10d		20/10/14
Existing Elevations	05/07/10e		20/10/14
Proposed Ground Floor Layout	03-1014		20/10/14
Proposed First Floor	03-1014a		20/10/14
Proposed Second Floor and Roof	03-1014b		20/10/14
Proposed Elevations	03-1014c		20/10/14
Proposed Side Elevations	03-1014d		20/10/14

Contextual Rear Elevation	03-1014e		20/10/14
Layouts, Section and Elevations	03-1014f		20/10/14

BH2014/03530

1 & 3 The Cliff Brighton

Application for approval of details reserved by conditions 8, 9, 11, 12, 13, 15 and 16 of application BH2011/03634.

Applicant: Sussex Transformations Ltd

Officer: Andrew Huntley 292321

Split Decision on 08/12/14 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 9, 12, 13 and 15 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 8, 11 are NOT APPROVED

2) UNI2

The details submitted pursuant to compliance with Condition 8 are not acceptable as no information has been given on precise species, size at planting, or a planting specification. In addition, no mention has been made of protecting any trees or shrubs that are already on site. The proposed grassed area should also be to BS 3969, the British Standard regarding lawn laying. Therefore, the proposed details fail to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

3) UNI3

The details submitted pursuant to compliance with Condition 11 are not acceptable as whilst the Ecological Scoping Assessment gives recommendations for the species to be used for the hedgerow, it is unclear whether these recommendations have been incorporated into the design. The Landscape Site Plan states that at least three species will be used in the hedgerow and at least 15 species of wildlife value will be used in the wildlife planting areas, but no detail of the species is given. Therefore, the details provided fail to comply with Policy QD17 of the Brighton & Hove Local Plan.

BH2014/03574

66 Lustrells Crescent Saltdean Brighton

Erection of single storey extension and raised terrace to rear elevation.

Applicant: Mr & Mrs Myles

Officer: Joanne Doyle 292198

Approved on 31/12/14 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 obscure glazed screen to the terrace hereby approved adjacent to 64 Lustrells Crescent shall be installed in accordance with the details shown on plan referenced 1535/1803c received on 16 December 2014 prior to the terrace being first brought into use and shall be retained as such thereafter.

Reason: To protect the privacy of adjacent residents 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 Plans & Elevations	1535/1801		22 Oct 2014
Proposed Plans & Elevations	1535/1803c	C	16 Dec 2014

BH2014/03618

28 Nevill Road Rottingdean Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.235m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.8m.

Applicant: Ms Louise Ramsay

Officer: Wayne Nee 292132

Prior approval not required on 08/12/14 DELEGATED

BH2014/03622

12 Arlington Gardens Brighton

Erection of single storey rear extension and roof alterations including hip to gable roof extensions and installation of roof lights.

Applicant: Mr & Mrs Rowe

Officer: Andrew Huntley 292321

Refused on 31/12/14 DELEGATED

1) UNI

The proposed roof alterations, by reason of scale, design and mass, would significantly alter the character and appearance of the host building and would result in the building appearing over-dominant and incongruous within the street scene. As such the proposal would harm the character and appearance of the existing building and the uniformity of the street scene and is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

BH2014/03801

137 Marine Drive Rottingdean Brighton

Removal of existing porch and front bay at ground floor level. Roof alterations including raising of ridge height and balcony with pitched roof to front elevation.

Applicant: Jamie & Laura Malpass

Officer: Joanne Doyle 292198

Refused on 06/01/15 DELEGATED

1) UNI

The proposed extension, by reason of it's excessive height in relation to adjacent properties, would have an overdominant impact on the character and

appearance of the wider street, contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12: Design guidance for extensions and alterations.

2) UNI2

The proposed roof extension by reason of its excessive bulk and massing would result in an unneighbourly impact on the occupiers of 135 Marine Drive by way of overshadowing and sense of enclosure, contrary to policies QD14 and QD27 of the Brighton and Hove Local Plan.

BH2014/03923

9 Ainsworth Avenue Brighton

Non Material Amendment to BH2013/01738 to additional skylight in rear existing extension. Change double door to single front door and glass panel to right. Removal of proposed side extension and entrance hall. Change downstairs ensuite to storage cupboard and two upstairs ensuites to family bathroom. Removal of proposed balustrade in centre of landing. Removal of proposed wardrobe to make space to move bedroom door.

Applicant: DMB Solutions

Officer: Tom Mannings 292322

Approved on 17/12/14 DELEGATED

WOODINGDEAN

BH2014/01857

1 The Ridgway Brighton

Conversion of surgery (D1) to residential dwelling incorporating formation of side porch, revised fenestration, parking and revised access.

Applicant: Dr Jeremy Sagar, Dr Ashley Crichton & Rosemary Crichton

Officer: Wayne Nee 292132

Approved on 18/12/14 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 vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles 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.

4) UNI

The development hereby permitted shall not be occupied 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 SU2 of the Brighton & Hove Local Plan.

5) UNI

Prior to the first occupation of the development hereby permitted the redundant vehicle crossover at 1 The Ridgway Brighton shall be reinstated back to a footway and verge by raising the existing kerb and footway and replacing redundant crossing and footpath materials across the verge with soil and grass 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, TR8 and QD15 of the Brighton and Hove Local Plan.

6) UNI

No development shall commence until a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a BREEAM Domestic Refurbishment rating of 'pass' as a minimum for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-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

The residential units hereby approved shall not be occupied until a BRE issued BREEAM Domestic Refurbishment Final/Post Construction Certificate confirming that each residential unit built has achieved a rating of 'pass' as a minimum has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure 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 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	244TR01/01		05 June 2014
Existing elevations	244TR01/02		05 June 2014
Existing site plans	244TR01/03		05 June 2014
Proposed floor plans	244TR01/04		05 June 2014
Proposed elevations	244TR01/05		05 June 2014
Proposed site plans	244TR01/06		29 August 2014

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.

BH2014/02531

106 Downs Valley Road Brighton

Erection of building for use as cattery.

Applicant: Marie Smith

Officer: Chris Swain 292178

Approved on 10/12/14 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 be carried on only by Mrs Marie Smith and by no other person and upon the cessation of occupation by Mrs Marie Smith the use hereby permitted shall cease.

Reason: This permission is granted exceptionally and only in view of the personal circumstances of the applicant.

3) UNI

The cattery use shall be confined solely to the hereby permitted outbuilding.

Reason: To protect the amenities of the occupiers of adjoining 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 plan			4 August 2014
Existing plan at 1:100			4 August 2014
Existing plan at 1:200			28 July 2014
Proposed plan at 1:100			4 August 2014
Proposed plan at 1:200			28 July 2014
Proposed Pod elevations	3/14		4 August 2014
Proposed Pod plan	3/14		4 August 2014

BH2014/02852

472 Falmer Road Brighton

Gable ended roof extension with barn hip over existing ground floor side extension incorporating double rooflight to front roofslope and dormer to rear

Applicant: Ms Catrina Hey

Officer: Chris Swain 292178

Refused on 02/12/14 DELEGATED

1) UNI

The proposed roof enlargement, in conjunction with the front rooflight and rear dormer window, by virtue of its design, which includes a large flat roof section, massing and close proximity to the adjoining property to the south, 1 Briarcroft Road, would result in a visually intrusive and overly bulky addition that would fail to respect the original form of the dwelling and result in a cramped relationship

with 1 Briarcroft Road. The proposal would harm the appearance and character of the building and the visual amenity of the wider surrounding area and is therefore contrary to policies QD1, QD2 and QD14 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/02869

2 Littleworth Close Brighton

Conversion of existing single dwelling into 2no detached houses, incorporating sub-division of the plot, replacement of existing single storey side extension with two storey side extension with pitched roof and associated alterations.

Applicant: Mr D Simson

Officer: Andrew Huntley 292321

Approved on 10/12/14 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 commence until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall accord with the standards described in Annex 6 of SPD 11 and 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.

4) 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.

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
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Location & Block Plan	whi01	A	02.09.2014
Existing Ground Floor Plan	whi05	C	27.08.2014
Existing First Floor & Roof Plans	whi06	B	27.08.2014
Existing Elevations	whi07	B	27.08.2014
Proposed Ground Floor Plan	whi10	D	02.09.2014
Proposed First Floor & Roof Plans	whi11	C	02.09.2014
Proposed Elevations	whi15	C	02.09.2014

6) 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.

BH2014/03086

3-9 Warren Way Brighton

Display of internally-illuminated fascia and hanging sign. (Retrospective)

Applicant: Co-operative Food Group

Officer: Joanne Doyle 292198

Approved on 09/12/14 DELEGATED

1) 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.

2) 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.

3) 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.

4) 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.

5) 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.

6) 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.

BH2014/03113

2 Baywood Gardens Brighton

Demolition of garage and erection of 1no. three bedroom, detached dwelling.

Applicant: Mr & Mrs Paul Simson

Officer: Wayne Nee 292132

Refused on 16/12/14 COMMITTEE

1) UNI

The proposed dwelling, by virtue of its excessive scale, mass, bulk, footprint and site coverage, is considered an inappropriate visually intrusive development that would represent an incongruous form of development that would be out of character with the pattern of surrounding development. Consequently the proposal represents an over-development of the site to the detriment of the surrounding area. The proposal is therefore contrary to policies QD1, QD2 and QD3 of the Brighton & Hove Local Plan.

2) UNI2

The proposed dwelling, by virtue of its excessive scale, mass, bulk and positioning, would represent an overbearing development that would have an un-neighbourly impact to the detriment of the amenities of the occupiers of neighbouring properties. The proposal would therefore be contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/03129

29 Brownleaf Road Brighton

Erection of single storey rear extension with associated alterations including installation of new window to side elevation. (Retrospective)

Applicant: Mr James Griffiths

Officer: Tom Mannings 292322

Approved on 02/12/14 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 Location Plan	1127 PL001		17/09/14
Existing Block Plan	1127 PL002		17/09/14
Proposed Block Plan	1127 PL003	A	18/11/14
Existing Ground Floor Plan	PL004		17/09/14

Existing Roof Plan	PL005		17/09/14
Existing Section A	PL006		17/09/14
Existing Side Elevation	PL007		17/09/14
Existing Front Elevation	PL008		17/09/14
Existing Rear Elevation	PL009		17/09/14
Proposed Ground Floor Plan	PL010	A	17/09/14
Proposed Roof Plan	PL011	A	17/09/14
Proposed Section A	PL012	A	17/09/14
Proposed Side Elevation	PL013	A	18/11/14
Proposed Front Elevation	PL014		17/09/14
Proposed Rear Elevation	PL015		17/09/14

BH2014/03241

100 Downs Valley Road Brighton

Proposed garden structure for habitable accommodation ancillary to the host dwelling.

Applicant: M West

Officer: Andrew Huntley 292321

Refused on 03/12/14 DELEGATED

1) UNI

The development, by reason of its physical detachment, internal layout and proposed access arrangement would create a self-contained dwellinghouse at the site. The proposed site layout would not reflect the original development of the area and the backland location would fail to create a sense of place and integrate with existing development. Consequently, the proposal is out of keeping with its surroundings to the detriment of the character of the area. This harm is considered to outweigh the benefit provided by the additional dwelling. As such it would be contrary to policies QD1, QD2, QD3 and HO5 of the Brighton and Hove Local Plan and the design objectives set out in the NPPF.

BH2014/03254

3-9 Warren Way Brighton

Repainting of existing shopfront and new roller shutters (Retrospective).

Applicant: The Co-operative Group

Officer: Robert Hermitage 290480

Approved on 17/12/14 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 Elevation, and Site Block Plan	2543-1	A	8th December 2014

BH2014/03308

1 Downs Valley Road Brighton

Alterations to existing garage to facilitate erection of single storey side extension incorporating garage, erection of single storey rear extension with associated roof extensions, installation of rooflights to side elevations and associated works.

Applicant: Mr T Cucciniello

Officer: Chris Swain 292178

Approved on 19/12/14 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 rooflights in the south facing roofslope of the development hereby permitted shall be obscure glazed and shall thereafter be permanently retained as such.

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

4) 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			2 October 2014
Existing block plan			2 October 2014
Proposed block plan			2 October 2014
Existing ground floor plans	08-0714		2 October 2014
Existing first floor plans	08-0714a		2 October 2014
Existing elevations	08-0714b		2 October 2014
Proposed ground floor plans	08-0714c		2 October 2014
Proposed first floor plans	08-0714d		2 October 2014
Proposed elevations	08-0714e		2 October 2014
Proposed roof plan	08-0714f		2 October 2014

BH2014/03529

12 Warren Way Brighton

Prior approval for change of use of ground floor from retail (A1) to residential (C3) to form 1no studio flat.

Applicant: First Charterhouse LLP

Officer: Wayne Nee 292132

Prior Approval is required and is refused on 11/12/14 DELEGATED

BH2014/03611

6 Newells Close Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 4.525m, and for which the height of the eaves would be 3.161m.

Applicant: Mrs Sharon Webb

Officer: Tom Mannings 292322

Prior Approval is required and is refused on 08/12/14 DELEGATED

BH2014/03619

3 Hylden Close Brighton

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.8m, and for which the height of the eaves would be 3m.

Applicant: Mrs Patricia Cobb

Officer: Joanne Doyle 292198

Prior approval not required on 08/12/14 DELEGATED

BH2014/03655

3-9 Warren Way Brighton

Removal of existing air conditioning units and replacement with new units to rear of building with associated works and formation of new access path at rear from goods in entrance to delivery area (part retrospective).

Applicant: The Co-operative Group

Officer: Robert Hermitage 290480

Approved on 31/12/14 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
Site and Block Plan	2543-2	-	30th October 2014
Existing and Proposed Plans and Elevations	2543-3	-	30th October 2014

BRUNSWICK AND ADELAIDE

BH2014/02321

21A Upper Market Street Hove

Change of use from flat (C3) to doctors surgery (D1).

Applicant: Mr Gary Toyne

Officer: Helen Hobbs 293335

Approved on 02/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

The premises shall be used for the provision of a doctors' surgery only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

3) UNI

The use hereby permitted shall not be operational except between the hours of 08.00 to 21.00 Mondays to 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

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			6th October 2014
Existing floor plan			1st October 2014
Proposed floor plan			1st October 2014

BH2014/02606

Flat 1 18 Brunswick Place Hove

Internal and external alterations including replacement of existing window with timber door, installation of extract grilles to external wall and alterations to layout.

Applicant: Ms Alison Tucker

Officer: Tom Mannings 292322

Approved on 20/11/14 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 external door 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.

BH2014/02608

Flat 1 18 Brunswick Place Hove

Replacement of existing window with timber door.

Applicant: Ms Alison Tucker

Officer: Tom Mannings 292322

Approved on 06/01/15 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

No works shall take place until full details of the proposed works including 1:20 scale sample elevations and 1:1 scale joinery profiles of the external door have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

3) UNI

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			04/08/14
Block Plan			04/08/14
Plan on Flat 1 as Existing	192/S01		29/08/14
Part Elevations to Flat 1 as Existing	192/S02		29/08/14
Plan on Flat as Proposed	192/D01		29/08/14
Part Elevations to Flat 1 as Proposed	192/D02	C	13/11/14

BH2014/02992

35 Holland Road Hove

Removal of existing fire escape to rear elevation.

Applicant: Mr Barry Hill

Officer: Lorenzo Pandolfi 292337

Approved on 03/12/14 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 and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the existing building.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Block Plan			08/09/2014
Existing Rear Elevation			08/10/2014
Proposed Rear Elevation			08/10/2014
Existing Basement Flat			08/10/2014
Proposed Basement Flat			08/10/2014
Existing Ground Floor Flat			08/10/2014
Proposed Ground Floor Flat			08/10/2014
Existing First Floor Flat			08/10/2014
Proposed First Floor Flat			08/10/2014
Existing Second Floor Flat			08/10/2014
Proposed Second Floor Flat			08/10/2014
Existing Third Floor Flat			08/10/2014
Proposed Third Floor Flat			08/10/2014

BH2014/03183

Flat 1 10-11 Palmeira Square Hove

Internal alterations to layout of flat.

Applicant: Filby Builders Limited

Officer: Helen Hobbs 293335

Approved on 03/12/14 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.

BH2014/03236

First Floor Flat 45 Lansdowne Street Hove

Replacement double glazed UPVC windows to rear.

Applicant: Mr Antao

Officer: Tom Mannings 292322

Approved on 06/01/15 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 window hereby approved shall be a white, double glazed sash window 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
Location Map	AKW 300/75152		25/09/14
Block Plan			25/09/14
Existing & Proposed Elevations	30082723		01/12/14
Window Specifications (2 pages)	300/75152	A	01/12/14

BH2014/03276

Flat 5 2 Brunswick Square Hove

Replacement of 3no existing UPVc windows with timber casement windows.

Applicant: Peter Ditch

Officer: Tom Mannings 292322

Approved on 05/12/14 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 shall be double glazed timber casement windows painted white. 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.

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 and Block Plan	34		26/09/14
Proposed Elevations - Option 3	12		26/09/14
Existing Plan	14		26/09/14
Existing Elevations	15		26/09/14
Window Details Type 2	22		26/09/14
Window Details Type 3	23		26/09/14
Window Joiner Details	33		26/09/14

BH2014/03277

Flat 5 2 Brunswick Square Hove

Replacement of 3 no existing UPVc windows with timber casement windows.

Applicant: Peter Ditch

Officer: Tom Mannings 292322

Approved on 05/12/14 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 windows shall be double glazed timber casement windows painted white. 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.

BH2014/03408

74 Western Road Brighton

Display of internally illuminated fascia sign and externally illuminated hanging sign.

Applicant: Robert Dyas Ltd

Officer: Mark Thomas 292336

Approved on 04/12/14 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.

BH2014/03420

Flat 2 19 Brunswick Terrace Hove

Internal alterations to layout of flat incorporating relocation of boiler flue.

Applicant: Myles Dacre

Officer: Paul Earp 292454

Approved on 03/12/14 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 existing vent within the kitchen window shall be removed and replaced with a new glass pane to match the remainder of the window frame before the proposed kitchen is brought into use.

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

3) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

4) UNI

The existing kitchen flue within the external wall shall be removed, and the masonry made good to match the surrounding finishes and colour, before the proposed kitchen is brought into use.

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

BH2014/03439

Basement Flat 2 29 Brunswick Terrace Hove

Internal alterations to layout of flat. (Part retrospective)

Applicant: Mr Stephen McNee
Officer: Jason Hawkes 292153
Approved on 19/12/14 DELEGATED

1) UNI

Within 3 months of the date of this permission, full details of the new door, including 1:20 scale elevational drawings and sections and 1:1 scale joinery sections, shall be submitted to and approved in writing by the Local Planning Authority. The new door shall be of timber construction with recessed panels. Any fireproofing to the door should be an integral part of the door construction, and self closing mechanisms, if required, shall be of the concealed mortice type. 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.

BH2014/03452

36 Waterloo Street Hove

Replacement of existing front windows with double-glazed timber sliding sash windows, with associated alterations to rendered corner mullions.

Applicant: Seadragon
Officer: Liz Arnold 291709

Approved on 09/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

No development shall take place until full details of all new sash window(s) and their reveals and cills 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 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 cills of the windows hereby approved shall be constructed of masonry.

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
Pre-Existing, Existing and Proposed Elevations	01	-	4th October 2014
Pre-Existing, Existing and Proposed Elevations	02	-	14th October 2014

Proposed Plans			
Large Scale Window Details	03	-	14th October 2014

BH2014/03556

46A York Road Hove

Replacement of existing single glazed timber door, sash and casement windows with double glazed timber patio doors and sash windows.

Applicant: Miss Kajsa Ingvarsson

Officer: Mark Thomas 292336

Approved on 05/01/15 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	-	-	10th November 2014
Window schedule, photographs and block plan	58-01_46YR	Rev. B	10th November 2014
Existing and proposed elevations	58-02_46YR	Rev. A	10th November 2014
Existing and proposed floor plan	58-04_46YR	Rev. A	10th November 2014
Window specification and sections	-	-	10th November 2014

BH2014/03795

Flat 4 48 Brunswick Place Hove

Application for Approval of Details Reserved by Condition 3 of application BH2014/02918

Applicant: Mr Jos Jorgensen

Officer: Joanne Doyle 292198

Approved on 31/12/14 DELEGATED

BH2014/03828

18 Salisbury Road Hove

Removal of existing metal fire escape and blocking up of 3no doors and replacement of 1no timber door with timber window to south elevation.

Applicant: 18 Salisbury Road Ltd

Officer: Liz Arnold 291709

Approved on 07/01/15 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 window hereby permitted in the south elevation shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

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	-	-	13th November 2014
Block Plan	-	-	13th November 2014
South Elevation as Existing	14042/11.001	-	13th November 2014
South Elevation as Proposed	14042/11.002	-	13th November 2014

CENTRAL HOVE

BH2014/02540

Flat 5 Royal Court 8 Kings Gardens Hove

Internal alterations to layout of fourth floor flat.

Applicant: Ms K Auguste

Officer: Mark Thomas 292336

Approved on 08/12/14 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 artificial ventilation runs and vents including scaled floor plans, 1:20 scale sample elevations and large scale vent details have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

3) UNI

No works shall take place until full details of the proposed doors including 1:20 scale sample elevations and 1:1 scale joinery profiles have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

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

BH2014/02637

40 Albany Villas Hove

Erection of single storey detached garage to replace existing with associated alterations. Installation of new railings and gates to front and rear boundaries and widening of vehicular access.

Applicant: Mr & Mrs Houlbrook

Officer: Helen Hobbs 293335

Refused on 09/12/14 DELEGATED

1) UNI

The proposed garage, by reason of design, siting and its excessive footprint would result in an unsympathetic and visually harmful addition to the rear of the property. The proposal would therefore significantly harm the character and appearance of the existing property, street scene and surrounding conservation area, contrary to policy QD14 and HE6 of the Brighton and Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

2) UNI2

The proposed alterations to both the front and rear boundary walls, would result in the boundaries appearing out of character with the adjoining properties and the general character of the surrounding conservation area. The introduction of the railings would form an incongruous addition to the property. The proposal would therefore significantly harm the character and appearance of the existing property, street scene and surrounding conservation area, contrary to policy QD14 and HE6 of the Brighton and Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/02698

1 Hove Street Hove

Application for Approval of Details Reserved by Conditions 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 of application BH2014/00735

Applicant: John Robinson

Officer: Liz Arnold 291709

Split Decision on 15/12/14 DELEGATED

1) UNI

APPROVE the details pursuant to conditions 11, 12, 13, 14, 15, 16, 17, 18 i) (a) i) (b) and 19 of approved application BH2014/00735 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 18 i) (c), 18 ii), 20 and 21 are NOT APPROVED

BH2014/02839

Basement Rear Flat 55 Tisbury Road Hove

Replacement of existing rear bay window with timber french doors.

Applicant: Miss Rebekah Elliott

Officer: Robert Hermitage 290480

Approved on 24/11/14 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	-	-	29th September 2014
Existing Floor Plan	-	-	16th September 2014
Proposed Floor Plan	-	-	16th September 2014
Existing Elevations	-	-	16th September 2014
Proposed Elevations	-	-	16th September 2014
Resulting Impression	-	-	21st August 2014

BH2014/03093

Flat 1 53 Osborne Villas Hove

Replacement of existing timber windows and door to rear with UPVC units.

Applicant: Ms Claire Bourdin

Officer: Mark Thomas 292336

Approved on 31/12/14 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
Site Location plan	-	-	29th September 2014
Window schedule	-	-	15th September 2014
Brochure by 'Anglian'	-	-	29th September 2014

Photographs	-	-	15th September 2014
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BH2014/03116

9 Blatchington Road Hove

Installation of rooflights to front and rear roof slopes and new window to front elevation.

Applicant: Eric Barnard

Officer: Jason Hawkes 292153

Approved on 24/11/14 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
Planning	01		17th September 2014

BH2014/03258

Second Floor Flat 21 Medina Villas Hove

Infill roof extension between two existing pitched roofs, creation of internal courtyard with retractable roof over and insertion of 2no rooflights to rear.

Applicant: Ms Sophia Jones

Officer: Mark Thomas 292336

Refused on 05/12/14 DELEGATED

1) UNI

The submitted drawings are not an accurate representation of the existing dwellinghouse and do not therefore allow proper consideration of the impact of the proposed development on the character and appearance of the building or wider Cliftonville Conservation Area. In the absence of such detail the proposal cannot be properly assessed against policies QD14 and HE6 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03282

1a Brooker Street Hove

Change of use from retail (A1) to leisure facility/swimming school (D2).

Applicant: Mr Rob Harper

Officer: Christopher Wright 292097

Approved on 09/12/14 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 not be occupied or brought into use 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

The premises shall be used for the provision of swimming lessons and training only and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

4) UNI

The development hereby permitted shall not be occupied or brought into use until a scheme for the soundproofing of the premises has been submitted to and approved in writing by the Local Planning Authority. The soundproofing measures shall be completed in accordance with the agreed details prior to the development being first brought into use and shall be maintained as such thereafter.

Reason: In order to safeguard the amenities of the occupiers of adjoining residential properties, in particular the residential unit on the first floor above the premises, 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
Site Location Plan			30 Sep 2014
Ground Floor Plan & Elevations (as existing)	14500E02		30 Sep 2014
Ground Floor Plan & Elevations (as proposed)	14500P02	E	3 Dec 2014

6) 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 4142:2014.

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.

BH2014/03298

83 Church Road Hove

Application for Approval of Details Reserved by Condition 1 of application BH2014/00471

Applicant: Mr F Asghari

Officer: Christopher Wright 292097

Refused on 25/11/14 DELEGATED

BH2014/03406

Flat D 63 Tisbury Road Hove

Application for Approval of Details Reserved by Conditions 2 and 3 of application BH2014/00328.

Applicant: Sparks Property Developments

Officer: Helen Hobbs 293335

Approved on 09/12/14 DELEGATED

BH2014/03494

Flat 9 6 Fourth Avenue Hove

Replacement of 2no existing windows on front elevation with inward opening doors and use of existing roof area as balcony with installation of railing.

Applicant: Mr Paul Hiily

Officer: Helen Hobbs 293335

Refused on 23/12/14 DELEGATED

1) UNI

The proposed development would result in the loss of two original sash windows and the introduction of replacement doors of an inappropriate design and style. The development would therefore disrupt the uniformity of the front elevation and would unbalance the pair of semi detached properties, to the detriment of the character and appearance of the existing property, street scene and the surrounding Conservation Area. The development is therefore contrary to policy HE6 of the Brighton and Hove Local Plan.

2) UNI2

The formation of a balcony and addition of a balustrade would form an incongruous and alien feature to the front elevation and would be out of keeping with the adjoining properties in the street. The proposal would therefore result in significant harm to the character and appearance of the existing property, street scene and surrounding Conservation Area. The development is therefore contrary to policy HE6 of the Brighton and Hove Local Plan.

3) UNI3

The proposed balcony, due to its close proximity to adjoining properties, would result in a perceived sense of overlooking and loss of privacy as well as a unacceptable levels of noise and disturbance, to the detriment of the amenity of the neighbouring properties. The development is therefore contrary to policy QD14 and QD27 of the Brighton and Hove Local Plan.

BH2014/03544

8 Vallance Road Hove

Erection of single storey rear extension , excavation to create basement floor, new balustrade to rear and new steps to garden.

Applicant: Mr & Mrs B Carden

Officer: Lorenzo Pandolfi 292337

Refused on 11/12/14 DELEGATED

1) UNI

The development, by reason of the screening height, associated with the raised patio, along the shared boundary with 10 Vallance Road, would result in a significant loss of light and outlook to a ground floor side facing window at no. 10. The development would therefore result in significant harm to neighbouring amenity and is contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/03614

4 Grand Avenue Hove

Replacement of stone paving to front entrance to match existing and new stone kerb.

Applicant: Four Grand Avenue (Hove) Man Co Ltd

Officer: Helen Hobbs 293335

Approved on 02/01/15 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 replacement York Stone shall match the appearance and laying pattern of the existing path.

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

BH2014/03654

32 Third Avenue Hove

Conversion of roof space to form 2no studio flats incorporating rooflights to north elevation and dormers to south elevation.

Applicant: Mr G Jasper

Officer: Christopher Wright 292097

Refused on 07/01/15 DELEGATED

1) UNI

The proposal would constitute an over-development of the roof space and would create a cramped layout to each flat with unsatisfactory outlook to bedrooms. The proposal would not provide the standard of accommodation reasonably expected by the Local Planning Authority and future residents' amenity and living conditions would be compromised. This harm is considered to outweigh the benefit provided by the additional residential units. As such the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/03656

Goldstone Business Centre 2 Goldstone Street Hove

Prior approval for change of use from offices (B1) to form 9no residential units (C3).

Applicant: Perth Securities

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 23/12/14 DELEGATED

BH2014/03657

143-145 Church Road Hove

Installation of new and replacement aluminium windows and door to side and rear

elevations at first and second floor level.

Applicant: Avon City Ltd
Officer: Helen Hobbs 293335
Approved on 31/12/14 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 plans, sections and elevations	0303.EXG.100	A	7th November 2014
Proposed plans and elevations	0303.PL.100	A	7th November 2014

BH2014/03696

143-145 Church Road Hove

Prior approval for change of use from offices (B1) to residential (C3) to form 2no one bed flats and 3no studio flats.

Applicant: Avon City Limited
Officer: Christopher Wright 292097

Prior Approval is required and is approved on 15/12/14 DELEGATED

GOLDSMID

BH2014/02678

84-86 Denmark Villas Hove

External alterations including revisions to fenestration following prior approval for change of use at first, second and third floor levels from offices (B1) to residential (C3) to form 15no flats.

Applicant: The Baron Homes Corporation
Officer: Andrew Huntley 292321

Refused on 10/12/14 DELEGATED

1) UNI

The proposed alterations, by reason of their design and detailing, would significantly dilute the uniformity and horizontal emphasis of the building and would further emphasise the poor unsightly contrast with the Hove Station Conservation Area. The proposal would not therefore be sympathetic to the appearance of the existing building and would cause further harm to the character and appearance of the wider Conservation Area, contrary to policies QD14 and HE6 of the Brighton and Hove Local Plan.

BH2014/02944

Flat 18 Gainsborough House 4-6 Eaton Gardens Hove

Replacement of timber windows and aluminium door with UPVC windows and door.

Applicant: T Roberts
Officer: Lorenzo Pandolfi 292337
Approved on 28/11/14 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	08/14/14		02/09/2014
Proposed windows	08/14/14		02/09/2014
Location plan and proposed single door	08/14/14		02/09/2014

BH2014/03246

St Annes Convent Rear of 3 Lansdowne Road Hove

Application for Approval of Details Reserved by Condition 12 of application BH2012/01702.

Applicant: Poor Servants of the Mother of God

Officer: Adrian Smith 290478

Approved on 21/11/14 DELEGATED

BH2014/03260

67 Wilbury Crescent Hove

Certificate of lawfulness for proposed roof alterations with front rooflights and rear dormer.

Applicant: Mrs Sian Lye

Officer: Sonia Gillam 292265

Approved on 25/11/14 DELEGATED

BH2014/03263

67 Wilbury Crescent Hove

Erection of single storey rear extensions.

Applicant: Mrs Sian Lye

Officer: Sonia Gillam 292265

Approved on 25/11/14 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 brickwork finish of the development hereby permitted shall match those of the existing building.

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

3) UNI

The rooflights in the side elevations of the development hereby permitted shall be obscure glazed and shall thereafter be permanently retained as such.

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

4) 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	CH628/001		29/09/2014
Existing plans	CH628/002		29/09/2014
Existing elevations and sections	CH628/003		29/09/2014
Proposed plans	CH628/004		29/09/2014
Proposed elevations and sections	CH628.005		29/09/2014

BH2014/03280

40 Livingstone Road Hove

Replacement of existing window with timber doors and installation of external timber staircase to rear at ground floor level.

Applicant: Ronan Whittaker

Officer: Mark Thomas 292336

Approved on 05/01/15 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
Site location plan	-	-	26th September 2014
Block plan	-	-	26th September 2014
Existing and proposed plans and elevations	01	-	26th September 2014
Photographs	-	-	8th December 2014

BH2014/03289

44 Hove Park Villas Hove

Creation of lightwells and installation of windows to side elevations at lower ground floor level.

Applicant: Mr Ben Hatch

Officer: Lorenzo Pandolfi 292337

Approved on 05/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location and Block Plans	CH611/001		30/09/2014
Existing Plans	CH611/002		10/10/2014
Existing Plans, Elevations and Sections	CH611/003		30/09/2014
Existing Plans, Elevations and Sections	CH611/004		10/10/2014
Proposed Basement and Elevations	CH611/015		30/09/2014
Proposed Sections	CH611/016		30/09/2014

BH2014/03364

Beresford Court Somerhill Road Hove

Change of use from basement storage (B8) to offices (B1) with associated alterations.

Applicant: Geneva Investment Group

Officer: Adrian Smith 290478

Approved on 04/12/14 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 premises shall be used for the provision of B1(a) offices only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

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 and block plan	2962-loc	-	07/10/2014
Existing plans and elevations	2962-01	-	01/10/2014
Proposed plans and elevations	2962-03	A	17/10/2014

BH2014/03409

19 The Upper Drive Hove

Application for variation of condition 2 of application BH2014/00421 to permit amendments to the approved drawings to vary internal and external layout.

Applicant: Cotes Developments

Officer: Jason Hawkes 292153

Approved on 02/01/15 DELEGATED

1) UNI

Not used

2) UNI

The 1.8 obscure glazed screen for the approved second floor terrace, as indicated on drawing no.GD357/GA104E, shall be installed prior to the first occupation of Apartment 9. The screen shall be retained as such thereafter.

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.

3) UNI

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

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

4) UNI

Unless otherwise agreed in writing by the Local Planning Authority, the new dwellings hereby permitted shall be constructed to Lifetime 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

The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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

6) UNI

The development hereby approved shall not be occupied until the refuse and recycling storage facilities approved under BH2014/00959 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.

7) UNI

The development shall be implemented using the materials approved under BH2014/00959 and shall thereafter be retained as such.

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

8) UNI

The development shall be implemented in accordance with the Code for Sustainable Homes certificates (submitted at the Design Stage) indicating Level 3 approved under BH2014/00959.

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 development shall be implemented in accordance with green roof details approved under BH2014/00959. The green roofs shall be implemented as approved before the dwellings are occupied and maintained to the satisfaction of the Local Planning Authority thereafter.

Reason: To ensure a satisfactory appearance to the development and enhance nature conservation and to comply with policies QD1, QD2 and QD15 of the Brighton and Hove Local Plan.

10) UNI

The development shall be implemented in accordance with cycle parking details approved under BH2014/00959. 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) UNI

The development shall be implemented in accordance with the landscaping details approved under BH2014/00959 and thereafter retained as such.

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

The development shall be implemented in accordance with the method statement demonstrating how trees in close proximity to proposed hardsurfaces are to be treated as approved under BH2014/00959. The works shall be implemented in

strict accordance with the approved details and thereafter maintained.

Reason: To ensure satisfactory care of trees and to comply with policies QD15 & QD16 of the Brighton and Hove Local Plan.

13) UNI

The vehicular crossovers onto the public highway shall be constructed in accordance with the Council approved Manual for Estate Roads and under licence from the Highway Operations Manager.

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

14) 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.

15) UNI

The development shall be implemented in accordance with the landscaping details approved under BH2014/00959 and thereafter retained as such.

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.

16) UNI

The development shall be implemented in accordance with the details of fences for tree protection measures approved under BH2014/00959. The fences shall be retained until the completion of the development and no vehicles, plant or machinery shall be driven or placed within the areas enclosed by such fencing.

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

17) UNI

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

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

18) 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
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Proposed Site Plan	GD355/P/100		10th February 2014
Proposed Lower Ground Floor Plan	GD355/P/101	A	9th October 2014
Proposed Ground Floor Plan	GD355/P/102	A	9th October 2014
Proposed First Floor Plan	GD355/P/103	A	16th December 2014
Proposed Third Floor Plan	GD355/P/105		10th February 2014
Proposed Elevations	GD355/P/200	A	9th October 2014
Existing & Proposed Street Elevations	GD355/P/201		10th February 2014
Proposed Site Sections	GD355/P/300		10th February 2014
Elevation C (Rear Gardens)	GD357/GA203	C	18th August 2014
Elevation A (The Upper Drive)	GD357/GA201	B	18th August 2014
Elevation D (Neighbouring No.17)	GD357/GA204	C	18th August 2014
Proposed Second Floor Plan	GA104	E	18th August 2014
Existing Site Survey	TA407/02	A	19th January 2014
Existing Site Location Plans	TA407/01	B	19th January 2014

BH2014/03418

28 Denmark Villas Hove

Erection of single storey side extension and insertion of 2no rooflights.

Applicant: Mr & Mrs Dalley

Officer: Lorenzo Pandolfi 292337

Refused on 08/12/14 DELEGATED

1) UNI

The proposed extension would not respect the original form and layout of the semi-detached pair, would not preserve its traditional character and would alter the visual rhythm of the east side of Denmark Villas. As such the scheme would detrimentally impact on the character of the host building and the appearance of the Denmark Villas Conservation Area and would be contrary to Policies QD14 and HE6 of the Brighton and Hove Local Plan.

BH2014/03429

84 Goldstone Villas Hove

Change of use from retail (A1) to public house (A4).

Applicant: Mrs Ruth Evans

Officer: Christopher Wright 292097

Approved on 18/12/14 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 commence until an acoustic report indicating that external plant will not cause unreasonable noise or vibration disturbance to local residents and businesses has been submitted to and approved in writing by the Local

Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

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

3) UNI

The use hereby permitted shall not be open to customers except between the hours of 12.00 and 21.00 on Mondays to Thursdays and 12.00 and 23.00 on Fridays and Saturdays and 12.00 and 15.00 on Sundays.

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

4) UNI

There shall be no preparation/cooking/heating-up of hot or cold food on the premises. No hot or cold food shall be served to customers on the premises other than bar snacks.

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

No vehicular movements nor any loading or unloading of vehicles associated with the use hereby permitted shall take place in the vicinity of the application site except between the hours of 08.00 and 18.00 Mondays to Fridays and 09.00 and 18.00 on Saturdays and not at any time 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.

6) UNI

There shall be no live music, amplified music or playback of recorded music in association with the approved use of the premises at any time.

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.

7) UNI

The areas of the premises to be used by customers shall be limited to the areas marked W.C. and within the front room (marked Micro Pub) of the premises as shown on drawing 84GV-P1 hereby approved. Customers shall not be permitted in the other parts of the premises.

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.

8) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan			13 Oct 2014
Planning Application (Existing and Proposed Floor Plans)	84GV-P1		13 Oct 2014
Proposed Rear Elevation			23 Oct 2014

9) UNI

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

approved details prior to the occupation of the development and shall thereafter be retained as such.

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

BH2014/03652

Land to South of 32 Cambridge Grove Hove

Variation of conditions 8 and 12 of application BH2014/00332 (Erection of 1no 3 bedroom dwelling (C3)) to require the development to achieve level 4 rather than 5 of the code for sustainable homes.

Applicant: Putensen Properties

Officer: Helen Hobbs 293335

Approved on 02/01/15 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 dwellinghouse as provided for within Schedule 2, Part 1, Classes A and E and Part 40 Class A 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, QD27 and HE6 of the Brighton & Hove Local Plan.

3) UNI

The decorative brickwork elements and the profile for the coping of the boundary wall shall match the existing walls identified in the application at the east side of Cambridge Grove.

Reason: To ensure a satisfactory appearance to the development and to comply with policies QD1 and HE6 of the Brighton & Hove Local Plan

4) 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.

5) 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 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.

6) UNI

No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers / densities and an implementation programme. At least one or two replacement trees should be marked on these plans to replace the juvenile Elm that will be removed to facilitate the development. Limited space means these trees may only be fruit trees on dwarf rooting stock.

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

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 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

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. The submission shall also include details of an appropriate means of access to the store. 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

If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

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

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	CG.01		4th February 2014
Block plan and aerial views	CG.02		4th February 2014
Site plan	CG.03		4th February 2014
Existing plans	CG.04		10th February 2014
Existing street/rear elevations	CG.05		4th February 2014
Existing north elevation	CG.06		4th February 2014
Proposed lower ground floor plans	CG.07		4th February 2014
Proposed ground floor plans	CG.08		4th February 2014
Proposed roof plans	CG.09		4th February 2014
Proposed sections	CG.10		4th February 2014
Proposed street/rear elevations	CG.11		4th February 2014
Proposed north and south elevations	CG.12		4th February 2014
Proposed wall	CG.13		12th February 2014
Sun path chart	CG.14		12th February 2014

12) 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 including a brick sample for the boundary wall 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

BH2014/03720

35 Lyndhurst Road Hove

Certificate of lawfulness for proposed creation of rear dormer.

Applicant: Mrs Susan Lytle

Officer: Tom Mannings 292322

Approved on 31/12/14 DELEGATED

HANGLETON & KNOLL

BH2014/01013

94 Sunninghill Avenue Hove

Erection of single storey rear extension to replace existing conservatory.

Applicant: Richard Clatton
Officer: Robert Hermitage 290480
Approved on 07/01/15 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	-	-	12th May 2014
Block Plan	-	-	12th May 2014
Proposed Ground Floor Plan	13/16-02	-	16th April 2014
Existing Ground Floor Plan	13/16-03	-	16th April 2014
Proposed Elevations	13/16-01	A	7th July 2014

BH2014/01097

5 The Parade Hangleton Road Hove

Display of non illuminated projecting sign and vinyls.

Applicant: Co-Operative Group Building

Officer: Robert Hermitage 290480

Approved on 09/12/14 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) BH10.05

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.

5) 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.

6) UNI

Within three months of the date of this decision, the existing projecting oval-shaped "Post Office" sign located to the left of the fascia sign should be removed and any damage incurred by its removal repaired.

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

BH2014/02489

Land to Rear of Harmsworth Crescent Hardwick Road Hove

Erection of 4no three bedroom houses.

Applicant: Brighton & Hove City Council

Officer: Jason Hawkes 292153

Approved on 30/12/14 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 hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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

3) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles 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.

4) 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.

5) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouses as provided for within Schedule 2, Part 1, Classes A, B, C, D & 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: To protect the amenity of adjacent properties and in accordance with policy QD27 of the Brighton & Hove Local Plan.

6) 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) 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,

(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.

7) 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.

8) UNI

No development shall take place until a Waste Minimisation Statement, in accordance with Supplementary Planning Document 03: Construction and Demolition Waste, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be

implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policy SU13 of the Brighton & Hove Local Plan, policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Supplementary Planning Document 03 Construction and Demolition Waste.

9) UNI

No development shall commence until a Arboricultural Method Statement outlining protection measures for trees and hedges adjoining the site during construction works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details to protect the root protection area of trees adjoining the site during construction works. The scheme shall be implemented in accordance with the agreed details.

Reason: To protect the trees and hedges adjoining 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) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed 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.

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.

11) 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.

12) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed development 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 and elevations with datum levels clearly marked. 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 and Hove Local Plan.

13) 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 development achieves a Code for Sustainable Homes rating of Code level 4 as a minimum for the 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.

14) UNI

No development shall take place until a full scheme including layout and constructional drawings, setting out the highway works to the site access on Harmsworth Crescent and the associated footway works and the access road within the site has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.

Reason: To ensure that there suitable footway provision is provided to and from the development and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

15) 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.

16) 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 the residential units 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.

17) 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.

18) 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	PL01	A	30th July 2014
Existing Site Plan	PL02		23rd July 2014

Proposed Site Plan	PL03	C	5th 2014	November
Proposed House Types A & B	PL04	A	5th 2014	November
Proposed East & West Elevations	PL06	B	5th 2014	November
Cross Section A-A	PL07	B	5th 2014	November
Cross Section B-B	PL08	B	5th 2014	November
Proposed East & West Elevations - Material Key	PL09	B	5th 2014	November
Proposed North & South Elevations	PL11		5th 2014	November

BH2014/03119

10 Summerdale Road Hove

Installation of front dormer.

Applicant: Miss Victoria Bean

Officer: Lorenzo Pandolfi 292337

Approved on 08/12/14 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 Layout		A	12/11/2014
Proposed Front Dormer		A	12/11/2014

BH2014/03250

25 Egmont Road Hove

Erection of two storey rear extension with associated roof extensions and alterations.

Applicant: Mr Andrew Stanley

Officer: Mark Thomas 292336

Refused on 12/12/14 DELEGATED

1) UNI

The submitted plans are inaccurate and there are inconsistencies between the different plans with regard to the dimensions and design of the proposal.

Notwithstanding this, the proposal, by reason of its siting, height, scale, massing and design, would be an incongruous and bulky addition which would be harmful to the character and appearance of the host property and the row of terraces. The proposal, also by reason of its siting, height, scale, massing and design would be overbearing to the adjoining property 27 Egmont Road and would be harmful to their residential amenity. As such the proposal is contrary to Brighton & Hove Local Plan policies QD14, QD27 and Supplementary Planning Document 12 'Design Guide for Extensions and Alterations'.

BH2014/03305

103 Hangleton Valley Drive Hove

Erection of single storey rear extension and conservatory and alterations to fenestration.

Applicant: Mr Cummins

Officer: Lorenzo Pandolfi 292337

Approved on 18/12/14 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
Drawing 1 Existing & Proposed Floor Plans & Elevations			23/10/2014
Drawing 2 Location and Block Plan			23/10/2014

BH2014/03321

253 Old Shoreham Road Hove

Application for approval of details reserved by conditions 4(a), 4(b) and 5 of application BH2014/00913.

Applicant: Mr R Bascomb

Officer: Helen Hobbs 293335

Approved on 31/12/14 DELEGATED

BH2014/03323

128 Hangleton Way Hove

Erection of single storey rear extension with associated external alterations.

Applicant: Mr M Mitchell

Officer: Lorenzo Pandolfi 292337

Approved on 17/12/14 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 side window hereby approved shall be obscure glazed and, unless any part 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, non-opening. The windows shall be retained as such thereafter.

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

3) UNI

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

4) UNI

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, Existing and Proposed Floorplans and Elevations	02		03/10/2014

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.

BH2014/03346

7 Hangleton Lane Hove

Application for Approval of Details Reserved by Condition 4 of application BH2013/00044.

Applicant: Mr Savash Osman

Officer: Helen Hobbs 293335

Approved on 11/12/14 DELEGATED

BH2014/03367

169 Hangleton Way Hove

Change of use from retail (A1) to financial and professional services (A2) (retrospective).

Applicant: ilnsure365

Officer: Adrian Smith 290478

Approved on 10/12/14 DELEGATED

1) UNI

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 plan, block plan, existing and proposed floor plans	169HW/02	-	16/10/2014

BH2014/03373

37 Elm Drive Hove

Certificate of Lawfulness for proposed single storey side extension.

Applicant: Mr Derek Pickering

Officer: Lorenzo Pandolfi 292337

Approved on 04/12/14 DELEGATED

BH2014/03628

20 Olive Road Hove

Application for approval of details reserved by conditions 5(a), 7 and 8 of application BH2013/03982.

Applicant: Billaway Developments Ltd

Officer: Helen Hobbs 293335

Approved on 22/12/14 DELEGATED

BH2014/03712

165 Hangleton Way Hove

Application for Approval of Details Reserved by Condition 7 of application BH2014/01071

Applicant: Best One

Officer: Liz Arnold 291709

Approved on 24/11/14 DELEGATED

BH2014/03732

19 Godwin Road Hove

Erection of single storey rear extension.

Applicant: Brighton and Hove City Council

Officer: Tom Mannings 292322

Refused on 30/12/14 DELEGATED

1) UNI

The proposed rear extension, by virtue of its scale, bulk, height and design would form an overly dominant addition which would not appear subservient to the existing building and would result in an over-extended appearance to the property. The proposal would result in a significant and harmful change to the property's original plan form, character and appearance and impact upon the visual amenities of neighbouring properties. The proposed development is therefore contrary to policy QD14 of the Brighton and Hove Local Plan and Supplementary Planning Document SPD12: Design guide for extensions and alterations.

BH2014/03868

70 Hallyburton 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 3.1m and for which the height of the eaves would be 3m.

Applicant: Ms Rachel Grant

Officer: Helen Hobbs 293335

Prior Approval is required and is refused on 22/12/14 DELEGATED

BH2014/04022

28 High Park 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 5m, for which the maximum height would be 3.5m, and for which the height of the eaves would be 2.95m.

Applicant: Mr Behroush Nobakhsh

Officer: Joanne Doyle 292198

Prior approval not required on 07/01/15 DELEGATED

NORTH PORTSLADE

BH2014/02490

Flint Close Portslade

Demolition of existing garages and erection of 4no houses with 6no car parking spaces, cycle and refuse storage.

Applicant: Brighton & Hove City Council

Officer: Adrian Smith 290478

Approved on 21/11/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

The new 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.

3) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(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.

4) UNI

The first floor windows in the side elevations of each dwellinghouse 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.

5) 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 QD14 of the Brighton & Hove Local Plan.

6) UNI

No development shall take place until a scheme setting out highway works to implement a continuous footway to the rear of the parked vehicles on Flint Close, retaining the existing level of on-street car parking spaces has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved highway works have been carried out in accordance with the approved scheme.

Reason: To ensure that there suitable footway provision is provided to and from the development and to comply with policies TR7 and TR8 of the Brighton & Hove Local Plan.

7) 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.

8) 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.

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

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.

11) 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) 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 received on 13 August 2014 and update received on 12 September 2014 in accordance with BS10175:2001; and, unless otherwise agreed in writing by the Local Planning Authority,

(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.

12) 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.

13) 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.

14) 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.

15) 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
Site plan	PL01	A	30/07/2014
Existing site plan	PL02	-	23/07/2014
Existing floor plan/topographical survey	L6379/1	0	08/09/2014
Existing elevations	L6379/2 PL10 0		08/09/2014 08/09/2014
Proposed site plan	PL03	B	11/11/2014
Proposed floor plans	PL04	A	11/11/2014
Proposed elevations A & B	PL05	A	11/11/2014
Proposed elevations C & D	PL06	A	11/11/2014
Proposed elevations E & F	PL07	A	11/11/2014
Proposed sections	PL08	A	11/11/2014

BH2014/03663

Former Car Park & Driveway Rowan House Rowan Close Brighton

Outline application for erection of 4no semi-detached houses.

Applicant: Rowan Close Limited

Officer: Adrian Smith 290478

Refused on 22/12/14 DELEGATED

1) UNI

The proposed site layout and proximity of the buildings to the site boundaries represents a cramped form of development out of keeping with the surrounding area. The proposed development is therefore considered to represent an overdevelopment of the site contrary to policies QD1, QD2 & QD3 of the Brighton and Hove Local Plan.

2) UNI2

The proposed development, by virtue of its limited outlook and disproportionately small private amenity space, particularly to units 3 & 4, would result in a poor overall standard of accommodation for future occupiers, contrary to policies QD27 and HO5 of the Brighton and Hove Local Plan.

3) UNI3

The proposed development, by virtue of its cramped layout, would have an overbearing impact on adjacent occupiers at 2-8 Rowan Close, resulting in a

significant loss of outlook and privacy, contrary to policy QD27 of the Brighton and Hove Local Plan.

BH2014/03810

196 Valley Road Portslade

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 3.2m, and for which the height of the eaves would be 3.2m.

Applicant: Ms Jackie Lamont

Officer: Sonia Gillam 292265

Prior Approval is required and is refused on 10/12/14 DELEGATED

BH2014/03956

105 Graham Crescent Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 3.2m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 3m.

Applicant: Miss H Skilling

Officer: Joanne Doyle 292198

Prior approval not required on 07/01/15 DELEGATED

SOUTH PORTSLADE

BH2013/02772

6 Locks Hill Portslade

Demolition of existing building (D1) and erection of 5 houses fronting Locks Hill with car parking and vehicular access from rear.

Applicant: J B Howard Properties Ltd

Officer: Nicola Hurley 292114

Refused on 24/11/14 DELEGATED

1) UNI

The proposed terrace of five properties by reason of its scale, footprint, height, poor design detailing and materials would appear as an overly dominant form that would have a detrimental impact on the setting of the neighbouring listed building, 8 Locks Hill. The proposed development is therefore contrary to policies QD1, QD2 and HE3 and HE10 of the Brighton and Hove Local Plan.

BH2014/01523

7 Symbister Road Portslade

Demolition of existing building and erection of a part three/part four storey building to form 9no flats incorporating communal garden to rear and 4no off street parking spaces to the front.

Applicant: Nova Developments (UK) Limited

Officer: Jason Hawkes 292153

Approved after Section 106 signed on 05/12/14 COMMITTEE

1) UNI

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) 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.

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 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.

5) UNI

Access to the flat roof over the building 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

The side facing windows in the east 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 screen for the approved rear first floor terrace, as indicated on drawing no.(08)005A, shall be installed before the terrace is brought into use. The screen shall be retained as such thereafter.

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.

8) UNI

The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private motor vehicles and motorcycles 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.

9) UNI

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

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

10) 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.

11) UNI

No development shall take place until details of a scheme of works to link the existing footway on Symbister Road into the proposed forecourt area in front of the development site, as detailed in drawing number (08)003A shall 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: To ensure a satisfactory pedestrian access in accordance with policy TR7 of the Brighton & Hove Local Plan.

12) UNI

Notwithstanding the submitted details, the development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

13) 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.

14) 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.

15) UNI

15) (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,

(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.

16) UNI

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping, which shall include 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.

17) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

18) UNI

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.

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 Site Plan	(08)001	A	1st August 2014
Existing Elevations	(08) 002		9th May 2014
Proposed Floor Plans	(08) 003	A	1st August 2014
Roof Plan and Face to Face Distances	(08) 004	A	1st August 2014
Proposed Elevations	(08) 005	A	1st August 2014

BH2014/02793

Horsfield Court Locks Crescent Portslade

Replacement of existing concrete tiled roof with steel tiled roof.

Applicant: Brighton & Hove City Council

Officer: Joanne Doyle 292198

Approved on 21/11/14 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 Decra Classic Pantile Steel Tiles (specification Teak) and shall be retained as such thereafter.

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Location Plan			15 Aug 2014
Roof Plan			15 Aug 2014

BH2014/03174

47 Fairfield Gardens Portslade

Certificate of lawfulness for existing loft conversion incorporating hip to gable roof extension, front rooflight and rear dormer.

Applicant: Mr David Noyes

Officer: Helen Hobbs 293335
Approved on 17/12/14 DELEGATED

BH2014/03221

Brackenbury Primary School Locks Hill Portslade

Erection of lean-to conservatory extension to 4no adjoining classrooms on southern elevation.

Applicant: Brighton & Hove City Council

Officer: Christopher Wright 292097

Approved on 26/11/14 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 & Site Layout Plans	ED220-001		24 Sep 2014
Existing Site Layout	002		24 Sep 2014
Proposed Site Layout New Conservatories to 4no. Classrooms	003		24 Sep 2014
Existing Plan & Playground Elevation	004		24 Sep 2014
Proposed Plan & Elevation	005		24 Sep 2014
Proposed Section/Details	006		24 Sep 2014

BH2014/03257

114 Foredown Drive Portslade

Certificate of lawfulness for proposed loft conversion incorporating hip to gable roof extension, rear dormer, 2no front rooflights and side window. Proposed erection of a single storey rear extension.

Applicant: Stuart Manners & Christine Freeman

Officer: Joanne Doyle 292198

Approved on 24/11/14 DELEGATED

BH2014/03266

Dinnages Ford & Volvo Victoria Road Portslade

Display of 1no externally illuminated pylon, 1no internally illuminated entrance surround, 1no internally illuminated fascia, 1no non-illuminated free standing sign, 1no non-illuminated fascia sign and 3no non-illuminated fascia signs.

Applicant: Ford Motor Company

Officer: Christopher Wright 292097

Approved on 12/12/14 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.

BH2014/03315

9 Sharpthorne Crescent Portslade

Demolition of existing garage and store room to sides and erection of two storey side extension, creation of timber decking to rear and new crossover to front.

Applicant: Mr Steve Wedge
Officer: Helen Hobbs 293335
Refused on 05/12/14 DELEGATED

1) UNI

The proposed two storey side extension, by reason of its scale and siting and the resulting loss of visual separation with the adjoining property (no. 11), would form an overly dominant addition and would encroach on the sense of space and separation between the application site and adjoining property and would appear overbearing for occupants of no. 11. The extension would fail to emphasise or enhance the positive qualities of the local neighbourhood, and would instead cause significant harm to the character and appearance of the street scene, surrounding area and neighbouring amenity. The proposal is therefore contrary to policies QD2, QD14 and QD27 of the Brighton & Hove Local Plan, and Supplementary Planning Document 12 Design Guide on Extension and Alterations.

BH2014/03332

Vale House Vale Road Portslade

External alterations including new aluminium windows, enlarged window openings, creation of balconies, insulated walls and roof cladding to all elevations, extension of second floor flat, erection of bicycle storage and new electrical substation following prior approval application BH2014/00390 for change of use from offices (B1) to form 42no residential units. (Part retrospective)

Applicant: C.L.T.X. Ltd
Officer: Joanne Doyle 292198
Approved on 12/12/14 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 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

Notwithstanding the submitted plans no development shall take place until details of opaque privacy screens to balconies to the south and western elevations have been submitted to and approved in writing by the Local Planning Authority. The privacy screens shall be installed in accordance with the agreed details prior to first occupation 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 and Hove Local Plan.

4) UNI

The Party Walls between the stairways and residential units shall be designed to achieve a sound insulation value of 5dB better than Approved Document E performance standard, for airborne sound insulation for walls of purpose built dwelling-houses and flats. Prior to commencement, written details of the scheme with calculations showing that the standard will be achieved, shall be submitted

for approval to the local planning authority.

5) UNI

No works pursuant to this permission shall commence 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;

(Please note that 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 be confirmed in writing);

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 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) built drawings of the implemented scheme;

b) photographs of the re

6) UNI

Notwithstanding the submitted plans no development shall take place until samples of the 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 policies QD1 and QD14 of the Brighton & Hove Local Plan.

7) 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
Plan Type	Reference	Version	Date Received
Site Location Plan	985.09-004		06 Oct 2014
Existing Ground Floor Plan & Site Plan	985.09-001		17 Oct 2014
Existing First Floor Plan	985.09-002		17 Oct 2014
Existing Second & Plant Floor Plan	985.09-003		17 Oct 2014

Proposed Ground Floor Plan & Site Plan	985.09-101	F	24 Nov 2014
Approved Ground Floor Plan	985.09-101	A	06 Oct 2014
Approved First Floor Plan	985.09-102	A	06 Oct 2014
Approved First Floor Plan	985.09-102	B	06 Oct 2014
Approved Second & Third Floor Plan	985.09-103	A	06 Oct 2014
Proposed Second & Plant Floor Plan	985.09-103	C	06 Oct 2014
Existing & Proposed South Elevation	985.09-120		17 Oct 2014
Approved & Proposed South Elevation	985.09-120	C	06 Oct 2014
Existing & Proposed North Elevation	985.09-121		17 Oct 2014
Approved & Proposed North Elevation	985.09-121	C	06 Oct 2014
Existing & Proposed West Elevation	985.09-122		17 Oct 2014
Approved & Proposed West Elevation	985.09-122	C	06 Oct 2014
Existing & Proposed Rear Ext South Elevation	985.09-123		17 Oct 2014
Existing & Proposed East Section/Elevation & Internal Courtyard Elevations	985.09-124		17 Oct 2014
Approved & Proposed East Section/Elevation	985.09-124	C	06 Oct 2014
Proposed Substation & Plans & Elevations	985.09-125	B	06 Oct 2014
Proposed Refuse & Cycle Storage	985.09-126	B	06 Oct 2014

8) UNI

Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 10dB below the existing LA90 background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:2014.

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.

BH2014/03356

Part of Unit 6 Freemans Road Portslade

Change of use to motor cycle repair centre (B2) with ancillary MOT testing.

Applicant: KC Motorcycles

Officer: Helen Hobbs 293335

Approved on 12/12/14 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 approved shall not operate other than between 09.00 and 18.00 Monday to Friday and 09.00 and 16.00 on Saturdays, and not at any time on Sundays and Bank Holidays.

Reason: To protect the amenity of neighbouring occupiers and to comply with policies SU9, SU10 and QD27 of the Brighton and 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 and layout	14-111/02		17th October 2014

BH2014/03470

84 Wolseley Road Portslade

Conversion of ground floor garages and area behind garages to 1no two bedroom flat (C3) with associated alterations including installation of windows and door and creation of lightwells.

Applicant: Mr Gary Ablewhite

Officer: Jason Hawkes 292153

Approved on 18/12/14 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 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 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 external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

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

4) UNI

The development hereby permitted shall 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.

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
Location & Block Plan	CH638/001		15th October 2014
Existing Plans & Elevation	CH638/002		15th October 2014
Existing Elevations	CH638/003		15th October 2014
Proposed Plans & Elevations	CH638/004	A	18th November 2014
Proposed Elevations	CH638/005	A	18th November 2014

6) 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 to comply with policy QD27 of the Brighton & Hove Local Plan.

BH2014/03502

281 Old Shoreham Road Portslade

Certificate of lawfulness for proposed roof alterations incorporating gable extensions, rear dormer, front rooflight and erection of detached canopy to side.

Applicant: Glenn Doney

Officer: Tom Mannings 292322

Split Decision on 12/12/14 DELEGATED

BH2014/03540

21 Gladstone Road Portslade

Erection of two storey rear extension and roof alterations and extension including rooflights to front elevation.

Applicant: Mrs Suzana Rucaj

Officer: Joanne Doyle 292198

Refused on 16/12/14 DELEGATED

1) UNI

The proposed two storey rear extension, by reason of its scale, design, roof form, bulk and height would result in an overly dominant addition that relates poorly to the existing building giving it an over-extended appearance and detracting from the appearance and character of the property and the wider surrounding area, contrary to policy QD14 of the Brighton and Hove Local Plan and the Supplementary Planning Document: Design Guide for Extensions and

Alterations (SPD12).

BH2014/03545

67A Station Road Portslade

Prior approval for change of use from retail (A1) to residential (C3) to form 1no residential dwelling.

Applicant: Mr Faris Wahab

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 17/12/14 DELEGATED

BH2014/03572

15 St Aubyns Road Portslade

Certificate of lawfulness for proposed loft conversion including creation of full width dormer and insertion of rooflights.

Applicant: Ms Sophie Pedlow

Officer: Lorenzo Pandolfi 292337

Approved on 19/12/14 DELEGATED

BH2014/03629

9 Sharpthorne Crescent Portslade

Certificate of lawfulness for proposed dormers to side elevations and alterations to fenestration at the rear and side.

Applicant: Mr Stevie Wedge

Officer: Helen Hobbs 293335

Approved on 05/01/15 DELEGATED

BH2014/04000

13 Vale Road Portslade

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4.985m, for which the maximum height would be 3.3m, and for which the height of the eaves would be 3m.

Applicant: Mr J Coventry

Officer: Tom Mannings 292322

Prior approval not required on 07/01/15 DELEGATED

HOVE PARK

BH2014/00935

154-158 Sackville Road Hove

Conversion of existing care home (C2) to form 1no four bed dwelling.

Applicant: Mrs Gwen Wells-Brown

Officer: Liz Arnold 291709

Approved on 20/11/14 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 there has been submitted to and approved in writing by the Local Planning Authority, a plan detailing the proposed subdivision of the rear garden area and the position, height, design, materials and

type of the new boundary treatment proposed between nos. 154 and 156-158. The boundary treatment shall be provided in accordance with the approved details before the hereby approved dwellinghouse is occupied.

Reason: To ensure a satisfactory appearance in the interest of the visual and residential amenities of the area and to comply with policies QD1 and QD27 of the Brighton & Hove Local Plan.

3) UNI

The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Site Plan	-	-	29th April 2014
Existing Floor Plans	14/03/01	-	20th March 2014
Proposed Floor Plans	14/03/02	-	20th March 2014

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.

BH2014/01338

Land at City Park Orchard Road Hove

Application for variation of condition 2 of application BH2012/01354 (Erection of 6no two bedroom houses with associated landscaping and cycle spaces) to permit material alterations including enlargement of units 1 and 2 and alterations to layout, landscaping and to facilitate disabled access.

Applicant: BCM

Officer: Jason Hawkes 292153

Approved on 01/12/14 DELEGATED

1) UNI

Not used.

2) UNI

The first floor windows (window no.1FW2 indicated on drawing no.Y073-G-008 and window 1FW1(OB) indicated on drawing no.Y073-G-007/3-6A) of the development hereby permitted shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7 metres above

the floor of the room in which the window is installed, and thereafter permanently retained as such.

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

3) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties and 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

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 [in the western elevation of the extension/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.

5) UNI

No cables, wires, aerials, pipework (except rainwater downpipes shown on the approved plans) meter boxes, ventilation grilles or flues shall be fixed to or penetrate any external elevation, other than those shown on the approved drawings, without the prior consent in writing of the Local Planning Authority.

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

6) UNI

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

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

7) 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.

8) UNI

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: In the interests of the protection of controlled waters (groundwater) as

the site is within a Source Protection Zone 1 area for a public water supply abstraction point and in comply with policies SU9 and SU11 of the Brighton & Hove Local Plan.

9) UNI

Access to the roof 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 policy QD27 of the Brighton & Hove Local Plan.

10) UNI

The development shall be implemented using the materials approved under BH2013/02175 & BH2012/03577 and shall thereafter be retained as such.

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

11) UNI

(a) The development shall be implemented in accordance with the registration evidence and the Code for Sustainable Homes Design Stage Report indicating Code Level 3 approved under BH2013/02175.

(b) Within 3 months of the date of this permission, BRE issued Interim Code for Sustainable Homes Certificates 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.

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 shall be implemented in accordance with cycle parking details indicated on the approved Site Plan drawing no.Y073-G-010 received on the 24th April 2014. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

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

13) UNI

The development shall be implemented in accordance with the landscaping details indicated on the approved Planting Plan drawing no. ORD-ND-03 received on 5th November 2014.

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

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 shall be implemented in accordance with the details outlining method of piling approved under BH2013/02175.

Reason: To prevent the contamination of the underlying aquifer and to comply with policy SU3 of the Brighton & Hove Local Plan.

16) UNI

The development shall be implemented in accordance with the details of solar panels approved under BH2013/02175 and shall thereafter be retained as such.

Reason: To protect residential amenity and the appearance of the building in accordance with policies QD1 and QD27 of the Brighton & Hove Local Plan.

17) UNI

The development shall be implemented in accordance with the Arboricultural Statement approved under BH2013/02175. The statement shall be implemented in accordance with the agreed scheme during construction of the development and the trees retained thereafter.

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

18) UNI

The development shall be implemented in accordance with the details of boundary wall and fence details as indicated under drawing nos.ORD-ND-07 & ORD-ND-08 received on the 14th October & 12th November 2014 and shall thereafter be retained as such.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policy QD27 of the Brighton & Hove Local Plan.

19) UNI

The development shall be implemented in accordance with green wall details approved as indicated on the approved plan named 'Facade Greening' drawing no. ORD-ND-03. The green walls shall be implemented as approved before the dwellings are occupied and maintained to the satisfaction of the Local Planning Authority thereafter. Any plants which within a 5 year period 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 visual amenities of the area and to comply with policies QD1 and QD15 of the Brighton & Hove Local Plan.

20) UNI

The development shall be implemented in accordance with the approved details indicating finished floor levels as approved under BH2013/02175. The development shall be constructed in strict accordance with agreed details.

Reason: To safeguard the amenities of the occupiers of nearby properties and to comply with policies QD1, QD2 and QD27 of the Brighton & Hove Local Plan.

21) 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.

22) 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.

23) 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 Plans	TA647/01		12th November 2012
Proposed Contextual Plan	TA647/P02	E	24th January 2013
North and East Elevations	TA647/P12	E	24th January 2013
Sections A-A & B-B	TA647/P13	E	24th January 2013
North Elevation (South elevation superseded)	TA647/P18	E	24th January 2013
Comparison Study - Residential	TA647/P20	F	24th January 2013
Comparison Study - Crèche	TA647/P21	F	24th January 2013
Comparison Study - Residential	TA647/P22	E	24th January 2013
Sections and Details Sheet 1 of 2	13-015/04 BR1		18 th September 2013
Sections and Details Sheet 2 of 2	13-015/05 BR1		18th September 2013
Arboricultural Report			11th October 2013
Code for Sustainable Homes Registration Form & Design Stage Report			21st November 2013
Tree Protection Plan	ORD-ND-01		5th November 2014
Hardscaping Plan	ORD-ND-02		5th November 2014
Planting Plan	ORD-ND-03		5th November 2014
Façade Greening	ORD-ND-03		14th October 2014
Technical Details	ORD-ND-05		14th October 2014
Technical Details	ORD-ND-06		14th October 2014
Technical Details 2	ORD-ND-06		14th October 2014
Boundary Wall Details	ORD-ND-07		14th October 2014
Eastern Elevation	ORD-ND-08		12th November 2014
Basement Floor Plan	Y073-G-001		19th June 2014

Mezzanine & First Floor Plan	Y073-G-003		24th April 2014
Roof Plan (Units 1 &2)	Y073-G-004/1-2		24th April 2014
Elevation B-B (West Elevation)	Y073-G-006/1-2		24th April 2014
Elevation C-C (East Elevation)	Y073-G-007/3-6A		24th April 2014
Elevation	Y073-G-008		14th October 2014
Site Plan	Y073		24th April 2014
Section A-A	Y073-G-005A		24th April 2014

BH2014/02412

168 Old Shoreham Road Hove

Part change of use of ground floor from offices (B1) to residential (C3) with the erection of a single storey rear extension with associated external alterations to create 1no one bedroom flat (Part Retrospective).

Applicant: Dr Harjinder Heer

Officer: Andrew Huntley 292321

Approved on 27/11/14 COMMITTEE

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 Location	468(PL)2b		18.07.2014
Existing & Proposed Floor Plan & Elevations	468(PL)3k		19.11.2014

2) UNI

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policies QD14 and QD27 of the Brighton & Hove Local Plan.

3) 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.

4) UNI

If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the Local Planning Authority. The remediation measures shall be carried out as approved and in accordance with the approved programme.

Reason: To safeguard the health of future residents or occupiers of the site and to comply with policy SU11 of the Brighton & Hove Local Plan.

5) UNI

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.

6) 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

BH2014/02932

Flat 1 168A Old Shoreham Road Hove

Installation of rooflight to rear elevation.

Applicant: Dr Harjinder Heer

Officer: Andrew Huntley 292321

Refused on 08/12/14 DELEGATED

1) UNI

The proposed rooflight on the rear roof slope by reason of positioning and size would create an overly dominant and cluttered appearance to the roofscape. The rooflight would be contrary to policy QD14 of the Brighton and Hove Local Plan and the guidance contained in SPD12 Design Guide for Extensions and Alterations.

BH2014/03008

6 The Spinney Hove

Remodelling of existing chalet bungalow to create a two storey 5no bedroom house with associated alterations including erection of first floor extensions to sides and rear and creation of rear terrace.

Applicant: Miss Margaret Rignell

Officer: Liz Arnold 291709

Approved on 25/11/14 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
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Site Plan	-	-	16th 2014	September
Block Plan (As Existing)	-	-	5th 2014	September
Block Plan (As Proposed)	-	-	5th 2014	September
Existing - Ground Floor Plan	1	-	5th 2014	September
Existing - 1st Floor Plan	2	-	5th 2014	September
Existing - Front & Rear Elevations	3	-	5th 2014	September
Existing - Side Elevations	4	-	5th 2014	September
Proposed Alterations- Ground Floor Plan	5	-	5th 2014	September
Proposed Alterations - 1st Floor Plan	6	B	5th 2014	September
Proposed Alterations - Front and Rear Elevations	7	B	5th 2014	September
Proposed Alterations - Side Elevations	8	C	2nd October 2014	
Rear Elevation (with outline of BH2010/03560)	9	-	5th 2014	September
Front Elevation (with outline of BH2010/03560)	10	-	5th 2014	September

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

4) UNI

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

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

5) UNI

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, rooflights or doors other than those expressly authorised by this permission shall be constructed [in the south-east and north-west elevation/roofslope 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.

BH2014/03111

317-319 Dyke Road Hove

Application for Approval of Details Reserved by Conditions 7, 8, 9, 10, 11, 12, 13, 14, 15 and 20 of application BH2013/03802.

Applicant: Mr & Mrs Spiers

Officer: Andrew Huntley 292321

Split Decision on 04/12/14 DELEGATED

1) UNI

The details pursuant to conditions 7, 11, 12, 13, 14 and 15 and subject to full compliance with the submitted details.

1) UNI

The details pursuant to conditions 8, 9 and 10 for the reason(s) set out below:

1. The details submitted pursuant to compliance with condition 8 are not acceptable as a Construction Specification/Method Statement for the foundations of the front boundary wall has not been submitted as part of this application. As such, the application has failed to demonstrate that the proposed boundary wall would not harm the adjacent tree on Dyke Road. Therefore, the proposal is contrary to policies QD1 and QD16 of the Brighton & Hove Local Plan.

2) UNI2

2. The details submitted pursuant to compliance with condition 9 are not acceptable as the submitted drawings do not show the finished floor levels and nor is there any information in regard to the existing levels to enable a comparison. Therefore, the application has failed to demonstrate that the proposal would not be harmful to neighbouring amenity or safeguard the character and appearance of the area. As such, the proposal is contrary to policies QD2 and QD27 of the Brighton and Hove Local Plan.

3) UNI3

3. The details submitted pursuant to compliance with condition 10 are not acceptable as the submitted plans do not provide finished floor levels and it would appear that the screening of the second floor rear terrace would be between 1.5m and 1.7m in height. The 1.5m high screen is not considered sufficient to protect the amenity of neighbours in this instance. In addition, there should be a screen for part of the front terraces in order to prevent the loss of privacy to 315 and 321 Dyke Road. Therefore, the proposal is contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/03227

4 Barrowfield Close Hove

Erection of 1no four bedroom detached dwelling (C3).

Applicant: Mr & Mrs J T Platt

Officer: Liz Arnold 291709

Approved on 24/11/14 COMMITTEE

1) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed development 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 and Hove Local Plan.

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 policy QD1 of the Brighton & Hove Local Plan.

3) UNI

No development or other operations shall commence on site until a scheme which provides for the retention and protection of the hedges growing on or adjacent to the site, 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. No hedges within the site which are shown as being retained within the approved information in respect of condition 6 shall be wilfully damaged or destroyed or removed without the prior written consent of the Local Planning Authority. Any hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the hedges 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

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.

5) 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.

6) UNI

The new crossover and access shall be constructed prior to the first occupation of the development hereby permitted.

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

7) 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.

8) 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.

9) 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.

10) 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 & Location Plan	001	-	24th September 2014
Proposed Floor Plans	002	-	24th September 2014
Proposed Elevations	003	-	24th September 2014
Proposed Site Plan	004	-	24th September 2014
Proposed Street Scene	005	-	24th September 2014

11) UNI

No extension, enlargement, alteration or provision within the curtilage of the of the dwellinghouse(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.

12) UNI

The first floor windows in the eastern elevation, facing no. 4 Barrowfield Close, 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.

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 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.

15) UNI

No hedgerow, tree or shrub shall be removed from the site between 1st March and 31st August inclusive without the prior submission of a report to the Local Planning Authority which sets out the results of a survey to assess the nesting bird activity on the site and describes a method of working to protect any nesting bird interest. The report must first be agreed in writing by the Local Planning Authority and shall then be carried out in strict accordance with the approved details.

Reason: To ensure that wild birds building or using their nests are protected, in accordance with QD18 of the Brighton & Hove Local Plan.

16) UNI

Unless otherwise agreed in writing with the Local Planning Authority the measures set out in the Site Waste Management Statement submitted on the 23rd May 2014 shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with policies WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and SU13 of the Brighton & Hove Local Plan and Supplementary Planning Document 03 Construction and Demolition Waste.

17) 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.

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.

BH2014/03229**151 Nevill Road Hove**

Erection of a single storey rear extension with associated external alterations.

Applicant: Mr E Villenna

Officer: Tom Mannings 292322

Approved on 20/11/14 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			24/09/14
Block Plan			24/09/14
Proposed Single Storey Extension with Balcony and Steps	14/962/01		24/09/14

BH2014/03248**29 Hove Park Way Hove**

Erection of single story rear extension with associated alterations including changes to fenestration.

Applicant: Ms Maria Higgins

Officer: Tom Mannings 292322

Approved on 01/12/14 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	1096/01		26/09/14
Site Plan	1096/02	A	04/11/14

Existing Floor Plans & Elevations	1096/03		26/09/14
Proposed Floor Plans	1096/04	A	04/11/14
Proposed Elevations	1096/05	A	04/11/14

BH2014/03297

Dykelands 17 Meadow Close Hove

Formation of front and side boundary wall with entrance gates and erection of detached summer house in rear garden.

Applicant: Roger Noel

Officer: Lorenzo Pandolfi 292337

Refused on 16/12/14 DELEGATED

1) UNI

The proposed boundary treatment, by reason of its height and design, would have an unduly dominant appearance that would not relate sympathetically to the existing layout or character of the surrounding area. The proposal would therefore fail to emphasise or enhance the positive qualities of the local neighbourhood and is contrary to policies QD2 and QD14 of the Brighton & Hove Local Plan.

BH2014/03299

154 Old Shoreham Road Hove

Display of internally illuminated fascia signs.

Applicant: Furniture Village Ltd

Officer: Lorenzo Pandolfi 292337

Approved on 10/12/14 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.

BH2014/03358

Land to rear of 7 Woodland Drive Hove

Erection of 1no two bedroom dwelling with off street parking accessed from Bennett Avenue

Applicant: Mr John Regan

Officer: Jason Hawkes 292153

Refused on 22/12/14 DELEGATED

1) UNI

The proposal, by virtue of its scale, footprint and detailing relates poorly to adjacent properties, fails to respect the local context and would look incongruous in the street scene. The proposed plot size is too small to adequately accommodate the proposed dwelling which would appear a cramped overdevelopment of the site. For these reasons the development would fail to emphasise and enhance the positive qualities of the local neighbourhood and is contrary to policies QD1, QD2 and HO4 of the Brighton and Hove Local Plan.

2) UNI2

The proposal results in a small outside amenity area which would not be adequate for the need of a family dwelling. This would be to the detriment of the living conditions of the future occupiers of the proposed dwelling. The scheme is therefore contrary to policy HO5 of the Brighton & Hove Local Plan.

BH2014/03392

168 Old Shoreham Road Hove

Application for Approval of Details Reserved by condition 4 of application BH2014/01988.

Applicant: Dr Harjinder Heer

Officer: Andrew Huntley 292321

Approved on 23/12/14 DELEGATED

BH2014/03402

6 Hove Park Gardens Hove

Erection of detached garage with pitched roof.

Applicant: John Foot

Officer: Jason Hawkes 292153

Approved on 31/12/14 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 hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

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

3) UNI

The 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			7th October 2014
Block Plan			7th October 2014
Landscape Plan	9531/3D		7th October 2014
Proposed Garage	9531/3B		7th October 2014

BH2014/03441

46 Elizabeth Avenue Hove

Erection of single storey rear and side extensions.

Applicant: Shaun Manley

Officer: Joanne Doyle 292198

Approved on 08/12/14 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
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			Received
Site Location Plan	EAV/1A		13 Oct 2014
Block Plan	EAV/2A		13 Oct 2014
Existing Elevations	EAV/3A		13 Oct 2014
Proposed Elevations	EAV/4A		13 Oct 2014
Existing & Proposed Floor Plans	EAV/5A		13 Oct 2014
Proposed Site Layout Plan	EAV/6A		13 Oct 2014

BH2014/03469

140 Woodland Drive Hove

Erection of a single storey front extension and a single storey rear extension.

Applicant: Mr Vincent O'Rourke

Officer: Tom Mannings 292322

Approved on 12/12/14 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 and Block Plans	TA848/01		15/10/14
Existing Floor Plans	TA848/02		15/10/14
Existing Elevations	TA848/03	A	15/10/14
Proposed Floor Plans	TA848/10	A	15/10/14
Proposed Elevations	TA848/11	C	12/12/14

BH2014/03493

133 Woodland Avenue Hove

Erection of part two, part three storey rear extension with terrace and balustrading to ground floor, erection of single storey front extension and other associated works.

Applicant: Samantha Malinsky

Officer: Helen Hobbs 293335

Refused on 09/12/14 DELEGATED

1) UNI

The proposed three storey rear extensions, by reason of its siting, design, height, scale and massing, would have an unduly dominant, discordant and unsympathetic relationship to the form and character of the host building, to the

detriment of visual amenity and the appearance of the street scene. As such the proposal is contrary to policies QD1 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guidance for extensions and alterations.

BH2014/03518

124 Nevill 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 5.5m, for which the maximum height would be 3.1m, and for which the height of the eaves would be 2.785m.

Applicant: Mr & Mrs Maxwell

Officer: Guy Everest 293334

Prior approval not required on 03/12/14 DELEGATED

BH2014/03528

124 Nevill Road Hove

Certificate of lawfulness for proposed loft conversion incorporating hip to barn end roof extension, insertion of 2no front roof lights, side window and creation of rear dormer with juliette balcony.

Applicant: Mr & Mrs Maxwell

Officer: Joanne Doyle 292198

Approved on 17/12/14 DELEGATED

BH2014/03531

92 Shirley Drive Hove

Erection of part one part two storey rear extension with balcony to replace existing with associated external alterations. Installation of timber gates and brick piers to front boundary.

Applicant: Mr & Mrs Hughes

Officer: Tom Mannings 292322

Approved on 05/01/15 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

The hereby approved first floor terrace shall not be brought into use until a 1.8 metre high obscure glazed privacy screen has been erected in accordance with drawing no. 2666-01 Rev A. The screen 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
Existing & Proposed Floor Plans & Elevations	2666-01	A	20/09/14
Front Boundary Details	2666-02		10/11/14

BH2014/03669

6 Nevill Road Hove

Certificate of lawfulness for proposed loft conversion incorporating gable and roof extension, front rooflights, side window and rear dormer.

Applicant: Mrs A Sityaeva

Officer: Lorenzo Pandolfi 292337

Approved on 31/12/14 DELEGATED

BH2014/03691

6 Nevill 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 4, for which the maximum height would be 3.6m, and for which the height of the eaves would be 2.6m.

Applicant: Mrs A Sityaeva

Officer: Mark Thomas 292336

Prior Approval is required and is approved on 16/12/14 DECISION ON APPEAL

BH2014/03704

8 Meadway Crescent Hove

Erection of single storey rear extension and roof alterations incorporating rooflights to front and rear.

Applicant: Mr John Harrington

Officer: Helen Hobbs 293335

Refused on 07/01/15 DELEGATED

1) UNI

The proposed extension, by virtue of its height, depth, positioning and proximity to the shared boundary with no. 10 Meadway Crescent, 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 to guidance within Supplementary Planning Document (SPD12): Design Guide for Extensions and Alterations.

2) UNI2

The proposed extension would extend beyond the rear wall of the outrigger, detracting from the original plan of the building. The footprint of the extension in combination with its excessive projection would result in the recipient property having an overextended appearance, detracting from the character and appearance of the recipient dwelling. Furthermore the detailing and materials of the extension would poorly relate to the main dwelling and would be out of keeping with the surrounding area. As such, the proposed development would be contrary to policy QD14 of the Brighton & Hove Local Plan, and to guidance within Supplementary Planning Document (SPD12): Design Guide for Extensions and Alterations.

3) UNI3

The proposed rooflights by virtue of their size, orientation and appearance as well

as the number proposed to the rear roofslope, would represent unsympathetic additions to the property, appearing overly dominant and giving the roofslope a cluttered appearance. The proposal would therefore harm the character and appearance of the existing property, street scene and surrounding area. As such, the proposed development would be contrary to policy QD14 of the Brighton & Hove Local Plan, and to guidance within Supplementary Planning Document (SPD12): Design Guide for Extensions and Alterations.

BH2014/03713

Goldstone Retail Park Newtown Road Hove

Application for variation of Condition 2 of application BH2014/01440 to permit alterations to the approved single storey restaurant.

Applicant: Nandos Chickenland Ltd

Officer: Liz Arnold 291709

Approved on 02/01/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before 26/09/2016.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

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 15 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 policy HE12 of the Brighton & Hove Local Plan

3) UNI

The hereby unit, as indicated on drawing no. GA00PL1, received on the 4th November 2014, shall only be used within Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless prior planning permission is obtained from the Local Planning Authority.

Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of the premises in the interests of safeguarding the amenities of the area, protecting the vitality and viability of existing shopping centres, and to comply with policies SR1 and SR2 of the Brighton & Hove Local Plan.

4) UNI

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

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

5) UNI

The premises shall not be open for customer trading except between the hours of 08:00 to 23:00 Monday to Saturdays; and 09:00 to 22:00 on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the occupiers of adjoining properties and

to comply with policy QD27 of the Brighton & Hove Local Plan.

6) UNI

Deliveries of goods to and collection of goods / refuse from the site shall not take place other than between the hours of 08:00 and 18:00 on Mondays to Saturdays. There shall be no such deliveries or collections on Sundays or Public Holidays.

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

7) UNI

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 external finishes of the approved development shall be in accordance with the materials approved under application BH2014/01413.

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

9) UNI

The use of the building shall not commence until the 3 disabled parking spaces have been marked out in accordance with the details approved under application BH2014/01760 and thereafter the parking spaces shall be retained and not used other than for the parking of vehicles.

Reason: To ensure that satisfactory facilities for the parking of vehicles are provided and to comply with policies TR1, TR7 and TR18 of the Brighton & Hove Local Plan and Supplementary Planning Guidance Note 4 (SPGBH4 - Parking Standards).

10) UNI

No development shall commence until the fences for the protection of trees to be retained have been erected in accordance with the details submitted and approved in respect of application BH2014/02235. The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences.

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

11) UNI

Within three months of the commencement of development a BRE issued Interim/Design Stage Certificate demonstrating that the development has achieved a minimum BREEAM assessment within overall 'Good' and that a minimum of 9 credits to be scored in BREEAM Energy Category ENE1 (as Proposed) for all non-residential development has been achieved shall be 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.

12) UNI

The odour control measures shall be implemented in strict accordance with the details approved under application BH2014/01760 prior to occupation of the development and shall thereafter be retained as such.

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

13) UNI

The sound insulation measures shall be implemented in strict accordance with the details approved under application BH2014/01760 prior to the occupation of the development and shall thereafter be retained as such.

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

14) UNI

The external lighting associated with the development hereby approved shall be installed in accordance with the external lighting details approved under application BH2014/01773 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.

15) UNI

The development hereby permitted shall be carried out in full accordance with the details set out in the Written Scheme of Archaeological Investigation approved under application BH2014/01758.

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.

16) UNI

Within three Months of occupation a BREEAM Building Research Establishment issued Post Construction Review Certificate confirming that the non-residential development built has achieved a minimum BREEAM rating of overall 'Good and that a minimum of 9 credits to be scored in BREEAM Energy Category ENE1 (as Proposed) has been achieved shall be submitted to, and approved in writing by, the Local Planning Authority.

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

17) UNI

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.

18) 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	SP 00	PL1	4th November 2014
External Details - External	ED 01	PL1	4th November

Gabion Planter			2014	
External Details - Water Pipe Table and Oildrum Planters	ED 03	PL1	4th 2014	November
External Details - Timber Cladding	ED 05	P1	4th 2014	November
External Details - External Gabion Planter Box	ED 06	PL1	4th 2014	November
Proposed Ground Floor Plan	GA 00	PL1	4th 2014	November
Proposed Elevations	GE 01	PL1	4th 2014	December
Proposed Elevations	GE 02	PL1	4th 2014	December
Proposed Roof Plan	GA RF	PL1	4th 2014	December

BH2014/03714

Goldstone Retail Park Newtown Road Hove

Display of 2no externally illuminated fascia signs and 1no non-illuminated cockerel motif sculpture sign to restaurant approved on previous application BH2013/02445.

Applicant: Nandos Chickenland Ltd

Officer: Liz Arnold 291709

Approved on 30/12/14 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.

BH2014/03761

17 Goldstone Crescent Hove

Application for variation of condition 2 of application BH2013/02613 (Demolition of existing three bedroom single dwelling and erection of part three/part four storey block of 7no flats) to allow for alterations to roof incorporating removal of mansard roof and creation of flat roof and revised fenestration to rear.

Applicant: JB Howard Properties Ltd

Officer: Adrian Smith 290478

Approved on 06/01/15 DELEGATED

1) UNI

The development hereby permitted shall be commenced before 06/03/2017.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) UNI

No development shall commence until a survey of the site to identify the presence or otherwise of badgers been submitted to and approved in writing by the Local Planning Authority in accordance with the details submitted in the Preliminary Ecological Appraisal received on 31 July 2013. The survey shall be carried out no earlier than six months prior to the commencement of works and in the event badger setts are found to be present within the site no development shall commence until a mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved mitigation strategy.

Reason: To ensure the protection of any protected species and to comply with Policy QD18 of the Brighton & Hove Local Plan.

3) UNI

No development shall commence until full details of the existing and proposed land levels of the proposed development 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.

4) 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.

5) UNI

No development shall take place until details of the construction of the green roofs have been submitted to and approved in writing by the Local Planning Authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then 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.

6) 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.

7) 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.

8) 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.

9) UNI

Other than the balcony areas identified in the approved drawings, access to the flat roofs to the development hereby approved shall be for maintenance or emergency purposes only and the flat roofs shall not be used as roof gardens, terraces, patios or similar amenity areas.

Reason: In order to protect adjoining properties from overlooking and noise disturbance and to comply with policy QD27 of the Brighton & Hove Local Plan.

10) UNI

The vehicle parking areas shown on the approved plans shall not be used

otherwise than for the parking of private vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved.

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

11) UNI

All 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.

12) UNI

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

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

13) UNI

The development hereby permitted shall not be occupied until the privacy screens to the roof terrace as detailed on drawing no.TA725/14 rev G received on 07 November 2014 have been installed. The screens shall be retained at all times.

Reason: In order to protect adjoining properties from overlooking and to comply with policy QD27 of the Brighton & Hove Local Plan.

14) UNI

The development hereby permitted shall at all times be undertaken in accordance with the arboricultural method statement contained within the Arboricultural Report received on the 25 September 2013. All trees identified for retention within the submitted Arboricultural Report shall be protected to BS5837 (2005) in accordance with the approved method statement throughout all development works.

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.

15) UNI

The windows in the north elevation 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.

16) 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.

17) 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.

18) 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, means of enclosure, planting of the development including replacement tree planting, indications of all existing trees to be retained 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.

19) UNI

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All hard landscaping and means of enclosure shall be completed before the development is occupied.

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

20) UNI

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 block plan and site location plan	TA725/09	F	07/11/2014
Proposed site layout	TA725/10	G	07/11/2014
Proposed ground floor plan	TA725/11	F	07/11/2014
Proposed first floor plan	TA725/12	F	07/11/2014
Proposed second floor plan	TA725/13	F	07/11/2014
Proposed third floor plan	TA725/14	G	07/11/2014
Street elevations	TA725/15	D	07/11/2014
Proposed sections	TA725/16	F	07/11/2014
Proposed front (west) elevation	TA725/17	F	07/11/2014
Proposed rear (east) elevation	TA725/18	J	07/11/2014
Proposed side elevation	TA725/19	F	07/11/2014

Proposed side elevation	TA725/20	H	07/11/2014
Contextual street scene elevations	TA725/21	D	07/11/2014

BH2014/03851

32 Hove Park 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 6m, for which the maximum height would be 3.1m, and for which the height of the eaves would be 3m.

Applicant: Catherine Moore

Officer: Tom Mannings 292322

Prior approval not required on 22/12/14 DELEGATED

WESTBOURNE

BH2014/01990

Garages 1-6 Rear of 187 Kingsway Hove

Demolition of existing garages and erection of four storey building containing 4no one bedroom flats and 2 no two bedroom maisonettes.

Applicant: Welstead Properties

Officer: Sue Dubberley 293817

Refused on 31/12/14 DELEGATED

1) UNI

1. The proposed development, by reason of its siting, form and scale, would result in the loss of visually important openness between the rear elevations of properties in Kingsway and properties in Sackville Gardens. Furthermore, the proposed detailing, form and materials coupled with the lack of separation from shared boundaries would appear incongruous and would create a poor contrast with adjoining buildings. The proposal would fail to emphasise and enhance the positive qualities of the local neighbourhood, and, would fail to preserve or enhance the character or appearance of the Sackville Gardens Conservation Area. The proposal is therefore contrary to policies QD1, QD2, QD3, QD5 and HE6 of the Brighton & Hove Local Plan.

2) UNI2

The proposal, by virtue of its scale, height and bulk in close proximity to the south and eastern boundaries of the site, represents an unneighbourly form of development which would lead to a significant loss of light and outlook, resulting in an increased sense of enclosure, for occupants of adjoining properties on Kingsway. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

BH2014/02479

14 Princes Crescent Hove

Replacement of existing metal windows to the rear.

Applicant: Mrs Samantha Bailey

Officer: Robert Hermitage 290480

Approved on 21/11/14 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 colour of the frames of the windows hereby approved shall match those existing to the rear ground floor elevation.

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
Block Plan	-	-	24th July 2014
Proposed Window Details	-	-	26th September 2014
"Alitherm" Window Specifications	-	-	1st August 2014

BH2014/02708

55 Pembroke Crescent Hove

Certificate of lawfulness for proposed conversion of 2no existing flats into single dwelling house.

Applicant: Mrs Dolores Milonas

Officer: Lorenzo Pandolfi 292337

Approved on 20/11/14 DELEGATED

BH2014/02847

Flat 1 4 Aymer Road Hove

Replacement of existing wooden window with UPVC door to side elevation. (Retrospective)

Applicant: Mr John Hynam

Officer: Robert Hermitage 290480

Approved on 02/12/14 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 and Location Plan	1033.00	-	19th September 2014
Existing and Proposed Plans and Elevation	1033.01	-	19th September 2014

BH2014/02925

5 & 6 Westbourne Grove Hove

Conversion of existing property (B1) to form 2no three bedroom residential dwellings incorporating formation of pitched roof and associated works.

Applicant: Mrs Pauline Denyer-Baker

Officer: Christopher Wright 292097

Refused on 07/01/15 DELEGATED

1) UNI

The proposed change of use is not acceptable in principle because the existing commercial uses are not vacant and have not been demonstrated to be no longer viable or detrimental to the amenities of the area. As such the proposal would result in the loss of employment generating uses which have not be demonstrated to be genuinely redundant, contrary to the requirements of policy EM6 of the Brighton & Hove Local Plan.

2) UNI2

The proposed roof extensions would, by reason of their design, detailing, bulk and massing, have an incongruous and unduly dominant appearance in relation to the form and character of the buildings to be extended, and would be detrimental to visual amenity and the character of the prevailing townscape. The proposal is thereby contrary to policies QD1, QD2, QD3 and QD14 of the Brighton & Hove Local Plan and SPD12: Design guidance for alterations and extensions.

3) UNI3

The proposed development would, by reason of the height and bulk of the proposed roof extensions, and the position of the rear facing first floor windows, give rise to overlooking and an overbearing impact that would be detrimental to neighbour amenity and thereby contrary to policies QD14 and QD27 of the Brighton & Hove Local Plan.

BH2014/03279

118 Montgomery Street Hove

Erection of first floor rear extension supported by steel posts.

Applicant: Angela Page

Officer: Tom Mannings 292322

Approved on 03/12/14 DELEGATED

1) BH01.01

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions.

2) BH03.03

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

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

3) UNI

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

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

Plan Type	Reference	Version	Date Received
Location Plan	M120PC/HP/0 1		29/09/14
Block Plan	M120PC/HP/0 2		29/09/14
First Floor Plans as Existing & Proposed	M120PC/HP/0 3		29/09/14
Elevations as Existing &	M120PC/HP/0		29/09/14

Proposed	4		
East & West Elevations as Existing & Proposed	M120PC/HP/0 5		08/10/14

BH2014/03325

Flat 4 165-167 Kingsway Hove

Loft conversion to create additional floor space to flat, incorporating rooflights to front and rear and rear dormer.

Applicant: Mr A Barrett

Officer: Helen Hobbs 293335

Refused on 17/12/14 DELEGATED

1) UNI

The proposed front rooflight would form an unsympathetic addition which would compromise the uniformity of the terrace and would harm the character and appearance of the building and surrounding Sackville Gardens Conservation Area. The development 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.

BH2014/03344

94 Cowper Street Hove

Certificate of lawfulness for proposed loft conversion incorporating front rooflights and rear dormer and alterations to fenestration on side elevation.

Applicant: Mrs Mary Jackets

Officer: Joanne Doyle 292198

Approved on 04/12/14 DELEGATED

BH2014/03407

Flat 1 36 Carlisle Road Hove

Erection of single storey rear extension.

Applicant: J Bacon

Officer: Lorenzo Pandolfi 292337

Approved on 18/12/14 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 policy QD14 of the Brighton & Hove Local Plan.

3) UNI

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

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

4) UNI

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

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

Plan Type	Reference	Version	Date Received
Proposed Works	2346/01		24/11/2014

BH2014/03480

10 Princes Crescent Hove

Application for Approval of Details Reserved by Conditions of application BH2013/04233 (allowed on appeal).

Applicant: Mr Stuart Forbes

Officer: Christopher Wright 292097

Approved on 08/12/14 DELEGATED

BH2014/03577

16 Wordsworth Street Hove

Certificate of lawfulness for proposed loft conversion , creation of dormer to rear and insertion of rooflight to front.

Applicant: Mr & Mrs Bowcock

Officer: Mark Thomas 292336

Approved on 17/12/14 DELEGATED

BH2014/03668

4 Montgomery Street Hove

Prior approval for the erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4m, for which the maximum height would be 3.2m, and for which the height of the eaves would be 2.5m.

Applicant: Mr John Tomkinson

Officer: Lorenzo Pandolfi 292337

Prior approval not required on 10/12/14 DELEGATED

BH2014/03737

92 Portland Road Hove

Certificate of lawfulness for proposed change of use from offices (B1) to 2no residential units (C3).

Applicant: Mr James Summers

Officer: Liz Arnold 291709

Approved on 05/12/14 DELEGATED

BH2014/03757

51 New Church Road Hove

Non Material Amendment to BH2014/02663 to alteration of top floor dormer to form recessed balcony space.

Applicant: AMF Property investments Ltd

Officer: Jason Hawkes 292153

Refused on 09/12/14 DELEGATED

BH2014/03758

51 New Church Road Hove

Non Material Amendment to BH2014/00766 to internal alterations to provide separate W.C on ground floor and change in dimensions to western balcony/bedroom.

Applicant: AMF Property investments Ltd

Officer: Jason Hawkes 292153

Refused on 09/12/14 DELEGATED

WISH

BH2014/03054

16 Welbeck Avenue Hove

Removal of existing garage and erection of two storey side extension. Hip to gable roof extension with 3no. front rooflights and rear dormer.

Applicant: Mr J Heal

Officer: Lorenzo Pandolfi 292337

Refused on 21/11/14 DELEGATED

1) UNI

The proposed two-storey side extension and extended gable-end would appear incongruous additions which would harmfully unbalance the semi-detached pair of properties. The siting and form of the extensions would also infill the visually important open space which provides separation from the adjoining properties to the north. The proposed extensions are therefore 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 rear dormer, by virtue of its size, design and siting, would relate poorly to lower levels of the building and would detract from its existing character and appearance. The proposed extension is therefore contrary to policy QD14 of the Brighton & Hove Local Plan and Supplementary Planning Document 12, Design Guide for Extensions and Alterations.

BH2014/03076

70 Portland Villas Hove

Roof alterations including installation of front rooflight and side and rear dormers.

Applicant: Mr & Mrs Ibekwe

Officer: Mark Thomas 292336

Refused on 09/12/14 DELEGATED

1) UNI

The proposed dormer would be excessively large, constituting a bulky and incongruous form of development and an over-extension of the rear roofslope. Furthermore, the dormer would be poorly detailed, featuring inappropriate levels of tile hung cladding. As such, the proposed development would be contrary to policy QD14 of the Brighton & Hove Local Plan and SPD12: Design Guide for Extensions and Alterations.

BH2014/03313

141 New Church Road Hove

Demolition of existing garage and erection of two storey two bedroom house.

Applicant: Mr & Mrs A Heath

Officer: Jason Hawkes 292153

Refused on 01/12/14 DELEGATED

1) UNI

The proposal, by virtue of its scale, footprint and design relates poorly to adjacent properties, fails to respect the local context and would be a prominent and unsympathetic addition in the street scene. The proposed plot size is too small to adequately accommodate the proposed dwelling which would appear a cramped overdevelopment of the site. The proposal is therefore contrary to policies QD1, QD2 and HO4 of the Brighton and Hove Local Plan, which seek to ensure that new developments emphasise and enhance the positive qualities of the local neighbourhood.

2) UNI2

The proposal, by virtue of its scale in close proximity to the gardens of the host property and the garden of 139 New Church Road, would form an unduly prominent addition which would result in an increased sense of enclosure and represents an unneighbourly addition. The proposal is therefore contrary to policy QD27 of the Brighton & Hove Local Plan.

3) UNI3

The proposal, by virtue of the small outside amenity areas for the dwelling, would not be adequate for the needs of a family dwelling. This would be to the detriment of the living conditions of the future occupiers of the proposed dwelling. The proposal is therefore contrary to policy HO5 of the Brighton & Hove Local Plan.

BH2014/03316

19 Glebe Villas Hove

Erection of part one part two storey rear extension with associated roof alterations, erection of glazed canopy to rear and associated works.

Applicant: Mr & Mrs D Francis

Officer: Christopher Wright 292097

Approved on 09/12/14 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
As Existing Ground and First Floor Plans and Location Plan	164GV19/01		2 Oct 2014
As Existing Elevations	164GV19/02		2 Oct 2014
As Existing Roof Plan,	164GV19/03		24 Nov 2014

Section and Block Plan			
Proposed Ground and First Floor Plans	164GV19/04		2 Oct 2014
Proposed Elevations	164GV19/05		24 Nov 2014
Proposed Roof Plan, Section and Block Plan	164GV19/06		24 Nov 2014

BH2014/03322

33 Woodhouse Road Hove

Certificate of lawfulness for proposed single storey rear extension and single storey side extension.

Applicant: Ms Deborah Tallon

Officer: Tom Mannings 292322

Approved on 09/12/14 DELEGATED

BH2014/03353

40A Payne Avenue Hove

Certificate of lawfulness for proposed single storey extension to south elevation and alterations to fenestration.

Applicant: Ms Francesca McCready

Officer: Lorenzo Pandolfi 292337

Approved on 10/12/14 DELEGATED

BH2014/03370

10 Boundary Road Hove

External alterations for raising the pitch of the rear extension roof and installation of new rooflight following prior approval application BH2014/02554 for change of use from retail unit (A1) to self contained studio flat (C3) with external alterations to front and rear.

Applicant: Football 1X2 Ltd

Officer: Christopher Wright 292097

Approved on 19/12/14 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			07 Oct 2014
Existing & Proposed Floor Plans & Elevations	14494-02		20 Oct 2014

BH2014/03612

51 Berriedale Avenue Hove

Certificate of lawfulness for proposed single storey side extension.

Applicant: Mrs Jenny Jones

Officer: Lorenzo Pandolfi 292337
Approved on 22/12/14 DELEGATED

BH2014/03672

Maritime House Basin Road North Portslade

Prior approval for change of use from offices (B1) to residential (C3) to form 14no flats.

Applicant: Atlantic Marine & Aviation LLP

Officer: Christopher Wright 292097

Prior Approval is required and is approved on 23/12/14 DELEGATED

BH2014/03759

Heversham House 18-22 Boundary Road Hove

Change of use from retail/office (A1/A2) to offices (B1) and/or retail (A1) at ground floor level with alterations to shopfront and demolition of single storey rear projection to provide space for 4no additional car parking spaces, cycle storage and refuse/recycling storage facilities. Alterations to fenestration following prior approval application BH2013/01948 for change of use of upper floors (first, second and third) to residential units to provide 4no 2 bed flats and 11no 1 bed flats.

Applicant: Selits Ltd

Officer: Christopher Wright 292097

Approved on 07/01/15 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 new windows and their reveals and sills including 1:20 scale elevation drawings and sections and 1:1 scale joinery sections have 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 and retained as such thereafter.

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

3) UNI

The ground floor of the premises shall only be used for either retail (Use Class A1) or office (Use Class B1) purposes only, and for no other purpose (including any other purpose in Classes A1 and B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

4) UNI

The development hereby permitted shall not be commenced until additional 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.

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 Site and Block Plan	14-142/10		7 Nov 2014
Proposed Ground Floor North	14-142/11		7 Nov 2014
Front Elevation	14-142/12		7 Nov 2014
Rear Elevation	14-142/13		7 Nov 2014

6) 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.

BH2014/03818

81 Marine Avenue Hove

Certificate of lawfulness for proposed single storey rear extensions and removal of chimney stack.

Applicant: J Azad

Officer: Tom Mannings 292322

Approved on 05/01/15 DELEGATED

BH2014/03999

15 Coleman 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 3.5m, for which the maximum height would be 3.05m, and for which the height of the eaves would be 2.9m.

Applicant: Mr Torres

Officer: Christopher Wright 292097

Prior approval not required on 07/01/15 DELEGATED

BH2014/04001

2 Roman 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 4m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.5m.

Applicant: Miss Jill Finzi

Officer: Robert Hermitage 290480

Prior Approval is required and is refused on 07/01/15 DELEGATED

Withdrawn Applications

BH2014/03453

Ground Floor Shop 9 Boundary Road Hove

Application for removal of condition 2 of application BH2014/02247 (prior approval for change of use from retail (A1) to 2no bedroom dwelling (C3) at ground floor level) which states that cycle parking facilities need to be provided for the occupants and visitors.

Applicant: Lindsay Kirby

Officer: Andrew Huntley 292321

WITHDRAWN ON 17/12/14

BH2014/03603

13 Glebe Villas Hove

Certificate of lawfulness for proposed single storey rear extension.

Applicant: Mr Peter Orpen

Officer: Robert Hermitage 290480

WITHDRAWN ON 10/12/14

PLANS LIST 28 January 2015**PATCHAM**

**Application No: BH2014/03784
42 Windmill View, Brighton**

1no Elm - reduce crown by 3 metres back to previous pruning points, leaving the tree at 12 metres.

Applicant: Mr S Duance
Approved on 02 Dec 2014

PRESTON PARK

**Application No: BH2014/03796
26 Chester Terrace, Brighton**

1no Oak in rear garden - reduce crown by 2-2.5m, all works to BS 3998. Work as per those undertaken in 2007 and 2011. Reduce canopy size to keep tree in scale with garden and dwelling.

Applicant: Mr A Peters
Approved on 26 Nov 2014

**Application No: BH2014/03809
18 Stanford Avenue, Brighton**

1no Sycamore (T1) - reduce to no less than 8m by reducing the tree by approx. 50% setting up a secondary pollard point; 1no Sycamore (T2) - reduce by 2-3m.

Applicant: Mr J Hatch
Approved on 09 Dec 2014

**Application No: BH2014/04170
Nestor Court, Preston Road, Brighton**

2no Cedar T1 & T4 & 1no Birch T6- Crown lift 3.5 metres on all sides. 1no multi-stemmed Lime T2 & 1no Lime T3 – re-pollard and remove basal and epicormic growth to 3m. 1no Hornbeam T5 - Cut back from block to allow 2m clearance from the windows. 1no Hornbeam T12 - Cut back to fence line. 2no Cherry G1 - Prune back from streetlight and drying area to give 2m clearance.

Applicant: Miss Charlotte Chapman
Approved on 12 Jan 2015

REGENCY

Application No: **BH2014/04288**
Brighton and Hove High School, Brighton

Fell 1no Golden Robinia T15. (Tree is dying.)

Applicant: George O'Flanagan
Approved on 12 Jan 2015

ST. PETER'S & NORTH LAINE

Application No: **BH2014/03787**
58 Richmond Road, Brighton

Sycamores (T1, T2 & T3) & 1no Elm (T4) - reduce crowns by 50% and to 6m height and shape sides. 1no Elm (T5) - reduce and re-shape crown and sides by 50%. Syamores (T6, T7, T8, T9 & T10 - reduce to 6m height. 1no Sycamore (T11) - crown reduce by 50% and to 6m height plus shape sides.

Applicant: R W Green Ltd
Approved on 01 Dec 2014

Application No: **BH2014/03805**
34 Princes Road, Brighton

1no Sycamore - reduce crown by approximately 5 metres all round.

Applicant: Ben McWalter
Approved on 26 Nov 2014

Application No: **BH2014/04183**
42 Buckingham Place, Ground Floor Flat, Brighton

Fell 1no Sycamore. (Sycamore has no public visibility.)

Applicant: Ms Christine Biedermann
Approved on 12 Jan 2015

WITHDEAN

Application No: **BH2014/03561**

35 Clermont Terrace, Brighton

Fell Cypress T1, Pine T2 and Hazel T3. (Trees have no amenity value.)

Applicant: Mr L Ellis
Approved on 01 Dec 2014

Application No: BH2014/03562
35 Clermont Terrace, Brighton

T4 Bay - reduce in height by 2-2.5m, reduce sides accordingly to retain aesthetic shape.

Applicant: Mr L Ellis
Approved on 01 Dec 2014

Application No: BH2014/03700
Regency Court, Withdean Rise, Brighton

Yew - cut back branches that overhang the car park by up to 3m to reduce nuisance caused by bird and tree mess.

Applicant: Mr Kevin Baker
Approved on 26 Nov 2014

Application No: BH2014/03979
11 Harrington Road Brighton

Fell one Conifer (T1), one Plum (T2), one Bay (T4), two Holly (T5 & T6). (All the trees have no public amenity value.)

Applicant: Ben McWalter
Approved on 02 Dec 2014

Application No: BH2014/03980
11 Harrington Road Brighton

Apple (T3) - 30% crown reduction

Applicant: Ben McWalter
Approved on 02 Dec 2014

Application No: BH2014/04014
64A Dyke Road Avenue, Brighton

Fell 1no Silver Birch - Rotten roots, danger of fall

Applicant: Mrs Zahra Mack
Approved on 09 Dec 2014

Application No: BH2014/04016
64A Dyke Road Avenue, Brighton

T2 Beech - Large branch to be removed as danger to house.

Applicant: Mrs Zahra Mack
Approved on 09 Dec 2014

EAST BRIGHTON

Application No: BH2014/04102
Pool Flat 115 - 119 Marine Parade, Brighton

Felling 5no trees along west boundary wall in back garden. (Trees are not visible from any public area, thus have no public amenity value. There are no "other factors" to consider, thus these trees do not warrant a tree preservation order.)

Applicant: Mrs Alex Adamson
Approved on 12 Jan 2015

HANOVER & ELM GROVE

Application No: BH2014/03891
2 Hanover Place, Brighton

1no Sycamore - crown reduce by 3-4 metres, slight crown lift.

Applicant: Ms F Caselton
Approved on 02 Dec 2014

QUEEN'S PARK

Application No: BH2014/03537
Brighton College, Eastern Road, Brighton

Fell leaning Elm by netball court to ground level. (Elm has no long-term potential, thus little amenity value.)

Applicant: Lesley Baker
Approved on 02 Dec 2014

Application No: BH2014/03538
Brighton College, Eastern Road, Brighton

Sycamore (in quadrant) - balance the crown by shortening branches on eastern side;
dying Sycamore - pollard just above live growth on left (at 3m high) by netball court.

Applicant: Lesley Baker
Approved on 02 Dec 2014

Application No: BH2014/03793
Flat 1, 34C Egremont Place, Brighton

1no Elder - thin crown by 30%; 1no Buddleia, 1no Apple, 1no Sycamore - reduce
back to previous reduction points.

Applicant: Miss J Rose
Approved on 26 Nov 2014

Application No: BH2014/04298
Danny Sheldon House, 124 Eastern Road

3no Sycamore T1, T2 & T4 - Reduce back to previous points on building side only.
1no Ash T3 - Remove or cut back low branches to give 3 metre clearance over
pavement. 1no Sycamore T5 - Reduce back to previous points on building side only
& remove branch stub at 5 metres. 1no Sycamore T6 - Reduce back to previous
points on building side only & remove deadwood and sever girdling root.

Applicant: Mr George O'Flanagan
Approved on 12 Jan 2015

ROTTINGDEAN COASTAL

Application No: BH2014/03794
Ovingdean Grange, Greenways, Brighton

Horse Chestnut - thin out dead material and remove top to about 8ft; Yew - raise the
crown and thin out as overhangs listed building.

Applicant: Mr O Brooks
Approved on 26 Nov 2014

Application No: BH2014/04199
46 Ainsworth Avenue, Ovingdean, Brighton

1no Poplar -Crown reduction of 1 - 2.5 metres, tidying up of snapped and damaged limbs. Considerable reduction of weight or possible removal of lowest, north facing limb.

Applicant: Mr Luke Ellis
Approved on 12 Jan 2015

WOODINGDEAN

Application No: BH2014/03983
52 Balsdean Road Brighton

Beech (T1) - remove or cut back low branches to give 4m clearance from ground level, reduce length of all branches by up to 2m ensuring natural shape and balance typical of species is maintained where possible.

Applicant: Patrica Hamilton
Approved on 03 Dec 2014

BRUNSWICK AND ADELAIDE

Application No: BH2014/03863
2 Brunswick Mews, Hove

Fell T1-Bay (Tree has little amenity value.)

Applicant: Mr Nicholas Quirke
Approved on 01 Dec 2014

Application No: BH2014/03884
10 Wilbury Road, Hove

1no Elm - reduce length of all branches by up to 2 metres ensuring natural shape and balance typical of species is maintained where possible. Thin crown by 10% by removing branches within the crown giving less density.

Applicant: Mr G O'Flanagan
Approved on 16 Dec 2014

Application No: BH2014/04055
1 Palmeira Avenue, Hove

Fell one Chestnut in rear garden. (Tree has no public amenity value.)

Applicant: Mr J Hatch
Approved on 16 Dec 2014

Application No: BH2014/04089
36 Wilbury Road, Hove

T1- Weeping Willow: Reduce the canopy by up to 2m radially to decrease loading on unusual trunk form.

Applicant: Mrs Yvonne Churchill- Davidson
Approved on 12 Jan 2015

Application No: BH2014/04198
13 York Road, Hove

1no mature Prunus T1 - reduce length of all branches by up to 1 metre ensuring natural shape and balance typical of species is maintained where possible, reduce length of all branches by 1 - 1.5 metres ensuring natural shape and balance typical of species is maintained where possible.

Applicant: George O'Flangan
Approved on 12 Jan 2015

CENTRAL HOVE

Application No: BH2014/03681
17 Third Avenue, Hove

1no Magnolia - crown thinning 20% of the leaf area.

Applicant: Ms Christine Henson
Approved on 09 Dec 2014

Application No: BH2014/04185
Flat 5, 41 Ventnor Villas, Hove

Fell 1no Elder tree. (The tree has no public amenity value.)

Applicant: Mr Nicholas Bawn
Approved on 16 Dec 2014

Application No: BH2014/04286
16 Medina Villas, Hove

1no Sycamore in rear garden. Reduce crown by 50%. Approx 4m off height and prune sides to match.

Applicant: Geoff Place
Approved on 12 Jan 2015

GOLDSMID

Application No: BH2014/03786
Sussex County Cricket Club, Eaton Road, Hove

1no Elm - maximum 50% crown reduction, reduce lateral branches by 2 metres, maximum 50% crown thin, crown lift light growth to 5 metres, removing dead, damaged and weak and crossing branches.

Applicant: Mr B Cheal
Approved on 01 Dec 2014

Application No: BH2014/03807
11 Champions Row, Hove

2no Elms (T1 & T2) - crown reduction of 2-3 metres, slight thin, no more than 20%.

Applicant: Mr L Ellis
Approved on 26 Nov 2014

Application No: BH2014/03982
59A Denmark Villas Hove

Horse Chestnut - Crown reduction & crown raise 25% ; 3no Sycamore - Pollarding to level of wall

Applicant: Adam Griffiths
Approved on 03 Dec 2014

Application No: BH2014/04052
42 Wilbury Lodge Wilbury Road, Hove

Sycamore and Oak (Group 1) - reduce height by up to 3m, radial spread by up to 2m, to improve light and balance crowns of trees as a group, reduce northern crown of Oak up to 3m away from property to north. Leylandii (T2) - reduce by up to 6m, removing dead wood in top of crown.

Applicant: Mr Tom Lean
Approved on 12 Jan 2015

Application No: BH2014/04146
42 Wilbury Lodge Wilbury Road, Hove

Fell one Sycamore (T1). (This tree has limited public amenity value. Its removal would be beneficial to the retained trees.)

Applicant: Mr Tom Lean
Approved on 12 Jan 2015

Application No: BH2015/00035
Flat 1, 60 The Drive, Hove

1no Sycamore - pollard to 5m; 2no Sycamore - reduce canopies by 3-4m.

Applicant: Mr P Fuller
Approved on 07 Jan 2015

HOVE PARK

Application No: BH2014/03096
29A Hill Brow, Hove

Sycamore - reduce & re-shape by up to 3m & remove low epicormic growth where previously pruned; Lime - reduce & re-shape by up to 3m & crown thin by 10-15% as required; Horse Chestnut - reduce & re-shape by up to 3m; Beech - reduce & re-shape by up to 3m to previous pruning points; Ash - remove stem nearest fence by up to 2m or remove 2no branches over boundary; Walnut - reduce by up to 2m.

Applicant: Mr S Hunt
Approved on 01 Dec 2014

WESTBOURNE

Application No: BH2014/03806
34 & 36 Pembroke Avenue, Hove

Sycamore (T1) - reduce canopy by approximately 3 metres all round. Lime (T2) - re-pollard at approximately 6 metres.

Applicant: Ben McWalter
Approved on 26 Nov 2014

Application No: BH2014/03989
51 Walsingham Road, Hove

Fell one Sycamore (T1). (Tree has no public amenity value.)

Applicant: Mr Paul Doran

Approved on 09 Dec 2014

Application No: BH2014/04291
8 Pembroke Gardens, Hove

Fell 4no Cupressus macrocarpa. (Trees have very limited public visibility or amenity value, thus do not warrant a tree preservation order.)

Applicant: Mr Peter Fuller
Approved on 12 Jan 2015

Application No: BH2014/04293
8 Pembroke Gardens, Hove

1no Cherry - Reduce canopy by 2m

Applicant: Mr Peter Fuller
Approved on 12 Jan 2015

Application No: BH2014/04299
31 Sackville Gardens, Hove

1no Eucalyptus T1 - Removal of 2 large limbs on West and North sides and height reduction to 4m.

Applicant: Mr Stephen Duance
Approved on 12 Jan 2015

NEW APPEALS RECEIVED**WARD****APPEAL APP NUMBER****ADDRESS**

Brighton

DEVELOPMENT DESCRIPTION**APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ST. PETER'S & NORTH LAINE**

BH2014/02355

Top Floor Flat 3 2 Buckingham Street

Creation of 2no dormers to rear and
insertion of 1no rooflight to front.

APPEAL LODGED

21/11/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WITHDEAN**

BH2014/01920

409 Ditchling Road Brighton

Demolition of existing double garage and
erection of 1no three bedroom detached
house.

APPEAL LODGED

21/11/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WITHDEAN**

BH2014/01921

409 Ditchling Road Brighton

Conversion of existing garage/games room
to form 1no two bedroom dwelling (C3)
incorporating new porch, formation of
underground garage to rear accessed from
Hollingbury Copse and associated
alterations.

APPEAL LODGED

21/11/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****REGENCY**

BH2014/02485

7, 7A & 7B Ship Street Gardens Brighton

Demolition of existing buildings (comprising
A1, A3 and D1) and erection of part one and
part two storey office building (B1).

APPEAL LODGED

26/11/2014

Delegated

WARD

APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

WITHDEAN

BH2014/02153
30 Gordon Road Brighton
Erection of single storey rear extension incorporating rear roof alterations and rooflights.
APPEAL LODGED
27/11/2014
Delegated

WARD

APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

HANGLETON & KNOLL

BH2014/02616
3 Sylvester Way Hove
Erection of a single storey front side and rear extension.
APPEAL LODGED
28/11/2014
Delegated

WARD

APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

WITHDEAN

BH2014/02047
52 Fernwood Rise Brighton
Erection of single storey front extension and roof alterations including raising of ridge height, roof extensions, installation of 3no rooflights and revised fenestration.
APPEAL LODGED
02/12/2014
Delegated

WARD

APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

HOVE PARK

BH2014/01407
17 Hill Drive Hove
Remodelling of existing bungalow to form a 3no bedroom house with garage and associated works in rear garden area (Part-Retrospective).
APPEAL LODGED
04/12/2014
Delegated

WARD

APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

QUEEN'S PARK

BH2014/02060
31 Upper St James Street Brighton
Installation of 3no lights above existing shopfront fascia (retrospective).
APPEAL LODGED
21/11/2014
Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PRESTON PARK**

BH2014/01444

117 Havelock Road Brighton

Erection of single storey rear infill extension.

APPEAL LODGED

11/12/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****WISH**

BH2014/02150

5 Brittany Road Hove

Erection of a single storey rear/side extension.

APPEAL LODGED

11/12/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HANOVER & ELM GROVE**

BH2013/04307

15 Bernard Road Brighton

Change of use from single dwelling (C3) to small house in multiple occupation (C4). (Retrospective).

APPEAL LODGED

12/12/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****MOULSECOOMB & BEVENDEAN**

BH2014/00924

76 Barcombe Road Brighton

Erection of two storey pitched roof rear extension (Part Retrospective).

APPEAL LODGED

12/12/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ST. PETER'S & NORTH LAINE**

BH2013/03793

11B (Former Ice Rink) and 11 Queen Square Brighton

Demolition of former Ice Rink and number 11 Queen Square and erection of a 5no storey building providing 31no residential units (C3) and office use (B1 or A2) at lower ground floor level with associated works.

APPEAL LODGED

12/12/2014

Planning (Applications) Committee

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****HOLLINGDEAN & STANMER**

BH2014/01483

58 Beatty Avenue Brighton

Erection of single storey side extension to first floor level.

APPEAL LODGED

15/12/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****ST. PETER'S & NORTH LAINE**

BH2014/02782

18 Upper Gardner Street Brighton

Application for removal of condition 2 of application BH2014/01403 (Alterations to the external finish of front elevation from face brickwork to render. (Retrospective)), which states that within 3 months of approval the entirety of the front elevation of the property, including any vents, shall be painted white (BS 4800 00E55) and maintained as such thereafter. Removal of condition 3 which states that the brick cills to the existing sash windows, the corbelling at eaves level and the existing archway around the front entrance door shall be rendered over but maintained in relief.

APPEAL LODGED

15/12/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****APPEAL STATUS****APPEAL RECEIVED DATE****APPLICATION DECISION LEVEL****PATCHAM**

BH2014/02759

55 Wilmington Way Brighton

Demolition of existing garage and excavation works to base of garage and driveway to facilitate erection of a single storey side extension with associated alterations to rear of property.

APPEAL LODGED

15/12/2014

Delegated

WARD**APPEAL APP NUMBER****ADDRESS****DEVELOPMENT DESCRIPTION****ST. PETER'S & NORTH LAINE**

BH2014/00500

6A Oxford Street Brighton

Erection of extension at second floor level to front and rear elevations, installation of an external rear staircase to second floor level

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

and alterations to fenestration.
APPEAL LODGED
17/12/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

WISH
BH2014/02420
14 Portland Avenue Hove
Demolition of existing extension and
erection of single storey rear and side
extension.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
17/12/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

HOVE PARK
BH2014/02873
1 Barrowfield Drive Hove
Erection of painted, rendered block wall, to
replace existing boundary wall.
(Retrospective)

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
19/12/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

REGENCY
BH2014/03331
17-19 Duke Street Brighton
Change of use from retail (A1) to restaurant
(A3) incorporating installation of ventilation
system and retention of 17 Duke Street as a
shop unit (A1).

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
18/12/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

PRESTON PARK
BH2014/02254
Flat 6 35 Preston Park Avenue Brighton
Change of use from residential (C3) to
offices (B1).

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
19/12/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

WESTBOURNE
BH2014/02180
154A Portland Road Hove
Creation of raised decking to rear.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

APPEAL LODGED
19/12/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

REGENCY
BH2014/02067
12 Montpelier Crescent Brighton
Internal alterations to layout at ground floor level.
APPEAL LODGED
22/12/2014
Delegated

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

REGENCY
BH2014/01610
17-19 Duke Street Brighton
Change of use from retail (A1) to restaurant (A3) incorporating installation of ventilation system.
APPEAL LODGED
19/12/2014
Delegated

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

BRUNSWICK AND ADELAIDE
BH2014/03130
Sandringham Lodge 23 Palmeira Avenue Hove
Formation of additional level comprising 2no three bedroom flats incorporating bicycle store.
APPEAL LODGED
24/12/2014

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

WITHDEAN
BH2014/03053
13 Colebrook Road Brighton
Erection of two storey side extension with front dormer and erection of detached double garage.
APPEAL LODGED
30/12/2014
Delegated

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

WISH
BH2014/02486
20 Kingsthorpe Road Hove
Erection of first floor rear extension with roof terrace above and glass balustrading.

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL

Conversion of existing garage into habitable living space with replacement of garage door with window. Creation of dormers to front and rear roof slopes.
APPEAL LODGED
31/12/2014
Delegated

WARD
APPEAL APP NUMBER
ADDRESS
DEVELOPMENT DESCRIPTION

WITHDEAN
BH2014/02215
39 Green Ridge Brighton
Erection of single storey rear and side extensions. Extensions and alterations to the roof including dormers to front, rear and side.
APPEAL LODGED
06/01/2015
Delegated

APPEAL STATUS
APPEAL RECEIVED DATE
APPLICATION DECISION LEVEL



INFORMATION ON HEARINGS / PUBLIC INQUIRIES
28th January 2015

**Brighton & Hove
City Council**

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

University of Sussex, Refectory Road, Falmer, Brighton

Planning application no: BH2013/04337

Description: Outline application with some matters reserved for demolition of existing buildings and construction of new buildings providing new academic facilities (D1) circa 59,571sqm, 4,022no new student accommodation bedrooms (C1) and new mixed use building circa 2,000 sqm, providing (A1, A3, A4, C1 and D1) uses, incorporating new pedestrian, cycle, vehicular and service routes, landscaping, new parking, upgrading of related infrastructure and associated works. Matters for approval include layout, access and scale. Matters reserved are appearance and landscaping.

Decision: Planning Committee

Type of appeal: Public Inquiry

Date: TBC

Location: TBC

APPEAL DECISIONS

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A – 16 OLD FARM ROAD, BRIGHTON – PATCHAM	573
<p>Application BH2014/02339 – Appeal against refusal to grant permission for part demolition of existing garage. Replacement of existing conservatory with single storey rear extension and new single storey side extension. APPEAL ALLOWED (Delegated Decision)</p>	
B – 48 REDHILL DRIVE, BRIGHTON – WITHDEAN	575
<p>Application BH2014/01950 – Appeal against refusal to grant permission for a three storey rear extension. APPEAL DISMISSED (Delegated Decision)</p>	
C – 7 HOLLINGBURY COPSE, BRIGHTON - WITHDEAN	579
<p>Application BH2014/01601 – Appeal against refusal to grant permission to remove existing rear conservatory and part section single storey extension and to rebuild single storey rear extension with roof terrace. APPEAL ALLOWED - (Delegated Decision)</p>	
D – 40 PARK ROAD, BRIGHTON – HOLLINGDEAN & STANMER	581
<p>Application BH2014/02497 - Appeal against refusal to grant planning permission for single storey rear extension. APPEAL ALLOWED - (Delegated Decision)</p>	
E – 17 WILBURY VILLAS, HOVE – GOLDSMID	583
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F – 46 ELIZABETH AVENUE, HOVE – HOVE PARK	585
<p>Application BH2013/01924 - Appeal against refusal to grant permission for a single storey side and rear extension. APPEAL ALLOWED - (Delegated Decision)</p>	
G – 47 THE DROVEWAY, HOVE – HOVE PARK	587
<p>Application BH2014/01590 - Appeal against refusal to grant permission for erection of a part one, part two storey rear extension and other minor works, new roof lights and windows. APPEAL DISMISSED (Delegated Decision)</p>	

H – 37 UPPER ABBEY ROAD, BRIGHTON – EAST BRIGHTON 589

Application BH2013/01874 – Appeal against refusal to grant a certificate of lawful use for a loft conversion incorporating two roof lights to the front, dormer to the rear and other associated works.

APPEAL ALLOWED (Delegated Decision)

I – FLAT 6, SUSSEX SQUARE, BRIGHTON – ROTTINGDEAN COASTAL 595

Application BH2013/02537 – Appeal against refusal to grant permission to a for railings to enclose the rear elevation balcony of flat No 6.

APPEAL DISMISSED (Delegated Decision)

J – REAR OF 28 EASTERN PLACE, BRIGHTON – ROTTINGDEAN COASTAL 599

Application BH2014/00119 – Appeal against refusal to grant permission for erection of 3No two bedroom dwellings (C3) and 1No commercial unit. **APPEAL DISMISSED** (Delegated Decision)



Appeal Decision

Site visit made on 12 November 2014

by **Ray Wright** BA(Hons) DipTP MRTPI

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

Decision date: 21 November 2014

Appeal Ref: APP/Q1445/D/14/2227226
16 Old Farm Road, Brighton BN1 8HE

- 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 Laurence Taylor against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02339 was refused by notice dated 8 September 2014.
 - The development proposed is 'part demolition of existing garage. Replace existing conservatory with single storey rear extension and new single storey side extension.'
-

Decision

1. The appeal is allowed and planning permission is granted for part demolition of existing garage, replacement of existing conservatory with a single storey rear extension and new single storey side extension at 16 Old Farm Road, Brighton BN1 8HE in accordance with the terms of the application, Ref BH2014/02339, dated 14 July 2014, 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 the following approved plans: Proposed GF Plan 02, Proposed Elevations 06, Proposed Roof Plan 04 and Location Plan 07.
 - 3) The materials to be used in the construction of the external surfaces of the development, hereby permitted, shall match those used in the existing building.

Main issue

2. The main issue in this case is the effect of the extension on the appearance of the host property and the wider effect on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached dwelling which currently has a rear conservatory and single storey kitchen addition. A detached garage is located on the east boundary.
4. The Council's 'spd 12 - design guide for extensions and alterations' (SPD) indicates that side extensions should normally be no wider than half the frontage width of the host building and that rear extensions should normally

align with the main side wall of the house. The appeal scheme does not fully meet these requirements.

5. However, as highlighted by the appellant, part of the overall rear extension incorporates a section of building which forms part of the original layout of the house. The appeal scheme, therefore, does not form a typical full width addition at the rear of the property as envisaged in the SPD. The rear extension would also replace the existing conservatory. As proposed, it would suitably align in both depth and height with the extension at the rear of the attached dwelling and consequently blend successfully with the existing building and its neighbour.
6. In addition, the side extension, although around 0.75 metres wider than envisaged by the SPD, would be located behind the existing side garage to be retained. Therefore, the extension although projecting around 4.0 metres beyond the side wall of the main dwelling would be largely unseen from the road frontage.
7. While more obvious in views from the rear of neighbouring properties and their gardens, the impact of the alterations would be limited in the context of the existing extensive landscaped rear garden at the property. In addition, the immediately adjoining property at 16A is on a significantly raised ground level reducing any visual impact from the proposed development.
8. Overall, the scheme would not unduly disturb the symmetry of the pair of dwellings either from views from the road or from adjoining rear gardens. The extensions, as proposed, would remain subordinate and be readily assimilated into the form of this semi-detached pair of houses and the wider street scene.
9. I conclude that the scheme would cause no undue harm to the character and appearance of the property or wider area. As such, it is not contrary to design requirements set out in the Framework, Policy QD14 of the Brighton and Hove Local Plan 2005 or the SPD.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

Conditions

11. The Council have put forward two conditions should this appeal succeed. The standard commencement condition is required. Also to ensure the extension satisfactorily relates to the existing house, a condition requiring matching materials should be imposed. A condition, referring to the relevant plans, is also required for the avoidance of doubt and in the interests of proper planning.

Ray Wright

INSPECTOR



Appeal Decision

Site visit made on 21 November 2014

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 28 November 2014

Appeal Ref: APP/Q1445/D/14/2227151

48 Redhill Drive, Brighton, East Sussex, BN1 5FL.

- 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 Sunnis International (UK) Ltd against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/01950, dated 18 June 2014, was refused by notice dated 13 August 2014.
 - The development proposed is a three storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:
 - a) the effect of the proposed development on the architectural integrity of the host building and its impact upon the visual amenities of neighbouring properties; and,
 - b) the effect of the proposed development on the living conditions of the neighbouring residential occupiers in respect of its potential, by reason of its height, level of projection and siting, to appear overbearing and result in a loss of outlook.

Reasons

First main issue

3. The property, the subject of this appeal, 48 Redhill Drive, is a detached two-storey dwelling located in a sub-urban residential area. Due to the fall of the land front to back, a semi-basement area has been formed to the rear. As a result of the building's plain brick façade, semi-basement arrangement and regimented fenestration pattern, the rear elevation is somewhat utilitarian in appearance.
 4. The appellant proposes a 4.0 metre deep three-storey rear extension, the formation of accommodation within the proposed and existing roof voids, together with the insertion of a new window in the east elevation and the
-

construction of a raised terrace. The rear extension would be full width at lower ground and ground floor levels. At first floor level it would be reduced in width, by about 3.0 metres, stepping away from the boundary to number 46 and creating a small flat roofed area. That part of the rear addition extending above first floor level would have a hipped roof that would maintain existing ridge and hip lines of the main roof. A uniform pattern of narrow folding doors with Juliet balconies at the lower levels with matching windows at first floor level is proposed.

5. Due to the building's elevated position and the dramatic fall of the ground to the rear, this property like its neighbours would appear prominent when seen across the valley. Accordingly, any extension to the rear would serve to make the dwelling more visually prominent and thereby the inevitable increase in the building's perceived height. However, in this case the extension's visual prominence would be significantly enhanced by a number of key design features. These include the introduction of a full height lower ground floor level; the rear addition being designed to extend flank wall to flank wall without any inset; the proposed roof being designed to have the same ridge height as the main roof; and the uniform adoption of narrow folding doors at both lower and ground floor level and the reflection of their proportions in the first floor windows. In addition, the general lack of modulation or visual relief in the design of the rear elevation, and the proposed construction of the new terrace in brick, would give the completed building even greater perceived height.
6. Accordingly, the rear addition would appear as a visually bulky addition that would, in my judgement, detract from the architectural integrity of the host building. It would in turn impact on the visual amenity of the occupiers of the neighbouring properties, in particular number 50, due to the side walls of the addition being a projection of the line of the existing walls without any set back or modulation, and the proposed roof height being the same as the existing main roof.
7. I conclude in respect of the first main issue that due to the scale, bulk, height and design of the proposed addition, it would appear to be an overly dominant addition that would cause significant harm to the architectural integrity of the the host building and thereby impact upon the visual amenities of neighbouring properties. It would therefore not accord with the objectives of Policy QD14 of the Brighton and Hove Local Plan (2005) (LP) and the Council's Local Development Framework Supplementary Planning Document spd 12: *Design Guide for Extensions and Alterations* adopted June 2013 (SPD 12) as they relate to, amongst other things, the quality of design.

Second main issue

8. The neighbouring dwelling to the west, number 46 Redhill Drive, is of a very similar design to number 48. However, it is set further forward towards the road and therefore does not project as far to the rear as the appeal property. The separation distance between the two dwellings is about 2.0 metres or so and from what I saw on site the floor levels are very similar one dwelling to another.
9. The Council considers that the proposed addition would not impact on levels of daylight or sunlight currently enjoyed by the occupiers of number 46. From

what I have seen and read I would not disagree. However, despite the set back of the addition at first floor level, the Council does believe that the proposed ground floor extension would nevertheless impact on the outlook from number 46 as it would cut a 45-degree line drawn from the centre of the nearest ground floor window of number 46.

10. Having regard to the topography of the site and the levels of the neighbouring properties, the proposed extension would, at ground floor level, in this context appear as only a single storey addition. Furthermore, to my mind, the views from numbers 46 and 48 would principally be in a southerly direction down the garden across the valley. Accordingly, in my opinion, although the 45-degree line would be cut, as illustrated on the drawings, I do not consider that the proposed extension would be an un-neighbourly addition that would appear either overbearing or impact in any significant way on outlook.
11. I therefore conclude in respect of the second main issue that the proposed addition, by reason of its height, level of projection and siting, would not appear either so overbearing or result in such a significant loss of outlook as to cause harm to neighbouring living conditions. In this respect the proposal would accord with the aims of LP Policies QD14 and QD27 and SPD 12.

Conclusions

12. I have concluded that the proposed development would not harm the living conditions of neighbouring residential occupiers. However, I consider that this factor is outweighed by the unacceptable harm that would ensue to the architectural integrity of the host building and thereby its impact upon the visual amenities of neighbouring properties. To my mind, these are compelling objections. I have considered all other matters raised, but none change my overall conclusion, reached on the planning merits of the proposal, that the appeal should not succeed.

Philip Willmer

INSPECTOR



Appeal Decision

Site visit made on 12 November 2014

by Ray Wright BA(Hons) DipTP MRTPI

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

Decision date: 20 November 2014

Appeal Ref: APP/Q1445/D/14/2226618
7 Hollingbury Copse, Brighton BN1 6XD

- 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 John Vousden against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01601 was refused by notice dated 29 July 2014.
 - The development proposed is 'remove existing rear conservatory and part section single storey extension and rebuild single storey rear extension with roof terrace.'
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension with roof terrace, at 7 Hollingbury Copse, Brighton BN1 6XD in accordance with the terms of the application, Ref BH2014/01601, dated 15 May 2014, 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 the following approved plan: 200A.
 - 3) The materials to be used in the construction of the external surfaces of the extension, hereby permitted, shall match those used in the existing dwelling.

Main issue

2. The main issue in this case is the effect on the living conditions of adjoining occupiers, having particular regard to overlooking and loss of privacy.

Reasons

3. The appeal relates to a detached property within a cul-de-sac of seven houses of different form and design. The proposed development involves the erection of a single storey rear extension in an area currently occupied by a raised patio, an existing 'breakfast' room and a conservatory. The Council raise no objection to the principle of a single storey rear extension and I have no reason to disagree with this assessment. The Council's concern relates to the proposed terrace area on the flat roof of the terrace.
4. One of the principles of the National Planning Policy Framework (Framework) is to seek a good standard of amenity for all existing occupiers of land and buildings. Policies QD27 and QD14 of the Brighton and Hove Local Plan 2005

(LP) similarly indicate planning permission will not be granted where there is a loss of privacy or amenity to neighbouring properties.

5. At first floor level the property currently has three rear facing bedroom windows. It is proposed to convert one of the two existing windows to bedroom '3' to an opening with a half glazed door, leading to the flat roof of the extension, forming a terrace with boundary railings.
6. In the vicinity of the appeal property the ground slopes significantly down from north to south, with the appellant indicating that the appeal dwelling is around 2.5 metres lower than buildings to the north fronting Surrenden Road. These properties are at an angle and some distance from the appeal site, consequently views from the proposed terrace area would be generally limited to the ends of their garden areas and associated outbuildings, and any impact would be considerably reduced due to the upwardly sloping ground. To the south, the adjoining property in Hollingbury Copse has its main orientation away from the appeal site, such that views from the proposed terrace would again be limited to angled views of its garden area.
7. The presence of the terrace off this bedroom would be liable to intensify activity in this area over and above that from the existing bedroom. However, due to the position of the terrace relative to nearby properties and existing levels, to my mind, there would be no material harm to the living conditions of adjoining occupiers from increased overlooking or direct loss of privacy. As such, I find no conflict with the Framework or Policies QD14 or QD27 of the LP.

Other Matters

8. The appellant has referred to a balcony at 5 Hollingbury Copse and highlighted some inconsistency in the decision making regarding this and the current appeal case. However, while I have had regard to this I do not have full details of the circumstances of that scheme. I also noted that two properties in Surrenden Road also appear to have rear balcony areas at first floor level. I have, in any event, considered this appeal on its individual merits, based on the specific site circumstances.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed.

Conditions

10. I have considered the conditions suggested by the Council should the appeal succeed against the advice in Planning Practice Guidance and for clarity. The standard commencement condition is required as is, a condition referring to the relevant plan, for the avoidance of doubt and in the interests of proper planning. To integrate this extension with the existing house it is important that suitable external finishes are used, therefore a condition requiring proposed external materials to match those existing is necessary. The appellant has indicated that a condition, requiring screening to the terrace, could be imposed if required. Due to the siting and arrangement of properties in this particular case, this is unnecessary.

Ray Wright

INSPECTOR

Appeal Decision

Site visit made on 12 November 2014

by Ray Wright BA(Hons) DipTP MRTPI

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

Decision date: 1 December 2014

Appeal Ref: APP/Q1445/D/14/2226535
40 Park Road, Brighton BN1 9AB

- 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 Mark Packham against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02497 was refused by notice dated 19 September 2014.
 - The development proposed is a 'single storey rear extension.'
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 40 Park Road, Brighton BN1 9AB in accordance with the terms of the application, Ref BH2014/02497, dated 24 July 2014, and the plans submitted with it.

Procedural Matter

2. The site visit confirmed that the rear extension has been substantially completed and I have dealt with the appeal on this basis.

Main issue

3. The main issue in this case is the effect on the appearance of the main dwelling and on the street scene.

Reasons

4. The appeal relates to a two storey semi-detached house located on the north side of Park Road. It has a detached garage building to its rear.
5. The extension, the subject of this appeal, is deeper than specified within the Council's 'spd 12 - design guide for extensions and alterations' which indicates that single storey rear extensions should not normally be deeper than half the depth of the main body of the house. However, the extension aligns with the side wall of the main dwelling and the ridge of the roof generally aligns with the eaves of the first floor windows, so that further conflict with the SPD is limited.
6. The house is on rising ground, so the attached property at no 42 Park Road and houses to the rear have floor levels set at a higher level. The extension is set within this sloping ground, significantly reducing its perceived scale and its visual impact from adjoining gardens. Its affect is further reduced due to the attached dwelling also having a substantial single storey rear extension.

7. While the pitch of the roof increases the bulk of the extension, due to the fall in levels, it has a low eaves line on the boundary with the attached property at 42 Park Road and, overall, it remains subservient to the main dwelling.
8. From the road frontage, although the east side elevation of the extension is clearly visible in front of the garage, it has a very limited effect on the wider area. The use of external brickwork very similar to the original aids the assimilation of the design with the main property.
9. Having regard to the specific circumstances of this site, the extension does not form an over dominant feature and does not unduly change the original form of the house.
10. I conclude the development suitably relates to the existing property and causes no undue harm to the appearance of the existing property or wider street scene. As such, it does not unacceptably conflict with the design and character requirements of the Framework, Policy QD14 of the Brighton and Hove Local Plan 2005 or the SPD.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed.

Conditions

12. The Council put forward two conditions should the appeal succeed. However, the standard commencement condition is unnecessary as the extension has already been constructed. Similarly, a condition on matching materials is not appropriate due to the advanced state of the works. The brickwork used suitably relates to the original building and although the roof tiles appear different to the main house they are acceptable in appearance.

Ray Wright

INSPECTOR



Appeal Decision

Site visit made on 17 November 2014

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 21 November 2014

Appeal Ref: APP/Q1445/D/14/2226874
17 Wilbury Villas, Hove BN3 6GB

- 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 Adrian Marlowe against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/01506, dated 7 May 2014, was refused by the Council by notice dated 17 July 2014.
 - The development proposed is a single storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 17 Wilbury Villas, Hove BN3 6GB in accordance with the terms of the application, Ref BH2014/01506, dated 7 May 2014, 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan RFA 13/265/02c.

Reasons

2. The proposed extension would be to the rear of number 17 and to the side of the house adjacent to the other half of the semi-detached pair, but maintaining a gap between it and the common boundary. The main issue in this appeal is the effect of the proposed extension on the character and appearance of the pair of houses. Local Plan Policy QD14 on extensions and alterations requires, among other things, that proposals be well designed, sited and detailed in relation to the property to be extended, adjoining properties and the surrounding area. Supplementary Planning Document 12 '*Design Guide for Extensions and Alterations*' sets requirements over size and design relative to the site size and the nature of the original building.
3. A prior approval application (Ref BH2014/00436) was made for a similar extension under Schedule 1 Part 1 Class A of the General Permitted Development Order 1995, and particularly as amended in 2013 to permit up to 6m extensions to semi-detached houses until 30 May 2016, subject to the

maximum height and the eaves height. The Council confirmed that prior approval was not required, and so, subject to the conditions in the Order, and it conforming in all respects with the relevant parts of the Order, that similar extension can now be built.

4. The main difference appears to be that in order to comply with the 6m maximum depth from the relevant part of the rear wall of the original house, a notch was taken out of the regular rectangular shape at the corner nearest the boundary with number 15, forming a recess. In all other respects, including the roof form that the Council objects to in this application for express permission, the permitted development would be similar, if not identical, to the appeal proposal.
5. The prior approval regime for larger rear extensions is based on whether any adjoining neighbour raises an objection within the 21-day period. In that case the Local Planning Authority will take the objection into account and make a decision about whether the impact on the amenity of all adjoining properties is acceptable, but no other issues will be considered. One of the results of the recess is a less attractive and convoluted roof form at the point where the extension projects beyond the present rear extension at number 15, where the visual harm of the roof shape would be most exposed and apparent. In the absence of an objection however, the design of the roof would not have been a matter for the Council's consideration.
6. This is a true fall back position in that it can lawfully be built, and there is no other reason preventing the development. It is the stated view of the appellant that the permitted development scheme would not provide the shape or size of space required and hence is not a viable proposition, but in the absence of the appeal scheme in support of which that view is expressed, it could be built and full weight attaches to the fall back position.
7. The appeal scheme would be visually more attractive than the prior approval, fallback scheme due to the more regular shape of the perimeter roof, and the design and layout of the remainder of the roof would not cause harm to the character and appearance of the building as a whole, nor adversely affect the amenities of neighbouring occupiers. The roof arrangement of perimeter slopes and central lantern is unusual but it would be well integrated with the design of the existing rear projection and would not cause visual harm. The proposal would accord with Policy QD14 being appropriately designed, sited and detailed in relation to the property to be extended and adjoining properties, and would satisfy the requirements of the supplementary planning document on extensions.
8. The suggested conditions on the time limit for commencement and matching materials are necessary and appropriate to the development and in addition a condition is required naming the drawings, because otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. With those provisions and for the reasons given above it is concluded that the appeal should be allowed.

S J Papworth

INSPECTOR



Appeal Decision

Site visit made on 21 November 2014

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 28 November 2014

Appeal Ref: APP/Q1445/D/14/2227231

46 Elizabeth Avenue, Hove, Sussex, BN3 6WG.

- 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 Shaun Manley against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/01924, dated 10 June 2014, was refused by notice dated 13 August 2014.
 - The development proposed is for a single storey side and rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey side and rear extension at 46 Elizabeth Avenue, Hove, Sussex, BN3 6WG in accordance with the terms of the application, Ref BH2014/01924, dated 10 June 2014, and the plans submitted with it, 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 the following approved plans: drawings numbered EAV1/01, EAV2/01, EAV3/01, EAV4/01, EAV5/01 and EAV6/01.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. I consider the main issue to be the effect of the proposed extension on the architectural integrity of the host building and the character and appearance of the surrounding area.

Reasons

3. The property the subject of this appeal, number 46 Elizabeth Avenue, is a two-storey semi-detached house with a detached garage and driveway to one side. The suburban area in which it is located is characterised by a variety of dwelling types, forms and designs.
 4. The appellant proposes the removal of the garage together with a small side porch and the construction of a single storey rear and side extension. The proposed side extension, that would not extend to the common boundary and would be set well
-

back from the front of the house, would have a pitched tile fascia projected forward and supported on brackets. The side addition, as designed, would reflect the style and character of the host building and therefore when viewed from the street it would appear as a well-mannered subservient addition.

5. The proposed rear addition would be more contemporary in appearance by reason of the proposed flat roof, wide expanse of fully glazed patio doors and roof mounted lantern lights. It would extend across the full width of the house to meet the flank wall of the side addition. However, due to the simple strong modern architectural style adopted by the designer for this addition it would not, in my judgement, cause harm to the architectural integrity of the host building.
6. As I saw elsewhere in the street, where a flat roof and pitched tiled fascia are used in combination the transition of one to another may be visually uncomfortable if not handled sensitively. In this case the change from one roof form to another would coincide with the rear wall of the existing house and also be at a point far enough back from the street to not appear awkward or particularly prominent.
7. The Council has drawn my attention to its Local Development Framework Supplementary Planning Document spd 12: *Design Guide for Extensions and Alterations* adopted June 2013 (SPD 12) having particular regard to wrap around extensions. I understand from the SPD 12 that this advice is given in respect of the design of infill extensions to terraced and semi-detached houses with a traditional 'L' shaped plan form. Under the section 'Design Principles' it states that: *infill extensions should not normally extend beyond the rear wall of the outrigger or wrap around to the rear elevation in order to preserve the original plan of the building and avoid excessive amenity harm to adjacent residents.* As, in my view, neither the existing house is of a traditional 'L' shaped plan form referred to, nor the proposed side extension an infill, I do not believe that this advice is directly relevant in this case. I do, however, accept that the footprint of the house as extended would be larger, but in my opinion not so large as to be proportionately overly dominant, when compared to the existing floor plan.
8. I conclude in respect of the main issue that the proposed additions, by reason of their design and overall footprint, would not cause harm to the architectural integrity of the host building and thereby the character and appearance of the surrounding area. They would therefore accord with the objectives of Brighton and Hove Local Plan (2005) Policy QD14 and the guidance in SPD12 as they relate to the quality of design and its impact on the surrounding area.

Conditions

9. In addition to the standard time limit condition I agree with the Council's suggestion that a condition relating to external materials is necessary. Further, for the avoidance of doubt and in the interests of proper planning, I shall also impose a condition requiring the development to be carried out in accordance with the approved plans.

Conclusions

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR



Appeal Decision

Site visit made on 12 November 2014

by **Ray Wright** BA(Hons) DipTP MRTPI

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

Decision date: 21 November 2014

Appeal Ref: APP/Q1445/D/14/2227226
16 Old Farm Road, Brighton BN1 8HE

- 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 Laurence Taylor against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/02339 was refused by notice dated 8 September 2014.
 - The development proposed is 'part demolition of existing garage. Replace existing conservatory with single storey rear extension and new single storey side extension.'
-

Decision

1. The appeal is allowed and planning permission is granted for part demolition of existing garage, replacement of existing conservatory with a single storey rear extension and new single storey side extension at 16 Old Farm Road, Brighton BN1 8HE in accordance with the terms of the application, Ref BH2014/02339, dated 14 July 2014, 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 the following approved plans: Proposed GF Plan 02, Proposed Elevations 06, Proposed Roof Plan 04 and Location Plan 07.
 - 3) The materials to be used in the construction of the external surfaces of the development, hereby permitted, shall match those used in the existing building.

Main issue

2. The main issue in this case is the effect of the extension on the appearance of the host property and the wider effect on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached dwelling which currently has a rear conservatory and single storey kitchen addition. A detached garage is located on the east boundary.
4. The Council's 'spd 12 - design guide for extensions and alterations' (SPD) indicates that side extensions should normally be no wider than half the frontage width of the host building and that rear extensions should normally

align with the main side wall of the house. The appeal scheme does not fully meet these requirements.

5. However, as highlighted by the appellant, part of the overall rear extension incorporates a section of building which forms part of the original layout of the house. The appeal scheme, therefore, does not form a typical full width addition at the rear of the property as envisaged in the SPD. The rear extension would also replace the existing conservatory. As proposed, it would suitably align in both depth and height with the extension at the rear of the attached dwelling and consequently blend successfully with the existing building and its neighbour.
6. In addition, the side extension, although around 0.75 metres wider than envisaged by the SPD, would be located behind the existing side garage to be retained. Therefore, the extension although projecting around 4.0 metres beyond the side wall of the main dwelling would be largely unseen from the road frontage.
7. While more obvious in views from the rear of neighbouring properties and their gardens, the impact of the alterations would be limited in the context of the existing extensive landscaped rear garden at the property. In addition, the immediately adjoining property at 16A is on a significantly raised ground level reducing any visual impact from the proposed development.
8. Overall, the scheme would not unduly disturb the symmetry of the pair of dwellings either from views from the road or from adjoining rear gardens. The extensions, as proposed, would remain subordinate and be readily assimilated into the form of this semi-detached pair of houses and the wider street scene.
9. I conclude that the scheme would cause no undue harm to the character and appearance of the property or wider area. As such, it is not contrary to design requirements set out in the Framework, Policy QD14 of the Brighton and Hove Local Plan 2005 or the SPD.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

Conditions

11. The Council have put forward two conditions should this appeal succeed. The standard commencement condition is required. Also to ensure the extension satisfactorily relates to the existing house, a condition requiring matching materials should be imposed. A condition, referring to the relevant plans, is also required for the avoidance of doubt and in the interests of proper planning.

Ray Wright

INSPECTOR



Appeal Decision

Site visit made on 17 November 2014

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

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

Decision date: 27 November 2014

Appeal Ref: APP/Q1445/X/13/2210596

37 Upper Abbey Road, Brighton, East Sussex BN2 0AD

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Mr David Phillips against the decision of Brighton & Hove City Council.
- The application Ref BH2013/01874, dated 4 May 2013, was refused by the Council by notice dated 26 September 2013.
- The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended.
- The development for which a certificate of lawful use or development is sought is loft conversion incorporating 2No rooflights to the front, dormer to the rear and other associated works.

Summary of Decision: The appeal is allowed and a certificate of lawful use or development is issued in the terms set out below in the formal decision.

Main Issue

1. This is whether the Council's decision to refuse to grant a certificate of lawful use or development is well-founded.

Preliminary Matter

2. This appeal is concerned with whether what is applied for would be lawful at the date when the particular application was made. In these kind of appeals such matters as planning policy, the appearance of the proposals or the impact on its surroundings and neighbouring properties are not relevant matters. My decision has to be concerned, solely, with an interpretation of planning law.

Reasons

3. The development referred to and shown on the drawings had been carried out at the time of the site inspection. However, the evidence is that at the time of the application in May 2013 this was not the case, and the appellant states that the development was carried out from June to August of that year. The appellant states that the building was in C3 dwellinghouse use at that time, but it is clear that the building was in a C4 use, as a small house in multiple occupation, at the time of the site inspection. There are common kitchen, bathroom and lounge facilities and there were originally four bedrooms. The proposed works, and those that have been carried out, provide five bedrooms. It was confirmed as a matter of fact that the upper floor *en-suite* shower room had been constructed in the other corner of the room than shown on the

drawings, and that the rear downstairs room shown on the drawings as a bedroom was in fact in use as a common lounge, it having no wash-hand basin, unlike the bedrooms.

4. The Town and Country Planning (General Permitted Development) Order 1995 (as amended) Schedule 2 Part 1 grants certain permitted development rights to dwellinghouses. Houses in multiple occupation including those which fall within Class C4 can benefit from the permitted development rights granted to dwellinghouses by the Order.
5. As established in the case of *Gravesham Borough Council v The Secretary of State for the Environment and Michael W O'Brien (1982)*, the distinctive characteristic of a dwellinghouse is its ability to afford to those who use it the facilities required for day-to-day private domestic existence. It is concluded that this is the case at the appeal property and that the property should be considered as a dwellinghouse as a matter of fact. As a result, whether C3 or C4 at the date of the application, the property benefited from the permitted development rights under Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995 as amended, and the proposed additions accord with those provisions.

Conclusions

6. For the reasons given above I conclude, on the evidence now available, that the Council's refusal to grant a Certificate of Lawful Use or Development in respect of loft conversion incorporating 2No rooflights to the front, dormer to the rear and other associated works at 37 Upper Abbey Road, Brighton, East Sussex BN2 0AD is not well-founded and that the appeal should succeed. I shall exercise the powers transferred to me under Section 195(2) of the 1990 Act as amended.

Formal Decision

7. The appeal is allowed and attached to this Decision is a certificate of lawful use or development describing the loft conversion incorporating 2No rooflights to the front, dormer to the rear and other associated works which is considered to be lawful.

S J Papworth

INSPECTOR

Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2010: ARTICLE 35

IT IS HEREBY CERTIFIED that on 4 May 2013 the operations described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged in black on the plan attached to this certificate, would have been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The development proposed is permitted under the provisions of Part 1 of Schedule 2 to The Town and Country Planning (General Permitted Development) Order 1995 as amended.

Signed

S J Papworth

Inspector

Date 27.11.14

Reference: APP/Q1445/X/13/2210596

First Schedule

Loft conversion incorporating 2No rooflights to the front, dormer to the rear and other associated works

Second Schedule

Land at 37 Upper Abbey Road, Brighton, East Sussex BN2 0AD

NOTES

This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).

It certifies that the operations described in the First Schedule taking place on the land specified in the Second Schedule would have been lawful, on the certified date and, thus, would not have been liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

The effect of the certificate is subject to the provisions in section 192(4) of the 1990 Act, as amended, which state that the lawfulness of a specified operation is only conclusively presumed where there has been no material change, before the operations begun, in any of the matters which were relevant to the decision about lawfulness.



Plan

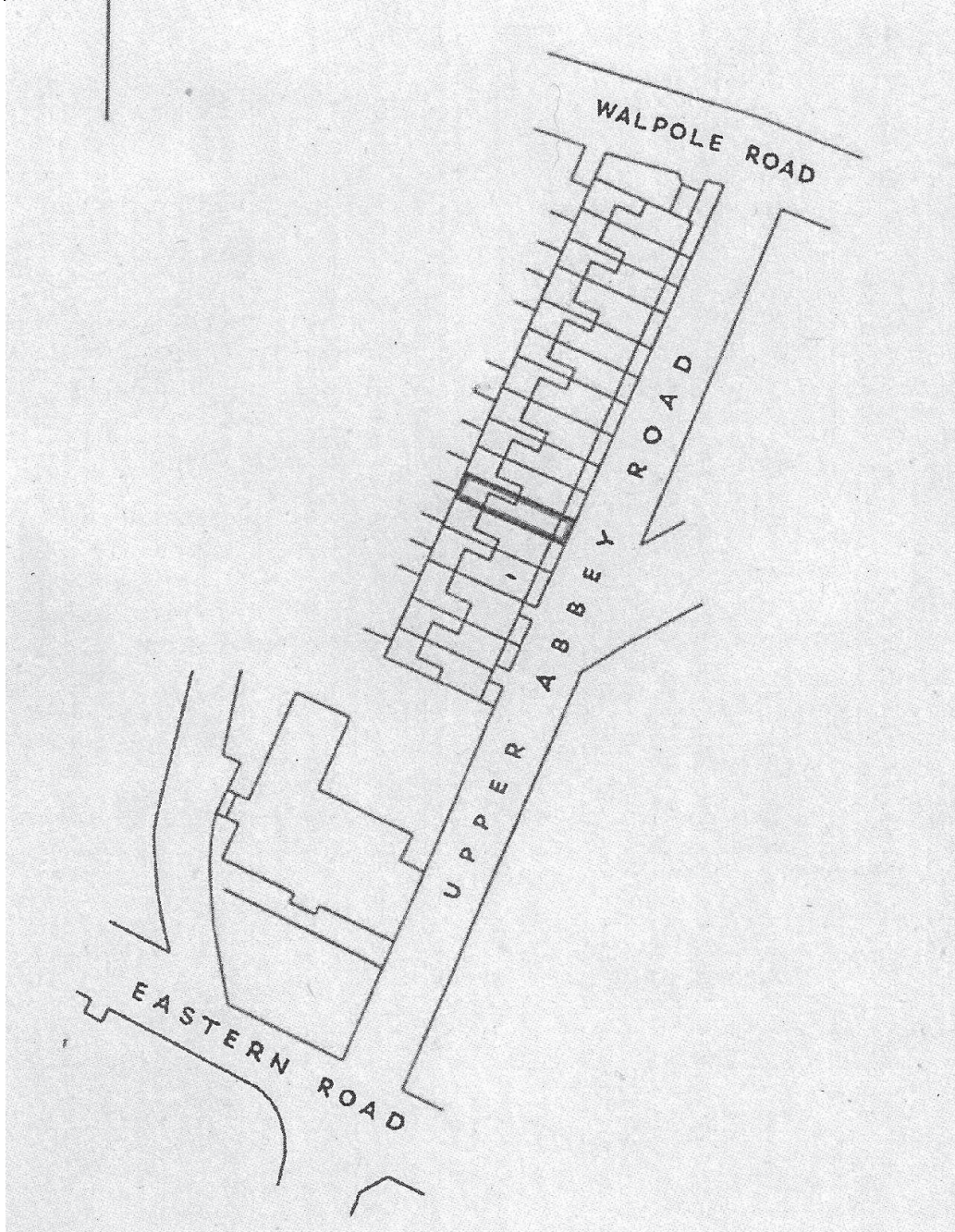
This is the plan referred to in the Lawful Development Certificate dated: 27.11.14

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

Land at: 37 Upper Abbey Road, Brighton, East Sussex BN2 0AD

Reference: APP/Q1445/X/13/2210596

Scale: Unmarked



Appeal Decision

Site visit made on 27 October 2014

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: 27 November 2014

Appeal Ref: APP/Q1445/A/14/2219165

Flat 6, 31 Sussex Square, Brighton, East Sussex BN2 5AB

- 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 Jonathan Rolls against the decision of Brighton & Hove City Council.
 - The application Ref BH2013/02537, dated 23 July 2013, was refused by notice dated 22 November 2013.
 - The development proposed is railings to enclose rear elevation balcony of flat No 6.
-

Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are the effects of the development on the living conditions of adjacent occupiers in terms of noise and disturbance and on the special architectural and historic interest of the listed building and its setting.

Procedural matters

3. The Council did not attend the site visit but with its agreement, the appellant gave me access to the site.
4. After the site visit the further views of the parties were sought on the duty under section 66(1)) of the PLBCA Act¹ and the case of *Barnwell Manor Wind Energy Limited v East Northamptonshire DC v SSCLG and others [2014] EWCA Civ 137 (Barnwell Manor)*. These views have been taken into account in my decision.

Reasons

Significance

5. Sussex Square is a set piece of Regency townscape arranged in a U shaped plan; most of the large terraced houses now appear to have been subdivided into multiple flats. The Square is listed Grade I² and is part of an important group of buildings designed by Amon Wilds and Charles Augustin Busby in the grand manner for the developer of Kemp Town, Thomas Read Kemp. The main facades are heavily ornamented and have a classical symmetry and order; these facades date from 1825-1827. But behind the facades, the interiors and

¹ Planning (Listed Buildings and Conservation Area) Act 1990

² Sussex Square (north side) Nos 11-40 (Consecutive) and attached railings

rear elevations were constructed to an assortment of plans and to the rear the variation of plan form, depth, height and materials is evident.

6. In terms of no 31 the semblance of order is also evident on the rear elevation and the fenestration, form and materials are more formal than adjacent buildings. The significance of the building as a whole is its part in the greater formal terrace. Although the works would only affect the rear of the building which is not part of the grand design, the composition of the rear of no 31 is of no less importance to the integrity of the building. In this case the pattern, balance and simplicity has been little altered or diluted by the later additions such as fire escapes which are visible to the rear of the adjacent listed buildings. Hence its significance is as a rare example of a building within this listed terrace which still appears to be largely in its original form.

The proposal

7. The development proposes the erection of metal railings around an existing flat roof to the rear of Flat 6 which is on the 2nd floor at the back of No 31.

Living conditions

8. The flat roof can be accessed via two sash windows although the cills of these is about 70cm above floor level. There were a number of plant pots and window boxes and other objects on the roof. This would suggest that existing or previous tenants make use of the area as an ancillary domestic space.
9. Although concern has been expressed about disturbance resulting from use of the balcony affecting the bedrooms of the flat immediately below (Flat 3), I have been provided with a plan which shows that the space below is circulation space and a stairway. I also saw that the window beneath the flat roof does not appear to serve a habitable room. Moreover the appellant is agreeable to a condition which would restrict access to that required for maintenance purposes only. In those circumstances I consider that there would be little or no additional impact on the living conditions of the occupiers of the flat below because any disturbance would, at worst, be intermittent.
10. Accordingly I find on this first issue that there would be little or no adverse effect on the living conditions of occupiers of Flat 3 which is located below Flat 6. Consequently the development would not conflict with the aims of Policy QD14 and QD27 of the *Brighton and Hove Local Plan* (LP) which both seek, amongst other matters, to ensure that development does not result in significant noise disturbance. This weighs in favour of permission.

Heritage

11. The character of the rear of no 31 appears to be both neat and relatively unaltered. The classical form of the sash windows, measured composition and clean lines of the parapets have a quiet dignity which is unlike the informal rear elevations more typical of Sussex Square. The rear is described by the appellant as substantially plain without various railings or fire escapes or any special features.
12. The Council has granted Listed Building Consent for the works which are identical to the development before me³ but I have a duty⁴ in this planning

³ BH2013/02538: Decision dated 22 November 2013.

⁴ Under S66 (1) Planning (Listed Buildings and Conservation Area) Act 1990

appeal to consider the effect of the development on the special architectural and historic interest of the listed building. The building is included on the statutory list and the rear is given the same protection as the front elevation, even if its original features are not specifically noted in the listing description, and its integrity is part of its significance. The Council says that the rear roof area, subject of this appeal, and the two sash windows in Flat 6 appears to be historic if not original to the property and I see no reason to disagree.

13. The National Planning Policy Framework (the Framework) says that great weight should be given to the conservation of a heritage asset, and the more important the asset the greater the weight should be⁵. This principle has been reiterated recently in the case of *Barnwell Manor*⁶. In the case before me the building is exceptional because it is listed at Grade I and thus the quality of the building is considered to be in the top 2% of listed buildings. In these circumstances the conservation of the building has very great weight.
14. I consider the proposed development would seriously harm the asset because it would be an incongruous modern addition in an elevated location and would result in clutter which would be damaging to the present simplicity and formality of the building. Moreover the railings would partially obscure the two sash windows and thus undermine the character, appearance and integrity of the rear elevation.
15. In terms of the effects on the setting of the listed building which is the rear elevation of this terrace and on the conservation area I find, in the light of the above conclusions, that there will be additional harm which adds further weight against the proposals. In reaching these views I have borne in mind that the Council has already granted listed building consent for this proposal, but in the light of statute, case law and guidance I hold to my conclusion.
16. The purpose of the railings is said to be to ensure public safety because tenants can climb out of the sash windows and use the flat roof. But the appellant now says that such use would not be permitted by the terms of the lease and is agreeable to a condition limiting access for maintenance purposes only. Yet such maintenance is likely to be infrequent so does not justify the erection of permanent railings, particularly as maintenance staff are likely to be properly equipped to avoid falling hazards. Hence I attach little weight to that argument and the railings would not be a public benefit that outweighs the harm to the building⁷.
17. The guidance in paragraph 132 of the Framework says that as heritage assets are irreplaceable any harm or loss should require clear convincing justification. Thus in the light of *Barnwell Manor*⁸, the duties imposed by S66(1) and S72(1) of the PLBCA Act, the Grade I listing and the absence of public benefit this weighs heavily against permission.

Conclusions

18. For the reasons I have given, I find there would be little adverse impact on the living conditions for the occupiers of adjacent flats. But this is heavily outweighed by the serious harm to integrity of the listed building. Accordingly,

⁵ Paragraph 132: The National Planning Policy Framework

⁶ South Northamptonshire DC v SSCLG and Barnwell Manor Windfarms Ltd

⁷ Paragraph 134: The National Planning Policy Framework

⁸ Especially paragraphs 16-29

because the proposal would not preserve the architectural and historic interest of the building, the appeal is dismissed.

Sukie Tamplin

INSPECTOR

Appeal Decision

Site visit made on 13 October 2014

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 25 November 2014

Appeal Ref: APP/Q1445/A/14/2223461
Rear of 28 Eastern Place, Brighton BN2 1GJ

- 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 Christopher Pearce and Ms Lucy Lauener against the decision of Brighton & Hove City Council.
 - The application Ref BH2014/00119, dated 15 January 2014, was refused by notice dated 6 March 2014.
 - The development proposed is erection of 3No two bedroom dwellings (C3) and 1No commercial unit (B1).
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Decision

1. I dismiss the appeal.

Main Issues

2. These are;
 - The effect of the proposal on the character and appearance of the Eastern Place area of Brighton.
 - The effect of the proposal on the living conditions of neighbouring residential occupiers with particular regard to privacy, daylight and outlook.

Reasons

Generally

3. The site is presently unused and not formerly in a use that the Council considers should be protected for its employment provision. The development for housing would further the stated aims of paragraph 47 of the National Planning Policy Framework to boost significantly the supply of housing, and would make use of previously developed land in an urban area. It is close to frequent bus routes to the railway station, the marina for entertainment and shops, and to other parts of the city and beyond, as well as other facilities and the should be regarded as being in an accessible location. The provision of a work unit would be beneficial and could reduce the need to travel.
4. Therefore, the proposed lack of parking and the statement that the development is car-free can be given full weight for the benefits that would bring in reducing congestion, and a condition could be attached to prevent future occupiers from obtaining a parking permit for on-street space as set out in Local Plan Policy HO7. Local Plan Policy HO3 makes clear that to secure

efficient and effective use of a site, proposals will be expected to incorporate an intensity of development appropriate to the locality and townscape among other considerations.

Character and Appearance

5. Local Plan Policy QD1 sets out the considerations on the design of development in general, and Policy QD2 seeks to emphasise and enhance the positive qualities of the local neighbourhood. In addition to the points detailed in the preceding paragraph with regard to Policy QD3, the policy goes on to say that town cramming is to be avoided and backland development will be rigorously examined for its effect. Section 6 of the Framework seeks a wide choice of high quality homes and section 7 requires good design.
6. The site is backland in that it is behind established built form along Eastern Place and in a space between that frontage and the more recent development of Lewes Mews, and the site also adjoins the rear boundaries of properties on Arundel Road. As illustrated in the Design and Access Statement, the site is within an area of open space formed by the rear gardens of many of these properties in addition to the appeal site itself. This space does not contribute greatly to the character and appearance of the area although the site is seen in public views from the entrance onto eastern Place alongside number 28. Development on the site would impinge into this open space, but the effect would be limited by the height of the boundary fence to the south and the boundary wall to the west and the site level relative to the street.
7. It appears that the proposed scheme for three dwellings follows a scheme for four dwellings that was refused in September 2013 (Ref; BH2013/01251), and the Council describe the present scheme as being 1.8m further from the southern boundary and 0.6m further from the western boundary, the residential units would be shallower in depth but wider, and the commercial unit would be slightly shallower and wider. This redistribution of built form has therefore resulted in a limited increase in the space around the building, and no difference in height. The Council Officer's Report states that the contemporary, flat roofed design was previously considered acceptable.
8. There are many aspects of the layout that relate well to the context of the site, the north-south orientation and the lower link to the rear of number 28 are appropriate responses to the access point and buildings on Eastern Place, and the low, flat roofed design avoids protruding over-much into the open space. The fenestration is restrained and contemporary and the change from a more industrial style previously proposed is appropriate in relation to the residential properties around.
9. The balance between open areas to the rear and to the front of the units appears to provide space for light and air within the dwellings, but results in the front projecting forward of the side wall of number 28 and this arrangement leaves an uncharacteristically narrow shared space visible to the street. The area in front of the units would appear cramped and would leave little space for meaningful landscaping whilst still allowing access for cycles.
10. Whilst agreeing to the flat roof, the Council object in the first reason for refusal to the roof materials. This is described as a 'brown roof' and the Design and Access Statement says that this would be 'non-seed' allowing self colonisation of plants and insects, the base being sourced from 100% recycled materials.

The appellant says that this will add visual interest when seen from above, and aid biodiversity. 'Green roofs' are well known, using sedum and the like to present an acceptable appearance and to suppress unwanted colonisation, reducing the need for maintenance, an activity that would likely require access and a fall-restraint system.

11. However, there is real doubt as to how the proposed 'brown roof' would be controlled or maintained on three separately occupied dwellings and a risk of invasive, or straggling species such as buddleia, taking hold and being visible from the street. In any event the roof would be plainly visible from a number of properties that have a view over the site. Were all else acceptable a condition might address these doubts, but in the absence of further information on the operation of a 'brown roof' the concerns of the Council are shared.
12. In conclusion on this issue, there are two main areas of concern remaining; the site coverage with feeling of cramped spaces and over-development of the site; and the doubts over the appearance and management of the 'brown roof'. As a result, conditions would not be able to address all concerns and the proposal is found to fail to show a high enough standard of design contrary to the aims of Local Plan Policies QD1, QD2 and QD3, and those of the Framework.

Living Conditions

13. The Council's reason for refusal concerns the visual effect of the development as seen from dwellings in Lewes Mews to the south. That development is a staggered terrace of three storey modern town houses, and numbers 6, 7 and 8 have shorter gardens that back onto the appeal site, whilst numbers 5 down to 1 have longer gardens that reach the rear of properties on Eastern Place. This arrangement has been assisted by numbers 6 to 8 being staggered further south, away from the appeal site, than the others in the terrace, but not by much considering the proximity of the appeal site boundary. Nevertheless, that is the arrangement in place. In addition two of those properties have rear additions that take up a significant area of their gardens.
14. As previously described, this proposal has resulted in a larger space between the proposed flank wall and the rear of Lewes Mews and daylight and access to air would not be so affected as to be harmful in planning terms. The flank wall would still feature in the outlook and although it has been kept low by the use of the flat roof and although there would remain open space to left and right as well as over, the proximity is so close that the flank wall would appear as an intrusive element in the outlook of number 7 in particular, the other two having the more open views. All three dwellings would have a close view of the proposed roof, and the doubts expressed earlier, if realised, would be particularly felt by these occupiers. Policy QD27 of the Local Plan seeks to protect the amenity of adjoining occupiers, and in this case the relationship between the flank wall and number 7 fails to satisfy this aim.
15. The Council are satisfied as to the position of windows and the risk of harmful overlooking, on the basis that the flank wall has no windows and that is the nearest to other gardens and facades, and the gardens further from the rear walls of such as 2, 3, 4 and 5 Lewes Mews already experience a similar degree of overlooking. Both of these considerations are true, however, the occupiers of one of the dwellings at the rear have objected on the basis of overlooking in addition to the other matters already considered.

16. The proposed dwellings would have slot windows at first floor level that would appear to be able to view over the wall and into the rear gardens nearby. Whilst that view is generally to the part further from the rear of the dwellings, and therefore to a part away from that where a higher degree of privacy is reasonably expected, the slot window to the proposed Plot 1 would be to the southern end of the unit and would risk being perceived by the neighbouring occupiers as having a direct view to the rear of the house. This is a risk of infill development, but in this case insufficient steps have been taken to design-out this risk, and on balance, the location of the window and the perception of being overlooked would cause undue harm to the living conditions of the occupiers of numbers 3, 4 and 5 Lewes Mews, again contrary to the aims of Policy QD27.

Planning Balance and Conclusions

17. As set out in the general paragraphs, there are positive features of the development in the use of land in a sustainable location and contributing to the supply of housing close to transport and facilities. Of the three dimensions of sustainable development detailed in paragraph 7 of the Framework the proposal would further the economic and social roles, with the work unit, economic activity in the construction and through introducing residents to the area, but would not sufficiently further the environmental role through shortcomings in the design, notwithstanding the energy saving and biodiversity proposals. The principle of the development of the site is not in question, but the particulars of the proposed design and layout fall short of what should be expected on this site, failing to accord with the Development Plan policies referred to and the aims of the Framework. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR